

## REPORT OF POLICY AND RESOURCES COMMITTEE

(Meeting held 21 March 2001)

### 1. ECONOMIC STRATEGY FOR THE DISTRICT (REPORT A) (MINUTE NO. 178)

The Committee has considered a draft Economic Strategy for 2001 to 2005 prepared by external consultants. Although much of the thrust of the Strategy is consistent with that of previous Economic Strategies which were prepared in house, it has proved helpful to obtain an independent view of the threats and opportunities for economic development in the District.

Members noted that the consultant had identified that there is no single body representing businesses in the New Forest. Establishing a business forum has been identified in the Strategy as a high priority action. It is important that local businesses have a good relationship with the Council, while fully understanding the financial and other restraints limiting what the Council is in practical terms able to deliver, particularly where small businesses are concerned. A list of those willing to assist in creating a forum is already being prepared. Initiatives in Totton to resurrect the local Chamber of Commerce, and ongoing work with local traders in Hythe to maintain the viability of the shopping centre, are to be welcomed.

The Economic Development Officer would be giving a presentation on economic development and related issues to the Economy and Planning Portfolio Performance and Review Panel meeting on 28 March 2001, and consideration of the Strategy by members of the Panel would follow. Following that meeting, further consideration would be given to whether the consultant should be invited to make a presentation to members.

#### **RECOMMENDED:**

***That, with the inclusion of the amendments and additions recommended by Advisory Cabinet and listed below, the substance of the Strategy, Delivering the Vision and Action Plan attached as Appendix 1 to this report, be adopted as the Council's Economic Strategy for 2001 to 2005, subject to any necessary textual or formatting arrangements.***

#### ***Amendments and additions to draft Strategy:***

- (i) Inclusion of a paragraph explaining that the Council relates to the economy in several respects, and that a number of Council services influence or contribute to the local economy;***
- (ii) Inclusion of comment on the differentiation of the four parts of the District in terms of the local economy, and that while this may not be emphasised in the immediate action programme, it will be carried forward as part of the community planning agenda;***
- (iii) Inclusion of additional comment on the position regarding land allocations and their actual availability to the market, together with the difficulty of ensuring that they are brought forward for the benefit of industry and business; and***

- (iv) The strategy should clearly state that, in view of the Council's support for the National Park boundary as currently proposed by the Countryside Agency, then unless that boundary were to change there is no foreseeable scope for any further allocations in the Totton area.**

**Note: Since the meeting the text of the Strategy has been finalised in accordance with the above recommendation, and is now attached at Annex 1 to Appendix 1 for the Council's approval.**

## **2. FOOT AND MOUTH DISEASE UPDATE (REPORT K) (MINUTE NO. 179)**

The Committee was updated on the current situation.

Members welcomed a draft statement discussed on 20 March 2001 with the Forestry Commission, Verderers, commoners' representatives, Hampshire County Council, and representatives of agriculture and tourism. The statement recognises the important balance that has to be struck between protecting the unique nature of the Forest, while recognising the need to support tourism. The agreed statement is attached as Appendix 2 to this report. All agencies support the statement as reflecting the best balance between the needs of agriculture and tourism. A press notice has been issued emphasising that the towns and villages in the District, and the vast majority of local attractions, remain open to visitors.

The extent of the problems caused to local businesses in Burley by the closure of the Council owned coach and car park was recognised. It was agreed that it would be consistent with the principles of the jointly agreed statement to re-open the Burley car and coach park, and to re-open the Beaulieu car park with immediate effect. The signs indicating that the car parks were closed would be removed.

Difficulties have been caused by the fact that nationally different agencies have been offering different advice. It has not been easy for the Council to issue consistent guidance, both to the public and to its own employees. Further, the Council cannot make decisions on matters outside its own area of responsibility, such as when and if Forestry Commission car parks should re-open, or whether the scheduled Beaulieu Boat Jumble should take place. It is however important to maintain close communications with all other relevant agencies.

The Committee noted references in the press to relief from business rates and possibly Value Added Tax for businesses affected by the outbreak. At the time of the meeting, Government guidance on the issue of business rates had very recently been received and legislation was expected shortly. Members will be informed of the situation in due course. However, each individual application for relief will need to be examined on its merits.

The Chief Executive will continue to authorise any action which he considers urgent, in consultation with the Leader of the Council, relevant Portfolio Holders, and other agencies where time permits. The situation is kept under review on a daily basis.

## **3. RESOURCES FOR TENANT PARTICIPATION (REPORT D) (MINUTE NO. 182)**

The Committee has considered a proposal for extra staff resources to deliver the commitments made in the Tenant Participation Compact action plan, whilst maintaining support to existing, and encouraging new, tenant groups.

**RECOMMENDED:**

***That the provision of two new full-time posts and one part-time post for Tenant Participation, and the deletion of the existing post of Tenant Participation Officer, be approved at an additional cost of £29,920, partially funded by Government subsidy of £9,000 in 2001/2002.***

**4. FINANCIAL REPORT FOR THE PERIOD APRIL 2000 TO JANUARY 2001 (REPORT I) (MINUTE NO. 187)**

The Committee noted forecast variations from the revised estimates for 2000/01 for all Portfolio and Committee budgets. There is a forecast net reduction in expenditure of £31,000 on the General Fund, underspend of £50,000 in Disabled Facilities Grants, and no variation in overall net expenditure on the Housing Revenue Account. An underspend in Other Services capital expenditure is mainly due to the re-phasing of schemes, and therefore no reallocation of resources is proposed at this stage.

**RECOMMENDED:**

***That supplementary estimates of £643,000 for Social Housing Grant, £40,000 for Private Sector Renewals Grants, and £10,000 for Home Repairs Assistance Grants, be approved.***

**5. MODERNISATION WORKING PARTY RECOMMENDATIONS – NEW DECISION MAKING STRUCTURES – CHANGES TO THE COUNCIL’S CONSTITUTION (REPORT L) (MINUTE NO. 189)**

The Committee has considered the recommendations of the Modernisation Working Party made on 28 February 2001.

It was reported that the Cabinet will continue to meet on the first Wednesday of the month at 10.00 a.m.

**RECOMMENDED:**

**(a) *That the Summary and Explanation, attached at Appendix 3 to this report, be included in the Council’s Constitution;***

**(b) *That the following Statement of the Purpose of the Constitution be approved and included in the Constitution:***

***“The purpose of the Constitution is to:***

**(i) *enable the Council to provide clear leadership to the community in promoting their environmental, economic and social well being, in partnership with citizens, businesses and other organisations;***

**(ii) *support the active involvement of citizens in the process of local authority decision-making;***

**(iii) *help councillors represent their constituents more effectively;***

**(iv) *enable decisions to be taken efficiently and effectively;***

- (v) ***create a powerful and effective means of holding decision-makers to account;***
  - (vi) ***ensure that no-one will review or scrutinise a decision in which they were directly involved;***
  - (vii) ***ensure that those responsible for decision-making are clearly identifiable to local people and that they explain the reasons for decisions; and***
  - (viii) ***provide a means of improving the delivery of services to the community”;***
- (c) ***That the membership of the Executive, the Portfolio Performance and Review Panels, and any Committees or Sub-Committees appointed by the Council be set out in the Council’s Constitution;***
  - (d) ***That the Portfolio Performance and Review Panels be renamed “Review Panels”;***
  - (e) ***That the following be included in Annex 2 to Schedule 1 of the Constitution as Regulation 5 (Schedule 4) Functions – Plans or Strategies where the Authority determines that the Plan or Strategy should be Adopted or Approved by the Council:***
    - Electronic Governance Strategy***
    - ICT Strategy***
    - Economic Strategy;***
  - (f) ***That the portfolio descriptions for the Cabinet, and the Portfolios for Leisure Services and Finance and Support be amended as shown in bold italics in Appendices 4, 5 and 6 to this report;***
  - (g) ***That the amendments shown in bold italics in Appendices 7, 8 and 9 to this report to clarify the roles of the Portfolio Performance and Review Panels in the preparation of the budget, and in service reviews, be approved;***
  - (h) ***That the Terms of Reference of the Council’s Committees and the Portfolio Performance and Review Panels include:***
    - “Subject to compliance with any provisions within legislation and the Council’s Constitution, to delegate any of the functions of the Committee/Panel to an officer of the Council”;***
  - (i) ***That the terms of reference of the Appeals, General Purposes and Licensing, Standards and Planning Development Control Committees be amended to include:***
    - “To respond on behalf of the Council to consultation papers on matters falling under the specific terms of reference of the Committee”;***
  - (j) ***That the Terms of Reference of the Standards Committee be amended to include:***
    - “Within the requirements of the Local Government Act 2000 and any regulations made thereunder:***

- (i) **To make arrangements, including the appointment of a selection panel comprising one member of each political group represented on the Council, for the selection of Independent Member(s) to the Standards Committee, for recommendation to the Council;**
- (ii) **Following consultation with Town and Parish Councils and the New Forest District Association of Parish and Town Councils, to make appropriate arrangements for parish council representation on the Standards Committee”;**
- (k) **That the Terms of Reference of the General Purposes and Licensing Committee be amended as per the amendments shown in bold italics in Appendix 10 to this report;**
- (l) **That Standing Order for Meetings No 32.2 be deleted, and Standing Order 32.3 renumbered as 32.2;**
- (m) **That the Cabinet continues to meet once per month;**
- (n) **That the following procedure be adopted to involve members of the Planning Development Control Committee and the Economy and Planning Panel in matters on which they should be consulted and/or on which they should be permitted to express views:**
  - (i) **For major policy issues, such as the preparation of the Local Plan which does not involve the determination of an application, joint meetings of the Development Control Committee and the Economy and Planning Panel be held;**
  - (ii) **For issues such as supplementary planning guidance, which will be ancillary to the Development Plan, the policy be considered by the Panel for the submission of recommendations to the Executive, but that members of the Planning Development Control Committee be invited to attend the Panel's meeting and to express views to the Panel;**
  - (iii) **Subject to the Chairman of the Development Control Committee agreeing to such a request, the Development Control Committee's budget be considered by the Economy and Planning Panel, with members of the Development Control Committee being invited to attend and to comment;**
  - (iv) **That the need for some special joint meetings to consider matters outside the guidelines in (i) to (iii) above be the subject of discussion with the Chairmen of the Panel and the Committee on each occasion;**
- (o) **That each of the Portfolio Performance and Review Panels be allocated a budget of £1,000, to be met from the central contingency, for use as necessary in undertaking reviews; and**
- (p) **That no changes be made preventing a member of the Council from holding more than one Chairmanship unless precluded from doing so by legislation.**

**6. MODERNISATION WORKING PARTY RECOMMENDATIONS – NEW LEGISLATION ON ACCOUNTABLE DECISION MAKING (REPORT M) (MINUTE NO. 190)**

The Committee has considered the recommendations of the Modernisation Working Party made on 28 February 2001.

**RECOMMENDED:**

*That the changes to the draft Constitution, as set out in bold italics in Appendices 11 to 17 to this report, to reflect the requirements of new legislation and Government guidance on accountable decision making, be approved.*

**7. MODERNISATION WORKING PARTY RECOMMENDATIONS – PUBLIC PARTICIPATION AT MEETINGS (REPORT N) (MINUTE NO. 191)**

The Committee has considered the recommendations of the Modernisation Working Party made on 28 February 2001.

**RECOMMENDED:**

*That a protocol for public participation at meetings be submitted to the next meeting of the Modernisation Working Party, based on the principles of the current public participation scheme, but with the following adjustments:*

- (i) to include power for the Chief Executive, in consultation with the relevant Chairman, to agree special arrangements for public participation when an item of extraordinary public interest is to be debated;*
- (ii) rules for public participation at Committee and Review Panels meetings not to apply to Appeals Panel or Licensing Panel meetings; and*
- (iii) no public participation at Annual (May) Meetings of Cabinet, Committees and Review Panels, and public participation at special meetings to be limited to agenda items.*

**Councillor S A Hayes  
CHAIRMAN**

(PR210301)

## APPENDIX 1

## 4 THE STRATEGY

- 4.1 To take economic development forward in the New Forest, the strategy needs to be both structured and focussed to provide a statement of future direction. A clear framework and vision is important not only in determining what activities the Council should undertake but also in providing objectives and targets against which performance can be measured be.
- 4.2 This section presents the broad strategy framework by setting out the Vision for the New Forest economy and the Strategic Objectives sought.

**The Vision for the New Forest Economy**

- 4.3 The Council has a strategic role to play with the business community in setting the policy agenda and facilitating economic development opportunities. Through consultation and testing with private and public sector partners, the following Mission Statement for the economy of the New Forest District has been developed.

**MISSION STATEMENT**

***“To facilitate a sustainable and growing economy for the New Forest that creates economic and employment opportunity while making use of the district’s unique assets.”***

- 4.4 This statement encapsulates how the strategy partners see the economy of the New Forest developing, particularly reflecting the need to balance economic development with the unique environmental character of the area. Underpinning the strategy is a clear recognition that the district’s environment is an asset that plays a fundamental role both in the attractiveness of the district as a place to live and work, and as a quality visitor destination. Equally important is the need for the district to maintain a level of economic activity that underpins quality of life. Economic development can promote, or conflict with, social and environmental regeneration. Sustainability – ensuring that development today does not prejudice quality of life or development in the future – has economic development as one of its three key components.
- 4.5 Within the overall Mission Statement the Vision for the New Forest is presented as follows:

**VISION**

***“New Forest District Council and its partners will use and build upon its inherent environmental and economic assets to provide sustainable economic development. Growth will be promoted through developing and enhancing the local knowledge base, and encouraging economic diversity to increase GDP per head. To be sustainable, growth and opportunity will be managed and located according to need.”***

- 4.6 The Vision has been developed in consultation to reflect the aspirations of the local business community. It provides the statement of where the district wants to be and the broad framework for achieving this. A number of fundamental considerations underpin the Vision.
- The Vision recognises the economic and environmental strengths of the district and believes that these factors provide the most sustainable base upon which to develop the economy.
  - Growth is recognised as important to ensure a sustainable economic future - a static economy is a declining economy. However, in reconciling growth with the environmental context the Vision

targets a modest and controlled level of growth to foster renewal. Large-scale growth is both undesirable and unrealistic.

- With a diverse business base and inherent economic and labour market opportunities, indigenous growth is seen as the appropriate driver for the economy with the exception of the Totton area which has strong sub-regional connections. However, to increase GDP per head the district must diversify towards high value-added and growth sectors. Therefore selected opportunities for small scale inward investment (particularly professional services drifting out of adjacent conurbations) should be encouraged.
- The Vision takes into account local differences across the district and believes that each sub-area needs to be accommodated accordingly within the strategy framework. Sustainable growth requires that local opportunities be created to address local needs and issues, particularly given the accessibility problems in parts of the district.

## Strategy Objectives

- 4.7 The strategy has at its core five strategic objectives, which need to be met if the strategy vision is to be realised. The objectives have been identified as follows.

### **1. To achieve a positive business culture**

*Rationale:* the economy of the New Forest is primarily dependent upon the continued success and expansion of the indigenous business base. In order for this to grow a positive business culture must be created whereby business has a coordinated voice in the district, the local authority has a stronger relationship with business and provides more support, and a targeted approach to business development realised. This is as much about support through the way Council services are delivered as much as overt economic development support. In an area where the demographic structure is skewed towards the elderly, and the conservation voice is particularly strong, a lack of understanding of business needs by the local community is a potential threat to future economic prosperity.

### **2. To promote a 'needs based' business environment**

*Rationale:* for sustainable economic growth to occur an adequate environment needs to be fostered. This incorporates the 'hard' environment such as transport, accessibility and opportunities provided by sites and premises, but also 'softer' environment such as training infrastructure, business support and social inclusion measures. For economic development, the provision of this business environment needs to be within the wider environmental constraints of the district, but must be adequate for growth to occur. This will involve support for initiatives, innovative solutions, mitigating actions, and a level of flexibility with regards to business considerations.

### **3. To manage sustainable growth within a unique context**

*Rationale:* economic growth is necessary to maintain the competitive position of the New Forest economy. This growth must be at a sustainable level and managed towards achieving necessary outcomes targeted by the District's community. To be sustainable development needs to be balanced with environmental considerations, opportunities need to be provided where needed by business, but also located nearer to the labour force. The strategy needs to take account of uniqueness of the district and the four sub-areas of activity based in the district, each of which have different needs.

### **4. To provide a deliverable framework**

*Rationale:* the district needs a clear framework against which activities and progress can be measured and which sets out the role of the District Council in economic development. The framework needs to



prioritise what can be achieved, how it can be achieved and by whom. The strategy must have a commitment demonstrated through practical projects that can and will be achieved.

**5. To maximise opportunity using local assets**

*Rationale:* the comparative advantage of the district lies in its unique environment and quality of life and the strengths of the local labour force. These assets can be built upon to improve its economic future, provide adequate opportunities for local and higher value employment, and ensure a sustainable future for the New Forest.

**Cross-cutting Strategic Principals**

4.8 There are three principals that underpin the strategic framework and activities undertaken through the strategy.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Sustainable Economic Development</b></p> <p>Sustainability means economic development and environmental sustainability needs to be reconciled – achieving sustainable growth requires careful consideration of how economic development enables, or conflicts with, social and environmental regeneration. All actions and outcomes envisaged within the strategy are underpinned by sustainability considerations.</p>                                                                                                                                                                                              |                                                                                                                                                                                                                                              |
| <p><b>Sustainable Economic growth</b></p> <ul style="list-style-type: none"> <li>• Skilled and motivated workforce</li> <li>• Competitive environment and infrastructure</li> <li>• Social cohesion and prosperity</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                              | <p><b>Unsustainable Economic growth</b></p> <ul style="list-style-type: none"> <li>• Skill shortages or mismatches</li> <li>• Degraded environment</li> <li>• Congested transport infrastructure</li> <li>• Lower quality of life</li> </ul> |
| <p><b>Partnership and Facilitation</b></p> <p>The Council recognises the need for partnership working. The District economy is not self-contained but interacts with the wider sub-regional and regional economy. Therefore working with other regional partners is an imperative. In addition, to achieve strategic aims the Council will need to engage and work with other partners, influence agendas set outside the district, and inform agencies whose responsibility impact upon the district. Partnership is all-inclusive and involves all council departments, public sector bodies and the private sector.</p> |                                                                                                                                                                                                                                              |
| <p><b>Recognising Sub-District Economies</b></p> <p>There are four broad areas of geographical activity in the district: Totton &amp; Waterside, the Southern Coastal Area (Lyminster and New Milton) the North Western Area (Fordingbridge and Ringwood), and the New Forest itself. Each area has distinct issues and characteristics that the strategy must be aware of. The strategy provides flexibility so that the different agendas can be accommodated within the same broad framework.</p>                                                                                                                       |                                                                                                                                                                                                                                              |

## 5 DELIVERING THE VISION

- 5.1 The strategy is delivered through a series of themes / agendas under which activities are targeted. Each theme is designed to contribute to one or other of the strategy objectives, thus ensuring that Council activities are focused towards providing targeted outcomes.

### Driver Themes: Justification

- 5.2 The driver themes are presented in the table below.

| Driver Themes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Link to Objectives*                                                                                                                                                                                                                                                                                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>1. Promoting Business &amp; Business Support</b><br/>To remain sustainable the New Forest economy must continue to grow and diversify. The most appropriate mechanism for this is growth via the indigenous business base which where opportunities exist. The Council will provide advice to businesses and build a positive / relationship with businesses. To diversify the economic base towards higher output sectors and professional services appropriate inward investment opportunities will be targeted, and the 'soft' infrastructure to facilitate such development supported.</p> | <p><b>Theme 1 contributes to the following objectives:</b></p> <ol style="list-style-type: none"> <li>1. To achieve a positive business culture.</li> <li>2. To promote a 'needs based' business environment.</li> <li>3. To manage sustainable growth within a unique context.</li> <li>5. To maximise opportunity using local assets.</li> </ol> |
| <p><b>2. Infrastructure Issues</b><br/>Accessibility and transport issues rank highly as primary constraints to business competitiveness and growth. In each sub-area different problems are faced, and rural public transport is an issue throughout the district. Improvements to accessibility are important for a sustainable future and the Council will work towards this goal in partnership with the relevant authorities. Other infrastructure issues such as the promotion of ICT across the district are also important to the economic growth and development in the area.</p>           | <p><b>Theme 2 contributes to the following objectives:</b></p> <ol style="list-style-type: none"> <li>2. To promote a 'needs based' business environment.</li> <li>3. To manage sustainable growth within a unique context.</li> </ol>                                                                                                             |
| <p><b>3. Community Economic Development</b><br/>Local community development underpins sustainable sub-areas within the district. Community initiatives and improvement must be at the heart of maintaining the economic fabric of the district, to tackle localised social exclusion, and underpin sectors, which are location-dependant such as tourism and town centre retailing.</p>                                                                                                                                                                                                              | <p><b>Theme 3 contributes to the following objectives:</b></p> <ol style="list-style-type: none"> <li>2. To promote a 'needs based' business environment.</li> <li>3. To manage sustainable growth within a unique context.</li> <li>5. To maximise opportunity using local assets.</li> </ol>                                                     |
| <p><b>4. Sites and Premises</b><br/>Provision of appropriate sites and premises is fundamental to economic development. It provides the opportunities for incoming businesses and indigenous businesses alike. Through the District Local Plan the Council will aim to promote suitable land and premises allocations that are needed to achieve the strategic objectives.</p>                                                                                                                                                                                                                       | <p><b>Theme 4 contributes to the following objectives:</b></p> <ol style="list-style-type: none"> <li>1. To achieve a positive business culture</li> <li>2. To promote a 'needs based' business environment</li> <li>3. To manage sustainable growth within a unique context</li> </ol>                                                            |

**5. Labour Market and Employability**

Continued development of the labour market will be targeted to promote training and skills. The Council will support the Local Learning and Skills Council, and other delivery agencies in efforts to support and promote new skills acquisition in the workforce.

**Theme 5 contributes to the following objectives:**

2. To promote a 'needs based' business environment
5. To maximise opportunity using local assets

\* Note: all themes relate to objective 4 of the strategy

**Action Plan**

- 5.3 Within each Driver Theme a number of tasks have been identified, aimed at delivering actions and activities to achieve the strategy objectives. The tasks relate directly to the key issues identified by the strategy process and developed through the workshop sessions with the local business representation.

**Theme 1: Promoting Business & Business Support**

## Tasks:

- a) Growing Indigenous Business.
- b) Developing a New Mix of Business.
- c) Exploiting Inward Investment Opportunity.
- d) Providing Assistance to Businesses.
- e) Establishing a Business Forum.
- f) Growing Links with Business Support Agencies.

**Theme 2: Infrastructure Issues**

## Tasks:

- a) Improving Transport Infrastructure.
- b) Develop Rural Public Transport.
- c) Develop Response to Dibden Bay Proposals.

**Theme 3: Community Economic Development**

## Tasks:

- a) Town Centre Improvements.
- b) Social Inclusion Initiatives in Localised Areas.
- c) Linkages to Tourism and Land-Based Industries.

**Theme 4: Sites and Premises**

## Tasks:

- a) Land Allocations and Expansions.
- b) The Commercial and Domestic Property Market.
- c) Promoting the Supply of Commercial Premises.

**Theme 5: Labour Market & Employability**

## Tasks:

- a) Exploit the opportunity created by the Local Learning and Skills Council.
- b) Support for employment and training initiatives.

5.4 The fundamental objective of the strategy is to provide a framework for achievement. While all tasks are important to the economic development of the district, there is a resource constraint on delivery. Therefore prioritisation of the above tasks according to their economic benefit and achievability has been undertaken to provide a delivery framework that:

- Identifies Priority Actions for the Council that relate directly to economic need and business aspirations.
- Sets out an Economic Action Plan for 2001/2002.
- Provides a framework for future actions for the period 2002 - 2005.

5.5 The Action Plan Frameworks are presented overleaf.

**Priority Actions For Economic Development**

| <b>Theme 1: Promoting Business &amp; Business Support</b>                                            |                                                                                                                                                                                        |                                      |                                       |
|------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|---------------------------------------|
| <b>TASK</b>                                                                                          | <b>ACTIONS</b>                                                                                                                                                                         | <b>TIMESCALE</b>                     | <b>PARTNERS</b>                       |
| i) Growing Indigenous Business<br><i>Economic Benefit: High</i><br><i>Achievability: Medium</i>      | <ul style="list-style-type: none"> <li>Investigate appropriateness of planning policies covering in-situ expansions and ensure they are applied to proposals realistically.</li> </ul> | Review of NFDC Local Plan 2000-2003  | NFDC                                  |
|                                                                                                      | <ul style="list-style-type: none"> <li>Business advice to start-ups.</li> </ul>                                                                                                        | On-going                             | SW Hampshire Enterprise Agencies, SBS |
|                                                                                                      | <ul style="list-style-type: none"> <li>Provide constructive support for local company expansions</li> </ul>                                                                            | On-going                             | SBS, Enterprise Hub Partners          |
|                                                                                                      | <ul style="list-style-type: none"> <li>Build on existing research centres and links to Enterprise hubs to generate further knowledge-based business</li> </ul>                         | 2001 -ongoing                        | NFDC, SEEDA, Enterprise Hub Partners  |
| ii) Establish a Business Forum<br><i>Economic Benefit: High</i><br><i>Achievability: High</i>        | <ul style="list-style-type: none"> <li>Set up and establish the New Forest Business Forum.</li> </ul>                                                                                  | 2001/2002                            | NFDC, Private Sector                  |
|                                                                                                      | <ul style="list-style-type: none"> <li>Measures to ensure business voice is clearly heard within Council</li> </ul>                                                                    | 2001/2002                            | NFDC, Private Sector                  |
|                                                                                                      | <ul style="list-style-type: none"> <li>Involve business in emerging community planning process</li> </ul>                                                                              | 2001/2002                            | NFDC, Private Sector                  |
| <b>Theme 4: Sites and Premises</b>                                                                   |                                                                                                                                                                                        |                                      |                                       |
| iii) Land allocations and expansion<br><i>Economic Benefit: High</i><br><i>Achievability: Medium</i> | <ul style="list-style-type: none"> <li>Support the re-use of redundant farm buildings for offices to attract professional and service sectors.</li> </ul>                              | Review of NFDC Local Plan 2000-2003. | NFDC                                  |
|                                                                                                      | <ul style="list-style-type: none"> <li>Seek additional allocations to provide adequate opportunities to meet targeted demand.</li> </ul>                                               | Review of NFDC Local Plan 2000-2003  | NFDC, Private Sector                  |
|                                                                                                      | <ul style="list-style-type: none"> <li>Retention of existing sites</li> </ul>                                                                                                          | Review of NFDC Local Plan 2000-2003  | NFDC                                  |
|                                                                                                      | <ul style="list-style-type: none"> <li>Provide input into planning recommendations</li> </ul>                                                                                          | 2001 - ongoing                       | NFDC                                  |
|                                                                                                      | <ul style="list-style-type: none"> <li>Enable managed workspace scheme in west of District.</li> </ul>                                                                                 | 2001 / 2002                          | NFDC, Private Sector                  |

**Action Plan for Financial Year 2001 –2002**

| <b>Theme 1: Promoting Business &amp; Business Support</b>                                                    |                                                                                                                                     |                                                                                                                                                 |                                               |                                               |
|--------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------|
| <b>TASK</b>                                                                                                  | <b>ACTIONS</b>                                                                                                                      | <b>TIMESCALE</b>                                                                                                                                | <b>PARTNERS</b>                               |                                               |
| i) Developing New Mix of Businesses<br><br><i>Economic Benefit: High</i><br><i>Achievability: Medium</i>     | <ul style="list-style-type: none"> <li>Develop links with innovation and enterprise development hubs</li> </ul>                     | Medium Term                                                                                                                                     | NFDC, SEEDA, HEP, Chilworth Science Park etc  |                                               |
|                                                                                                              | <ul style="list-style-type: none"> <li>Broaden council's understanding and expectations of employment</li> </ul>                    | 2001 - ongoing                                                                                                                                  | NFDC, private sector                          |                                               |
|                                                                                                              | <ul style="list-style-type: none"> <li>Exploit opportunities emerging from urban centres of Southampton and Bournemouth.</li> </ul> | 2001 - ongoing                                                                                                                                  | NFDC, SCC, HCC                                |                                               |
|                                                                                                              | <ul style="list-style-type: none"> <li>Support proposals to diversify farm businesses</li> </ul>                                    | 2001 - ongoing                                                                                                                                  | NFDC, HEP                                     |                                               |
| <b>Theme 2: Infrastructure Requirements</b>                                                                  |                                                                                                                                     |                                                                                                                                                 |                                               |                                               |
| ii) Dibden Bay<br><br><i>Economic Benefit: High<sup>9</sup></i><br><i>Achievability (of appraisal): High</i> | <ul style="list-style-type: none"> <li>Develop view of implications of ABP proposals for the economy of the District</li> </ul>     | 2001 / 2002                                                                                                                                     | NFDC, HCC, consultants.                       |                                               |
|                                                                                                              | iii) Improving transport Infrastructure<br><br><i>Economic Benefit: High</i><br><i>Achievability: Low</i>                           | <ul style="list-style-type: none"> <li>Investigate / support innovative and sustainable transport solutions.</li> </ul>                         | Medium term                                   | Private Sector                                |
|                                                                                                              |                                                                                                                                     | <ul style="list-style-type: none"> <li>Highway and related improvements in town centres which improve retail / business environment.</li> </ul> | Ongoing                                       | NFDC, HCC, Town Councils, transport providers |
|                                                                                                              | <ul style="list-style-type: none"> <li>Develop town centres as transport interchanges</li> </ul>                                    | Ongoing                                                                                                                                         | NFDC, HCC, Town Councils, transport providers |                                               |

<sup>9</sup> This view of economic benefit is that of Roger Tym and Partners, and does not imply a similar view is held by the District Council.

| <b>Theme 3: Community Economic Development</b>                                                                            |                                                                                                                                              |                                     |                                                          |
|---------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|----------------------------------------------------------|
| iii) Social inclusion initiatives in localised areas<br><br><i>Economic Benefit: Medium</i><br><i>Achievability: High</i> | <ul style="list-style-type: none"> <li>Promote education and training provision in basic skills, etc.</li> </ul>                             | 2001 // 2002                        | LSC, FE Colleges, Voluntary Sector                       |
|                                                                                                                           | <ul style="list-style-type: none"> <li>Increase the level of crèche and childcare provision in the district</li> </ul>                       | 2001 - ongoing                      | NFDC                                                     |
|                                                                                                                           | <ul style="list-style-type: none"> <li>Further development of credit union initiative</li> </ul>                                             | 2001 / 2002                         | NFDC, Voluntary Sector                                   |
|                                                                                                                           | <ul style="list-style-type: none"> <li>Further develop training proposals as part of review of Tourism Strategy</li> </ul>                   | 2001 / 2002                         | NFDC                                                     |
|                                                                                                                           | <ul style="list-style-type: none"> <li>Retain opportunities for infrastructure provision / replacement.</li> </ul>                           | Review of NFDC Local Plan 2000-2003 | NFDC, HCC, Town Councils, transport providers            |
| iv) Town Centre Improvement<br><br><i>Economic Benefit: Medium</i><br><i>Achievability: High</i>                          | <ul style="list-style-type: none"> <li>Support development of modern, efficient retail floorspace.</li> </ul>                                | 2001 / 2002                         | Private sector                                           |
|                                                                                                                           | <ul style="list-style-type: none"> <li>Environmental and highways improvements</li> </ul>                                                    | 2001 - ongoing                      | NFDC, HCC                                                |
|                                                                                                                           | <ul style="list-style-type: none"> <li>Creation of public spaces</li> </ul>                                                                  |                                     | NFDC, HCC                                                |
|                                                                                                                           | <ul style="list-style-type: none"> <li>Support for local marketing and events (e.g. farmers markets, festivals).</li> </ul>                  | 2001 / 2002                         | NFDC, HCC, private and voluntary sectors                 |
|                                                                                                                           | <ul style="list-style-type: none"> <li>Encourage, retain, service activities in town centres</li> </ul>                                      | 2001 / 2002                         | NFDC, HCC, public, private and voluntary sector agencies |
|                                                                                                                           | <ul style="list-style-type: none"> <li>Fund and extend the town centre management initiative beyond Ringwood and Hythe to Totton.</li> </ul> | 2002 / 2003                         | NFDC                                                     |
|                                                                                                                           |                                                                                                                                              |                                     |                                                          |
| <b>Theme 4: Sites and Premises</b>                                                                                        |                                                                                                                                              |                                     |                                                          |

|                                                                                                       |                                                                                                                                                     |                |                             |
|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------|
| v) Supply of commercial premises<br><br><i>Economic Benefit: High</i><br><i>Achievability: Medium</i> | <ul style="list-style-type: none"> <li>• Ensure more provision of starter and 2<sup>nd</sup> phase premises in the west of the district.</li> </ul> | 2001 / 2002    | <b>NFDC, Private Sector</b> |
|                                                                                                       | <ul style="list-style-type: none"> <li>• Work to bring forward development of allocated sites</li> </ul>                                            | 2001 - ongoing | <b>NFDC, SEEDA</b>          |



| <b>Theme 5: Labour Market and Employability</b>                                                                       |                                                                                                                                    |                |                                                 |
|-----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------------------------------------------|
| vi) Opportunity of the LLSC<br><i>Economic Benefit: High</i><br><i>Achievability: High</i>                            | <ul style="list-style-type: none"> <li>Build links with and identify opportunities for LLSC to contribute to.</li> </ul>           | 2001 / 2002    | NFDC, LLSC, FE Colleges, Training providers etc |
|                                                                                                                       | <ul style="list-style-type: none"> <li>Contribute to Lifelong Learning partnerships</li> </ul>                                     | 2001 - ongoing | NFDC, Colleges, Southern Strategic Partnership  |
|                                                                                                                       | <ul style="list-style-type: none"> <li>Support local labour market initiatives.</li> </ul>                                         | 2001 - ongoing | Employment Service, NFDC                        |
| vii) Support for employment and training initiatives<br><i>Economic Benefit: Medium</i><br><i>Achievability: High</i> | <ul style="list-style-type: none"> <li>Support work of FE colleges through marketing of opportunities, bid support etc.</li> </ul> | 2001 - ongoing | FE Colleges, NFDC                               |
|                                                                                                                       | <ul style="list-style-type: none"> <li>Support delivery of New Deal, both as a partner and as an employer</li> </ul>               | 2001 - ongoing | SW Hants New Deal Steering Group                |

### Medium Term Priorities Framework

| TASK                             | ACTIONS                                                                                                                                                                                                                                                                                                        | PARTNERS                                     |
|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| i) Inward Investment Opportunity | <ul style="list-style-type: none"> <li>Investigate the allocation of further sites with potential for inward investment</li> <li>Target opportunities from hi-tech sectors, knowledge based industries and professional services.</li> <li>Promote the district through partnership marketing work.</li> </ul> | NFDC<br>NFDC, SEEDA, HCC<br>NFDC, SEEDA, HCC |
| TASK                             | ACTIONS                                                                                                                                                                                                                                                                                                        | PARTNERS                                     |
| ii) Property Market              | <ul style="list-style-type: none"> <li>Expand use of the Southampton Regional Industrial and Commercial Land and Property Register</li> <li>Develop database of secondary converted farm buildings etc.</li> </ul>                                                                                             | NFDC, Other Councils<br>NFDC, MAFF           |

### Long Term Priorities Framework

| TASK                                             | ACTIONS                                                                                                                                                                                                                                                      | PARTNERS                                                             |
|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| i) Assistance to businesses                      | <ul style="list-style-type: none"> <li>Socio-economic information and support to business plans etc.</li> <li>Liaison with business on regulatory services.</li> <li>Support local sourcing through "Meet the Buyer" events and similar measures.</li> </ul> | NFDC<br>NFDC, Private Sector<br>NFDC, New Forest Enterprise Agency   |
| ii) Growing links with business support agencies | <ul style="list-style-type: none"> <li>Continue support for partnership working with business support agencies.</li> <li>Seek to secure provision of higher level business support services within the District</li> </ul>                                   | NFDC, HEP, SBS, EIFC, Enterprise Hubs etc<br>NFDC, SBS, Chambers etc |
| iii) Rural Public Transport                      | <ul style="list-style-type: none"> <li>Develop schemes that improve non-car options in journeys to work.</li> </ul>                                                                                                                                          | NFDC, HCC, Transport Providers                                       |

|                                                          |                                                                                                                                                                                                                                                                                                                   |                                                                                                                          |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| <p>iv) Linkages to tourism and land based industries</p> | <ul style="list-style-type: none"> <li>• Encourage local produce marketing</li> <li>• Develop other diversification initiatives to support farm enterprises.</li> <li>• Maximise economic development benefits of existing sustainable tourism strategy, help develop joint benefits to other sectors.</li> </ul> | <p>NFDC, HCC, Private Sector<br/>                 NFDC, New Forest Tourism, MAFF<br/>                 NFDC, NFT, STB</p> |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|

## NEW FOREST DISTRICT ECONOMIC STRATEGY

- New Forest District Council has identified economic development as one of its key priority areas for action, and this strategy sets out the council's intended role in relation to the local economy over the period 2001-2005. The council appointed Roger Tym and partners to carry out an analysis of the district economy, highlight issues and produce a draft economic strategy for the district. Engaging the private sector was a feature of the strategy process and through a series of interviews and workshops with over 30 employers resulted in significant input by business to the strategy process. This work forms the basis of the Council's strategy.
- The council has a strategic role to play with the business community in setting the policy agenda and facilitating economic development opportunities. It relates to the economy through regulatory control, the delivery of services and as a purchaser of local goods and services. These relationships are complex and will also be addressed when reviewing other council strategies.

### The Local Economy

- The district economy shows a mix of strengths and weaknesses. Strengths include a diverse economic base, a highly skilled workforce and low unemployment. Weaknesses include an economic structure moving towards lower paid service employment, a loss of manufacturing employment, a lack of new knowledge-based industry and a fall in the rate of new business formation. The local economy has not moved ahead as fast as other parts of Hampshire and the South East and in terms of its overall competitiveness is relatively weak.

### Issues

- Issues which were identified through the strategy process include:
  - A deep-rooted perception that the district is not business friendly.
  - The difficulty of achieving a balance between environmental and business needs,
  - A need to further raise skill levels
  - Some locations becoming less commercially attractive
  - An increasing reliance on the existing indigenous business base
  - The need to safeguard and enhance the role of town centres in the District

### The Vision for the New Forest Economy

- Following consultation with private and public sector partners, the following Mission Statement for the economy of the New Forest District has been developed.

#### MISSION STATEMENT

*"To facilitate a sustainable and growing economy for the New Forest that creates economic and employment opportunity while making use of the district's unique assets."*

Underpinning the strategy is a clear recognition by the Council and its partners that the district's environment is an asset that plays a fundamental role both in the attractiveness of the district as a place to live and work, and as a quality visitor destination. Equally important is the need for the district to maintain a sustainable level of economic activity that underpins quality of life and which can promote, rather than conflict with, social and environmental objectives.

#### VISION

***“New Forest District Council and its partners will use and build upon its inherent environmental and economic assets to provide sustainable economic development. Growth will be promoted through developing and enhancing the local knowledge base, and encouraging economic diversity to increase GDP per head. To be sustainable, growth and opportunity will be managed and located according to need.”***

- The Mission and Vision are based on a recognition that:
  - The existing economic and environmental strengths of the district provide the most sustainable base upon which to develop the economy.
  - Economic growth is necessary to ensure a sustainable economic future - a static economy is a declining economy.
  - In reconciling growth within the environmental context the Vision targets a modest and controlled level of growth to foster renewal.
  - Large-scale growth is both undesirable and unrealistic.
  - With a diverse business base and inherent economic and labour market opportunities, indigenous growth is seen as the appropriate driver for the economy. While the Totton area has strong sub-regional connections and potential for inward investment, the National Park boundary as currently proposed by the Countryside Agency, will severely limit any foreseeable scope for further allocations in the Totton area.
  - To increase Gross Domestic Product per head the district must diversify towards high value-added and growth sectors. Therefore selected opportunities for small-scale inward investment, especially of professional and technical services, will be encouraged.
  - Local differences across the district need to be accommodated within the strategy framework. Sustainable growth requires that local opportunities be created to address local needs and issues, particularly given the problems of accessibility in some parts of the district.

#### Strategy Objectives

- The strategy has at its core five strategic objectives, all of which need to be met if the strategy vision is to be realised. The council intends to:

### ***1. Achieve a positive business culture***

The economy of the New Forest is primarily dependent upon the continued success and expansion of the indigenous business base. For this to grow, a positive business culture must be created whereby business has a coordinated voice in the district, the local authority has a stronger relationship with business, and a targeted approach to business development is realised. This is as much about support through the way in which Council services are delivered as it is about overt economic development support. The demographic structure is skewed towards the elderly, and the conservation voice is particularly strong, resulting in a lack of understanding of business needs by the local community. This is a potential threat to future economic prosperity.

### ***2. Promote a needs-based business environment***

For sustainable economic growth to occur, an adequate context in which business can operate needs to be fostered. This incorporates the 'hard' environment such as transport, accessibility and opportunities provided by sites and premises, and also 'softer' elements such as training infrastructure, business support and social inclusion measures. The provision of this context will involve support for initiatives, innovative solutions, actions to reduce adverse effects, and a level of flexibility with regards to business considerations.

### ***3. Manage sustainable growth within a unique context***

The level of economic growth which is necessary to maintain a competitive position must be at a sustainable level, balanced with environmental considerations, and with job opportunities where needed by both business and labour force. The strategy needs to take account of the local distinctiveness of the four sub-areas of activity, each of which has differing needs. This local differentiation will be developed as part of the community planning agenda.

### ***4. Provide a deliverable framework***

The district needs a clear framework against which activities and progress can be measured and which sets out the role of the council in economic development. The framework needs to prioritise what can be achieved, how it can be achieved and by whom. The strategy must have a commitment demonstrated through practical projects that can and will be achieved.

### ***5. Maximise opportunity using local assets***

The comparative advantage of the district lies in its diverse business base, unique environment, quality of life and the strengths of the local labour force. These assets can be built upon to improve its economic future, provide adequate opportunities for local and higher value employment, and ensure a sustainable future for the New Forest.

***Cross-cutting strategic principles***

The principles of sustainability, partnership and local distinctiveness run through the strategy as a whole.

***Sustainable economic development***

Sustainability means the reconciliation of economic development and environmental objectives – achieving sustainable growth requires careful consideration of how economic development enables, or conflicts with, social and environmental regeneration. Sustainability underpins all actions and outcomes within the strategy.

| Sustainable Economic growth                                                                                                                                                         | Unsustainable Economic growth                                                                                                                                                                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• Skilled and motivated workforce</li> <li>• Competitive environment and infrastructure</li> <li>• Social cohesion and prosperity</li> </ul> | <ul style="list-style-type: none"> <li>• Skill shortages or mismatches</li> <li>• Degraded environment</li> <li>• Congested transport infrastructure</li> <li>• Lower quality of life</li> </ul> |

***Partnership and facilitation***

The council recognises the need for partnership working. The District economy is not self-contained but interacts with the wider sub-regional and regional economy. Therefore working with other regional partners is an imperative. In addition, ~~in achieving to achieve to achieve~~ strategic aims the Council will need to engage and work with other partners, influence agendas set outside the district, and inform agencies whose ~~responsibilities~~ responsibility impact upon the district. Partnership is all-inclusive and involves all council departments, public sector bodies and the private sector.

***Recognising sub-district economies***

There are four broad areas of geographical activity in the district: Totton & the Waterside, the southern coastal Area (Lymington and New Milton) the Avon Valley Area (Fordingbridge and Ringwood), and the New Forest itself. Each area has distinct issues and characteristics that the strategy must take account of. The strategy provides flexibility so that the different agendas can be accommodated within the same broad framework.

**DELIVERING THE VISION**

The strategy is delivered through a series of driver themes contributing to the strategy objectives, ensuring that council activities are focused towards providing targeted outcomes. Within each driver theme, a number of tasks have been identified to achieve objectives.

**Driver themes and actions**

| Driver Themes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Linked Actions                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>1. Promoting business &amp; business support</b><br/>                     To remain sustainable the New Forest economy must continue to grow and diversify. The most appropriate mechanism for this is growth via the indigenous business base which where opportunities exist. The council will provide advice to businesses and build a positive / relationship with them. To diversify the economic base towards higher output sectors and professional services appropriate some inward investment opportunities will be encouraged, and the 'soft' infrastructure to facilitate such development supported.</p>                                           | <ul style="list-style-type: none"> <li>• Growing indigenous business.</li> <li>• Developing a new mix of business.</li> <li>• Seek only limited and appropriate inward investment opportunity.</li> <li>• Providing assistance to businesses.</li> <li>• Establishing a business forum.</li> <li>• Growing links with business support agencies</li> <li>• Measures to support small businesses</li> <li>• Helping to support change in the rural economy</li> </ul> |
| <p><b>2. Infrastructure issues</b><br/>                     Accessibility and transport issues rank highly as primary constraints to business competitiveness and growth. In each sub-area different problems are faced, and rural public transport is an issue throughout the district. While difficult to achieve, improvements to accessibility are important for a sustainable future and the council will work towards this goal in partnership with the relevant authorities.<br/>                     Other infrastructure issues such as the promotion of ICT across the district are also important to the economic growth and development in the area.</p> | <ul style="list-style-type: none"> <li>• Improving transport infrastructure.</li> <li>• Developing rural public transport.</li> <li>• Developing a response to Dibden Bay proposals</li> <li>• Working with organisations and agencies providing support to businesses</li> </ul>                                                                                                                                                                                    |
| <p><b>3. Community Economic Development</b><br/>                     Local community development underpins sustainable sub-areas within the district. Community initiatives and improvement must be at the heart of maintaining the economic fabric of the district, to tackle localised social exclusion, and underpin sectors, which are location-dependant such as tourism and town centre retailing.</p>                                                                                                                                                                                                                                                         | <ul style="list-style-type: none"> <li>• Enhancing the role and attractiveness of town centres</li> <li>• Social inclusion initiatives in localised areas</li> <li>• Linkages to tourism and land-based industries</li> <li>• Initiative for local based industry</li> </ul>                                                                                                                                                                                         |
| <p><b>4. Sites and Premises</b><br/>                     Provision of appropriate sites and premises is fundamental to economic development. It provides the opportunities for incoming businesses and indigenous businesses alike. Through the District Local Plan the council will aim to promote suitable land and premises allocations that are needed to achieve the strategic objectives. There is, however,</p>                                                                                                                                                                                                                                               | <ul style="list-style-type: none"> <li>• Make adequate land allocations for new development</li> <li>• Seek to accommodate local expansions</li> <li>• The commercial and domestic property market</li> <li>• Promoting the supply of commercial properties</li> </ul>                                                                                                                                                                                               |



|                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>difficulty in translating site from allocations into being fully available for business development, and both priority measures and negative controls may be needed to achieve this.</p>                                                                                                                               |                                                                                                                                                                                           |
| <p><b>5. Labour Market and Employability</b><br/>Continued development of the labour market will be supported to promote training and skills. The council will support the Local Learning and Skills Council, and other delivery agencies, in efforts to support and promote new skills acquisition in the workforce.</p> | <ul style="list-style-type: none"> <li>• Exploit the opportunity created by the local learning and skills council.</li> <li>• Support for employment and training initiatives.</li> </ul> |

- The fundamental objective of the strategy is to provide a framework for achievement. While all tasks are important to the economic development of the district, there is a resource constraint on delivery. Therefore prioritisation of the above tasks according to their economic benefit and achievability has been undertaken to provide a delivery framework that identifies priority actions for the Council that relate directly to economic need and business aspirations. Other work and initiatives will be taken forward for the longer term, and further actions developed in conjunction with the local business community.

Nm/strategy/NFDCStrategy

## FOOT AND MOUTH IN THE NEW FOREST

All Agency Statement – 20th March 2001

- ❖ Agriculture and Tourism are the countryside's lifeblood.
- ❖ The Government's new countryside visitor guidelines are helpful but the New Forest's unique animal/landscape culture sets it apart from other rural areas.
- ❖ If we over-protect Agriculture we will destroy local tourism.
- ❖ If we over-promote Tourism we risk bringing in the virus and destroying agriculture.
- ❖ Now forest restrictions are in place, we wish to provide clear support for tourism and help it get back on its feet.
- ❖ As much of the New Forest's visitor industry is in its towns and villages we will allow the promotion of all New Forest villages immediately, so long as visitors remain in them and do not stray onto any forest or farmland.
- ❖ Agencies will maintain all other current restrictions on forest access by residents and visitors until the national situation improves. Reviews of current restrictions will take place on a weekly basis.

Advice to Hoteliers, Attractions and Retailers

In line with local farmers and commoners, tourism businesses are strongly advised to provide MAFF approved disinfectant for all guests and customers at all entrances via impregnated mats for pedestrians and vehicles.

Anthony Climpson  
Tourism & Publicity Officer, New Forest District Council.

## SUMMARY AND EXPLANATION

### The Council's Constitution

New Forest District Council has agreed a Constitution which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.

The Constitution is divided into ? (*no. to be added later*) Schedules, which together set out the basic rules for governing the Council's business. More detailed procedures and codes of practice are provided in separate documents at the end of the Constitution.

### How the Council operates

The Council is composed of 58 Councillors elected every four years. Councillors are democratically accountable to residents of their wards. The overriding duty of councillors is to the whole community, but they have a special duty to all their constituents.

Councillors have to agree to follow a code of conduct to ensure high standards in the way they undertake their duties. The Standards Committee ensures that they are trained in, and advises them on compliance with, the code of conduct.

All councillors meet together as the Council. Meetings of the Council are open to the public, except in some special circumstances. The Council decides its overall policies and sets the budget and council tax each year. The Council appoints the Chairman and the Vice-Chairman of the Council, and also the political leader (known as the Leader of the Council). The Council also decides the size of the Cabinet and the portfolios for each member of the Cabinet. The Leader of the Council appoints the members of the Cabinet.

### How Decisions are made

The Executive is the part of the Council which is responsible for most day-to-day decisions. The Executive is made up of the Leader of the Council and six Cabinet members. The Leader of the Council is appointed by the Council, and the Leader appoints the members of the Cabinet. When major, or "key" decisions are to be discussed or made, these are published in the Executive's forward plan, in so far as the discussions can be anticipated. Meetings of the Executive are open to the public. Meetings of the Council, the Executive and most other meetings are open to the public, except where personal or confidential matters are being discussed. The Executive has to make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the budget and outside certain financial tolerances allowed by the Council's Financial Regulations, the matter must be referred to the Council to decide.

## **Overview and Scrutiny**

There are six Portfolio Performance and Review Panels which support the work of the Executive and the Council as a whole. They advise the Executive on policy decisions and on other important issues such as the budget. They may also hold investigations into matters of local concern. These can lead to reports and recommendations which advise the Executive and the Council as a whole on policies, budget and service delivery. The Portfolio Performance and Review Panels also monitor the decisions of the Executive. They can “call in” a decision which has been made by the Executive but which has not yet been implemented. This enables them to consider whether the decision is appropriate. They may recommend that the executive reconsiders the decision. They may also review the work of the Committees of the Council.

## **Committees**

There are a number of functions of the Council which may not be the responsibility of the executive. These are, broadly, regulatory and licensing, health and safety, elections and electoral registration matters, making bye-laws, and various other miscellaneous functions. These are dealt with by Committees of the Council, which, except for the Planning Development Control Committee, do not comprise members of the Executive.

## **The Council's Employees**

The Council has people (called “officers”) working for it to give advice, implement decisions and manage the day-to-day delivery of its services. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A code of conduct governs the relationships between officers and members of the Council.

## **Citizens' Rights**

Citizens have a number of rights in their dealings with the Council. Some of these are legal rights, whilst others depend on the Council's own practices. Where members of the public use specific Council services, for example as a council tenant, they have additional rights. These are not covered in this Constitution.

Citizens have the right to:

1. Vote at local elections if they are registered;
2. Contact their local councillor about any matters of concern to them;
3. Obtain a copy of the Constitution;
4. Attend meetings of the Council, the Executive, Committees and Panels except where, for example, personal or confidential matters are being discussed;
5. Petition to request a referendum on a mayoral form of executive;
6. Speak at meetings of the Executive, Committees and Panels, within the scheme of public participation agreed by the Council;
7. Find out, from the Executive's forward plan, what key decisions are to be discussed by the Executive or decided by the Executive or officers, and when;
8. See reports and background papers, and records of decisions made by the Council, the Executive, Committees and Panels;
9. Complain to the Council if they feel that the Council or its employees have acted inappropriately;
10. Complain to the Ombudsman if they think the Council has not followed its procedures properly. However, they should only do this after using the Council's own complaints process;
11. Complain to the Council's Standards Committee or to the Standards Board for England if they have evidence which they think shows that a councillor has not followed the Council's Code of Conduct; and

12. Inspect the Council's accounts and make their views known to the external auditor.

The Council welcomes participation by its citizens in its work. For further information on your rights as a citizen, please contact Rosemary Rutins, Democratic Services Manager. She can be contacted -

By telephone, no. (023) 8028 5381

By fax, no (023) 8028 5555

By e-mail: [rosemary.rutins@nfdc.gov.uk](mailto:rosemary.rutins@nfdc.gov.uk)

Or if you wish to write, at

Chief Executive's Department

New Forest District Council

Appletree Court

Lyndhurst

Hampshire

SO43 7PA

(pr210301)pr'rep'app1

## Schedule 4

## PORTFOLIO DESCRIPTIONS FOR CABINET (EXTRACT)

## Leisure Services - Annex 6

Functions and Services included -

- Arts
- Play
- Sport
- Recreation
- Tourism
- Museums
- Galleries
- Libraries
- Adult Learning
- Youth Work
- Open Space
- ***Sports, youth, community and arts development grants***

## Finance and Support – Annex 7

Functions and Services included:

- Information and Communications Technology
- Land and Buildings Asset Management
- Commercial Services – including catering services
- Capital and Revenue Budgets
- Council Tax and Benefits
- National Non-Domestic Rates – ***including Discretionary Non-Domestic Rate Relief***
- ***Voluntary and Charitable Grants (excluding those dealt with by the Leisure Services Portfolio Holder)***
- ***Central Support Services, including –***  
  - Accountancy***
  - Information Services***
  - Legal and Democratic Services***
  - Exchequer Functions***
  - Chief Executive's Administration***

(Annex 6 to Schedule 4)

**Leisure Services Portfolio (Extract)**

**C. SPECIFIC SERVICES RESPONSIBILITIES**

1. Devising and implementing policies to ensure leisure services are delivered to meet the needs of the community, industry, visitors and the environment to provide an excellent sustainable quality of life; and
2. Encouraging participation by acting as an advocate for the role of leisure services as an important influence on the quality of life and the quality of environment in the District through the delivery of
  1. **Arts**  
Preparation of Arts Plan
  2. Play
  3. **Sport**  
Lets be Active Plan
  4. **Recreation**  
Looking Ahead at Leisure
  5. **Tourism**  
Our Future Together
  6. Museums
  7. Art Galleries
  8. Libraries
  9. Adult Learning
  10. Youth Work
  11. Open Space
  12. ***Sports, Youth, Community and Arts Development Grants***
3. Eling Tide Mill/Tollbridge

(democrat/meetings/pr210301/pr'rep'app3)

**(Annex 7 to Schedule 4)****Finance & Support Portfolio (Extract)****C. SPECIFIC SERVICES RESPONSIBILITIES**

1. Information and Communications Technology
  - i. Electronic Governance
  - ii. ICT Security Policy
  - iii. Evaluation of ICT initiatives
  - iv. Maintenance of ICT infrastructure
2. Asset Management - Land and Buildings  
Strategy for;-
  - Acquisition
  - Disposal
  - Ownership
  - Management
  - Insurance and Risk Management
3. Commercial Services (including Catering Services)
  - i. Reviewing business opportunities;
  - ii. Determining tender strategies;
  - iii. Performance monitoring of business viability.
4. Capital and Revenue Budgets
  - i. Ensuring the adoption of financial strategies for the short, medium and long term financial health of the Authority;
  - ii. Making proposals for the overall level of the Council's expenditure and income;
  - iii. Implementing financial monitoring and forecasting;
  - iv. Ensuring compliance with the Council's approved budgets;
5. Council Tax and Benefits (incl. Housing)
6. ***Voluntary and Charitable Grant Aid (excluding those dealt with by the Leisure Services Portfolio Holder)***
7. National Non-Domestic Rates ***and Discretionary Non-domestic rate relief***  
  
***To determine the criteria to be applied in respect of applications for discretionary non-domestic rate relief and to determine any applications for such rate relief.***
8. ***Central Support Services including***
  - ***Accountancy***
  - ***Information Services***
  - ***Exchequer Functions (Payroll, Payments, Cashiers, Debtors)***
  - ***Legal and Democratic Services***
  - ***Chief Executive's Administration***

(democratic/meetings/pr210301/pr'rep'app4)



## PROTOCOL - STRATEGIC PLANS, POLICY AND BUDGET SETTING

### 1. INTRODUCTION

1.1 This Protocol defines the roles and responsibilities of the Cabinet, Portfolio Performance and Review Panels and Committees of the Council and the Council in the formulation, preparation, review and amendment of the Council's strategic plans, policies and budgets.

1.2 For the purposes of this Protocol, the following definitions shall apply:-

- Budgets – means the preparation of the annual budget of the Council which is to be used for the purposes of setting the Council Tax, all the components of the budget, such as budgetary allocations to the different services and projects, proposed taxation levels, contingency funds ("reserves" and "balances") and any plan or strategy for the control of the Council's borrowing or capital expenditure.
- Cabinet – means the formal body within the Council defined as the Executive under the Local Government Act 2000.
- Committees – means the Standards Committee, the Planning Development Control Committee, the General Purposes and Licensing Committee, Appeals Committee and any other Committees established by the Council to undertake any of its functions.
- Council – means all Members of the Council acting together at formal meetings convened under the provisions of the Local Government Act 1972.
- Portfolio Performance and Review Panels – means those Panels established under the Local Government Act 2000 with responsibility for undertaking an overview and scrutiny role of all actions of the Cabinet.
- Prepare – includes the initial preparation, review, amendment or any modification thereof, of any document or papers relating to corporate plans, policies or, budgets.
- Strategic Plans – means the Council's strategic plan, best value performance plan, community plan and such other similar documents and policies as the Council may determine should be prepared.

### 2. STRATEGIC PLANS, POLICIES AND BUDGETS

2.1 The Cabinet shall be responsible for initiating, preparing, amending and making recommendations to the Council on all matters relating to the strategic plans (other than those that come under the remit solely of the Executive), policies and budgets of the Council.

2.2 In the preparation of the strategic plans, policies and budgets, the Cabinet shall:-

- (i) Ensure that the appropriate Portfolio Performance and Review Panels and Committees are fully consulted on the proposals prior to any final recommendations being formulated for submission to Council;
- (ii) Where it deems appropriate, or the Council require, undertake consultations with other Local Authorities, partners and stakeholders who may be interested in the contents of the strategic plans, policies or budgets;
- (iii) Ensure that the Council complies with all legislation relating to the preparation and adoption of the strategic plans and budgets;
- (iv) Make available to the Portfolio Performance and Review Panels and Committees those papers, reports or other documents upon which the Cabinet have relied in making its recommendations to Council;
- (v) In addition, in relation to the proposed budget, the Cabinet shall prepare for consideration by Council at a meeting in July, outline proposals identifying its revenue and capital financial strategy for the following financial year.
- (vi) ***The Portfolio Performance and Review Panels will thereafter prepare draft budget proposals, complying with the financial strategy approved by the Council, for submission to the Cabinet in the autumn.***
- (vii) ***The Cabinet will consider the draft budgets prepared by the Portfolio Performance and Review Panels in the overall context of the Council's financial strategy and the effect of the draft budgets on the level of the Council Tax. The Cabinet will consult further with Portfolio Performance and Review Panels and Committees by no later than January on the individual Portfolio Holder's or Committee's draft budget that the Cabinet proposes to submit to the Council for approval.***
- (viii) ***Any views Panels or Committees might have on the draft budgets will be reported to the Cabinet for consideration before the Cabinet makes final detailed proposals for the adoption of the overall budget, the Council Tax and housing rent levels in February.***

2.3 The Portfolio Performance and Review Panels and Committees responsibilities ~~in the~~ ***will consider and advise the Cabinet on the*** preparation of strategic plans and policies, ~~representing the shall be as consultees and in doing so will representing the views of the community.~~ In support of the rights contained within the Local Government Act 2000, the Portfolio Performance and Review Panels and Committees shall:-

- (i) Be provided with copies of all relevant papers, reports and other documents upon which the Cabinet have relied in making its recommendations – provided that if any confidential information is supplied – that confidentiality will be maintained;
- (ii) Have power, subject to the approval of the Chief Executive, to require additional research to be undertaken on specific issues;
- (iii) Comply with all reasonable time scales set by the Cabinet for response to any consultations;

- (iv) Be empowered to submit a report to Council on any matter relating to strategic plans, policies or budgets where there is a disagreement between the Cabinet and all or any of the Portfolio Performance and Review Panels and Committees.
- 2.4 In relation to the preparation of strategic plans, the budget and the Council tax, the Council shall retain the absolute right, subject to the provisions of its constitution, to approve, amend, or reject any proposals put to it by the Cabinet. In determining any proposals, the Council shall:-
- (i) Have regard to any comments made by the Portfolio Performance and Review Panels and Committees of the Council, other Local Authorities, partners and stake holders;
  - (ii) Take no action on any decision which is contrary to proposals submitted by the Cabinet until the sixth working day after the decision has been notified to the Leader, or until the decision has been dealt with in accordance with the "disputes procedure" provisions of the Council's Constitution, whichever is the later.

#### **POLICIES REQUIRING APPROVAL BY MINISTER OF THE CROWN**

- 3.1 The provisions of this Protocol shall apply in every respect to those policies which must be submitted to a Minister of the Crown in final or draft form for approval, except that where the Minister requires a submitted policy to be amended, the Cabinet shall be responsible for effecting such amendment.

#### **VARIATION OF PROTOCOL**

- 4.1 This protocol may be varied by resolution of the Council upon a recommendation from the Cabinet. No such recommendation shall be made until the Cabinet have consulted the Portfolio Performance and Review Panels and Committees of the Council.

## PROTOCOL

### PORTFOLIO PERFORMANCE AND REVIEW PANELS – OPERATIONAL RIGHTS AND RIGHTS OF ACCESS TO INFORMATION (EXTRACT)

#### c. Budget Setting

- ~~Within two months of the guidelines for the following year's budget being approved by Council, the Cabinet will provide each Panel with its expenditure plan proposals for the following year's budget.~~
- ~~Each Panel will be allowed one month to respond to proposals submitted to it by Cabinet. The Panel's comments will be submitted to Council by the end of November with the Cabinet's provisional expenditure plan proposals.~~
- ~~Following consideration of the detailed policy budget and the provisional revenue support grant settlement, the Cabinet will finalise its proposals by the end of December each year and submit them to each Panel for comment by the end of the third week in January.~~
- ~~Following their consideration of the policy budget, Panels will respond to the Cabinet to enable the Cabinet to reconsider its budget by the end of the first week in February each year and make its final budget recommendations to Council.~~
- ***The Council at its meeting in July will prepare outline proposals identifying its revenue and capital financing strategy for the following financial year.***
- ***The Portfolio Performance and Review Panels will thereafter prepare draft budget proposals, complying with the financial strategy approved by the Council, for submission to the Cabinet in the autumn.***
- ***The Cabinet will consider the draft budgets prepared by the Portfolio Performance and Review Panels in the overall context of the Council's financial strategy and the***

***effect of the draft budgets on the level of the Council Tax. The Cabinet will consult further with Portfolio Performance and Review Panels by no later than January on the individual Portfolio Holder's draft budget the Cabinet proposes to submit to the Council for approval.***

- ***Any views Panels or Committees might have on the draft budgets will be reported to the Cabinet for consideration before the Cabinet makes final detailed proposals for the adoption of the overall budget, the Council Tax and housing rent levels in February.***

(NB: Timing of February Council will need to take account of County Council Timetable and the arrangements for the resolution of any dispute between the Council and Cabinet)

d. **Service Scrutiny**

- Prior to 1<sup>st</sup> April in each year, each Panel shall produce a programme identifying the service reviews it proposes to undertake in the forthcoming year and shall submit such programme to the Council and the Cabinet.
- Within the annual programme, each Panel shall identify the full extent of the service reviews including the specific area of activity and the purpose of the review – together with a timetable showing the commencement and completion dates for such reviews.
- The annual programme shall identify the overall resources likely to be required for completion of the review.
- Upon receipt of the annual programme or at any time during the year, the Council or the Cabinet may request a Panel to undertake a specific service review. Upon making such request, the Council or the Cabinet shall identify the objective of the review and the timescales, which will normally not be less than one month, for completion of the review.
- Panels shall not include within their annual programme, or commence work on any service review under this paragraph where such service is also subject to a Best Value review during that year, ***except where, with the agreement of the relevant Director, the Panel considers that the review of part of a service would be beneficial or is necessary.***

(pr210301)pr'rep'app6

## TERMS OF REFERENCE - PORTFOLIO PERFORMANCE AND REVIEW PANELS

1. The Statutory overview and scrutiny functions of the Council shall be undertaken by Portfolio Performance and Review Panels. Each Panel shall have a particular responsibility for the overview and scrutiny of the functions undertaken for the following Portfolios within the Cabinet:-

Policy and Strategy, and Finance and Support

Crime and Disorder

Environment

Housing

Economy and Planning

Leisure

2. For those matters being the responsibility of the Cabinet relating to the functions of the Portfolio(s) for which each Panel has been established:-

- (i) To prepare an annual programme of reviews each year for approval by the Council.
- (ii) 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.
- (iii) ***To consider proposals for revenue and capital budgets which comply with the financial strategy approved by the Council for recommendation to the Cabinet.***
- (iiiiv) 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,<sup>1</sup> as appropriate.
- (ivv) To review performance against annual budgets, including budget profiles and to report thereon to the Council, Cabinet or Portfolio holders as appropriate.
- (vi) To review the 'called in' decisions of or action taken by the Cabinet, Portfolio Holders and Officers acting under delegated powers and report the outcome of each review to the Council, the Cabinet, Portfolio Holders and Officers, as appropriate.<sup>2</sup>
- (vii) To review decisions or action taken in respect of any functions which are not the responsibility of the Executive (with the exception of development control, licensing and

other regulatory matters as determined by the Chief Executive), and to make reports and recommendations in respect of such functions.

- (vii) To undertake, in conjunction with the Cabinet and/or its Members, reviews of service performance under the Best Value regime.
- (~~viii~~ix) To review departmental performance outside the Best Value regime and to make such reports and recommendations as it considers appropriate.<sup>3</sup>
- (~~ix~~x) To undertake reviews of services provided by other agencies and which affect the economic, social and environmental well-being of the Council's area.
- (xi) To review the Council's involvement and support to outside organisations that fall within these Terms of Reference.
- (xii) To receive and review external audit reports which relate to matters within these Terms of Reference, and
- (xiii) 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.<sup>4</sup>
- (~~xiii~~xiv) To make recommendations to the Cabinet and Council on estimates of expenditure and the budget required to enable the Panel to undertake its functions.
- (xiv) To make reports or recommendations to the Council or the Executive in respect of any functions which are not the responsibility of the Executive;
- (xv) To make reports or recommendations to the Council or the Executive in respect of matters which affect the Local Authority's area or its inhabitants;
- (xvi) To appoint a member or members to represent the Panel in the Scoping, Assessment of Cabinet Decision, Verification, and Action Planning and Report stages of the Best Value process.

<sup>1</sup>Officers\* refers to The Chief Executive, Directors and other Chief Officers.

<sup>2</sup>The 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 Panels Terms of Reference.

<sup>3</sup>Such 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.

<sup>4</sup>The 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.

**TERMS OF REFERENCE****GENERAL PURPOSES AND LICENSING COMMITTEE**

1. To be responsible for all matters relating to the administration of Licences determined by the Council under Part B of the Local Authorities (Functions and Responsibilities)(England) Regulations 2000. Such responsibilities include power to delegate functional responsibility to individual Officers for determination of any application for any Consent, Licence, Certificate, Permit, Registration or the like and:
  - a. Where ***officers are unable or feel it is inappropriate to make a decision under their delegated powers***, ~~there is a right to be given the opportunity to determine any matter coming within the Committee's Terms of Reference appear before and be heard by a Committee or Sub-Committee of the Council through a Panel of up to five members of the Committee as determined by the Head of Legal and Democratic Services, to hear and determine such cases as are referred to the Committee~~
  
2. Except in relation to the Council as an employer, to advise the Council on functions under any relevant statutory provision within the meaning of Part 1 (health, safety and welfare in connection with work and control of dangerous substances) of the Health and Safety at Work etc., Act 1974  
  
under Part C of The Local Authorities (Functions and Responsibilities)((England) Regulations 2000.
  
3. To advise the Council on all matters, including the appointment of appropriate Officers, relating to:-
  - a) electoral registration and elections
  - b) establishment, dissolution, grouping and any other matters relating to Parishes and Parish Councils
  - c) declarations of vacancy in certain offices
  - d) the name, status of areas and individuals
  - e) the making, amendment, revocation or re-enactment of byelaws
  - f) the promotion or opposition to local or personal Bills
  - g) Local Government pensions

under Parts D, E, F, G and H of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.



4. To authorise the requisition of information as to interests in land in connection with the functions delegated to the Committee.
5. To respond, as consultee, on issues relating to sea fisheries.
6. To advise the Council on the approval of the Authority's Statement of Account, income and expenditure and balance sheet or record of receipts and payments (as the case may be) under the Accounts and Audit Regulations 1986.
7. Where appropriate, to advise the Council on appointments to Committees, Sub-Committees and Joint Committees.
8. To advise the Council on standing orders for meetings and other matters.
9. To advise the Council on the arrangements for the appointment of staff to discharge the Authority's functions properly.
10. To make recommendations to the Council on estimates of income, fees and charges, expenditure and the budget required by the Committee to undertake its functions.
11. ***To vary the maximum hackney carriage fares applicable in the District.***

(democratic/meetings/pr210301)pr'rep'app8

## NEW FOREST DISTRICT COUNCIL CONSTITUTION (EXTRACT)

1. This Constitution was adopted by New Forest District Council on ..... and shall come into effect on .....
2. Unless anything in this Constitution, or the Schedules to it, provides otherwise, the Council may only amend this Constitution on a recommendation from the Cabinet. Before the Cabinet makes such a recommendation, it shall consult the Portfolio Performance and Review Panels and Committees that will be affected by the amendments.
3. **INTERPRETATION**
  - 3.1 For the purposes of this Constitution, the following definitions, except where otherwise stated, shall apply:-
    - Budgets – means the preparation of the annual budget of the Council which is to be used for the purposes of setting the Council Tax, all the components of the budget, such as budgetary allocations to different services and projects, proposed taxation levels, contingency funds (reserves and balances), and any plan or strategy for the control of the Council's borrowing or capital expenditure.
    - Cabinet – means the formal body within the Council defined as the Executive under the Local Government Act 2000.
    - Chief Executive – The Head of the Council's Paid Service under Section 4 of the Local Government Housing Act 1989.
    - Chief Finance Officer – means the Officer appointed by the Council under Section 151 of the Local Government Act 1972 with responsibility for the proper administration of the Council's Officers.
    - Committees – means the Standards Committee, the Planning Development Control Committee, the General Purposes and Licensing Committee, the Appeals Committee and any other Committees comprising of only Councillors as voting Members established by the Council to undertake any of its functions.
    - Council – means the Members of the Council acting together at formal meetings convened under the provisions of the Local Government Act 1972.
    - Leader – The Councillor appointed by the Council to be its principal political leader.
    - Monitoring Officer – means the Officer appointed under Section 5 of the Local Government and Housing Act 1989.
    - Panel – means Portfolio Performance and Review Panels.
    - Portfolio Holder – the term used to describe the Councillor responsible for a specific Portfolio.
    - Portfolios – means activities which are the responsibilities of a single Member.
    - Strategic Plans – means the Council's corporate plan, forward plan, best value performance plan, community plan and such other similar documents and policies as the Council may determine should be prepared.

## 4. PART I – EXECUTIVE ARRANGEMENTS

### 4.1 Form of Executive

The Executive shall be in the form of a Leader with a Cabinet as provided in Section 11(3) of the Local Government Act 2000.

### 4.2 Constitution and Terms of Reference of Cabinet

#### (i) Membership

The Cabinet shall comprise 8 members, including the Leader of the Council.

#### (ii) Terms of Reference

Except where otherwise provided in legislation or this Constitution the Cabinet shall be responsible for all functions of, and matters affecting the Council. Such duties are more particularly described in Schedule 1 and with respect to those functions referred to in Regulations 3 & 4 of the Local Authorities (Functions and Responsibilities) Regulations 2000, in Annex 1 to that Schedule.

#### (iii) Meetings

a) The Cabinet shall meet at least 12 times in each year.

b) The Chief Executive shall have responsibility for calling all Cabinet meetings in accordance with the provisions contained within the Council's Standing Orders as to meetings attached as Schedule 15 hereto.

c) Meetings of the Cabinet its Committees and Sub-Committees shall be held in public except ~~as provided in The Local Authority Executive Arrangements (Access to Meetings and Documents) Regulations 2000.~~ **when confidential or exempt information within the meaning of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2000 is being considered.**

#### (iv) Scheme of Delegation

a) The scheme of delegation at Schedule 2 shall apply to all functions of the Council.

b) It shall be the responsibility of the Chief Executive to ensure that a comprehensive Register of specific powers delegated to individual councillors and employees is maintained at all times. The Register of Delegations shall be deposited at the office of the Chief Executive and be available for public inspection during office hours.

### 4.3 Leader

The Leader of the Council shall be the principal political leader in all respects. The duties and responsibilities assigned to such role shall be as described in Schedule 3 of this Constitution.

#### 4.4 Cabinet – Appointments

(i) Leader

- a) The Leader of the Council shall be appointed by the Council at the Annual meeting of the Council in each year in accordance with the Standing Orders as to meetings attached as Schedule 15 to this Constitution. The Leader of the Council shall be eligible for re-election.
- b) Notwithstanding the provisions of paragraph 4.4 (i) (a) above, the Council may at any time terminate the appointment of the Leader provided that no proposal to terminate such appointment shall be made solely for the purpose of resolving a single dispute under paragraph 4.14 of this Constitution.

(ii) Cabinet

- a) At the Annual Meeting of the Council in May each year, the Council shall determine the Portfolios of Members of the Cabinet.
- b) The duties and responsibilities applicable to Members of the Cabinet shall be in accordance with Schedule 4 and the Annexes thereto.
- c) Within five working days of the Annual Meeting the Leader of the Council shall notify the Chief Executive of the Councillors appointed to the Cabinet and their respective Portfolios.
- d) Within five working days of the Annual Meeting, the Leader of the Council shall appoint a Deputy Leader from amongst the Members of the Cabinet and shall immediately notify the Chief Executive of such appointment
- e) The Deputy Leader shall, in addition to any other responsibilities arising from his/her membership of the Cabinet, have all the powers and duties of the Leader in the Leader's absence
- f) No Member of the Cabinet shall hold more than one of the Portfolios in the Annexes to Schedule 4.
- g) The /Leader may, at any time:-
  - (i) terminate the appointment of any Member of the Cabinet;
  - (ii) appoint a new Member of the Cabinet;subject to the number and Portfolios of Members of the Cabinet complying with this Constitution
- h) Notwithstanding the provisions of this paragraph the Council may, at its own volition or on a recommendation of the Leader, amend the number of Members and/or the Portfolios in the Cabinet provided that the number complies with the limits of legislation.

- i) Where any changes are made to the Portfolios in the Cabinet under paragraph 4.4 (ii) (g) or (h) above, the Leader shall, within five working days, notify the Chief Executive of any consequential changes to the appointments held by individual Cabinet Members.
- j) The Chief Executive shall make arrangements to notify all Councillors of Cabinet appointments and make such other arrangements as are necessary to bring the appointment and responsibilities of those councillors to the attention of the public.

#### **4.5 Appointment of Chief Executive and Chief Officers**

The roles of the Cabinet and the Council for the recruitment of the Chief Executive and Chief Officers shall be in accordance with the provisions contained within the Standing Orders as to General Procedures attached as Schedule 18.

#### **4.6 Interests**

Where any member of the Cabinet has an interest as defined in the Local Government Act 1972, or subsequent legislation, or the local Code of Conduct for Councillors, that councillor shall, where the matter is to be considered by the Cabinet, declare an interest and leave the meeting. Where the decision is delegated to the Cabinet member personally, it shall be referred to the Leader, who shall make the decisions him/herself, refer the matter to Cabinet for determination or delegate responsibility to another member of the Cabinet or an Officer. The Deputy Leader shall deal with any matters in which the Leader has an interest. In all cases the councillor with an interest shall take no part in consideration of the issue either at its determination or in discussions or negotiations leading up to the decision being made and shall comply in all respects with the requirements of legislation and the Local Code of Conduct.

#### **4.7 Corporate Plan, Policy and Budget Setting**

The Council shall be responsible for determining the strategic direction, policies, forward plans, overall budgets and taxation levels of the Council. In determining each of these issues, it shall consider proposals made by the Cabinet and any representations on those proposals by the Portfolio Performance and Review Panels and Committees. The arrangements for involvement of the Portfolio Performance and Review Panels and the Council's Committees in these processes shall be in accordance with Schedule 5 hereto.

#### **4.8 Best Value**

The Cabinet shall take the lead in ensuring that the Council meets its statutory duties relating to Best Value. The arrangements for undertaking these duties and the involvement of Portfolio Performance and Review Panels, Committees and Stakeholders shall be in accordance with the Protocol at Schedule 6.

#### **4.9 Absentia Decision Making**

Where a Cabinet Member is absent from a Cabinet meeting;

- (i) decisions may be taken in his/her absence providing there is a quorum of Members present and the Leader shall be responsible for ensuring that any action necessary is implemented.

- (ii) Where a Cabinet member is absent and action on any matter delegated to him/her is required, that action shall be taken by the Leader unless the Leader has delegated responsibility to another member of the Cabinet;
- (iii) the Leader may invite any person, who need not be a Councillor, to attend a meeting of the Cabinet to speak on behalf of the absent Cabinet Member. In such circumstances, that person may not take part in taking the final decision.

#### 4.10 Decision Making by *Cabinet and Portfolio Holders*

- (i) Records of Decisions by *Cabinet and Portfolio Holders*

Every decision of a ~~Portfolio Holder~~ shall be taken after consultation with the appropriate professional advising Officer. In all cases, there shall be a record of decisions taken. Arrangements for such consultations and the recording of decisions shall be in accordance with the Protocol attached as Schedule 7.

- (ii) Proper Officers role in timing and publication of decisions and supporting documentation -

The Protocol at Schedule 7 identifies the "Proper Officers" appointed by the Council, together with their roles and responsibilities in respect of the recording and timing of publication of decisions and supporting documentation.

- (iii) Letting of Contracts

Where any decision relates to the letting of a contract, an Officer of the Council with delegated powers for this purpose shall sign such Contract. Members shall not sign Contracts.

#### 4.11 Decisions outside Policy & Budget

All decisions taken by the Cabinet, Portfolio Holders or Officers shall be in accordance with the Council's approved policies and budgets. Where the Chief Executive, Monitoring Officer or Chief Finance Officer advises that any proposed decisions to be taken are contrary to, or not wholly in accordance with, policy or budget and the Financial Regulations, the matter shall be referred to Council by the Cabinet. Where any policy change might have a significant effect on the Council's Corporate Plan, the Cabinet shall firstly refer the matter to the appropriate Portfolio Performance and Review Panel before making recommendations to Council. Where any decision would be contrary to the approved budget, and outside any provisions in financial regulations permitting virement between approved budgets, the Cabinet shall refer the matter to Council for determination.

#### 4.12 Urgent decisions

The provisions of the Protocol at Schedule 8 of this Constitution shall apply where it is considered that a decision on any matter ***that is a key decision which a forward plan does not specify is for decision at that time, and/or*** is contrary to, or not wholly in accordance with, policy or budget and Financial Regulations, is required urgently in the interests of the functions and services administered by the Council.

The provisions of paragraph ~~5.4~~ **10.1** of the Protocol at Schedule 7 of this Constitution shall apply where it is considered that a decision on any matter that is in accordance with policy and budget ***and is not a key decision*** is required urgently in the interests of the functions and services administered by the Council. ~~That paragraph shall apply to decisions taken by the Cabinet, as well as to decisions taken by Portfolio Holders.~~

#### 4.13 Relationship with Portfolio Performance and Review Panels

##### (i) Protocol for "call-in" arrangements

Councillors shall not countermand any decision taken by the Cabinet, Committees, Portfolio Holders or Officers except where such decision, as certified by the Monitoring Officer or Section 151 Officer, is contrary to the Council's approved strategies, policies, budgets or the Law. Decisions may however be reviewed under the "call-in" provisions of Schedule 9 hereto.

democratic/pr210301)pr'rep2'app1

## PORTFOLIO - LEADER

### 1. Main Role

- Lead the Council in the identification of its vision, core values and strategic objectives.
- 
- 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 Council to work in the overall best interests of the local community.
- 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.
- Maintain effective working relationships with the Chief Executive, Chief Officers and all employees of the Council.

### 2. Duties and Responsibilities

1. To appoint members to the Cabinet and to assign to each such Cabinet Member responsibility for the Portfolios approved by the Council.
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 be responsible for preparing forward plans (see Annex 1 to this Schedule)*
6. To undertake those tasks shown in Schedule 4 and Annex 1 to that Schedule in respect of the duties for which the Leader assumes personal responsibility.

## FORWARD PLANS

### 1. *Period of forward plan*

- 1.1 *The Leader will prepare forward plans to cover a period of four months, beginning with the first day of any month. They will be prepared monthly. Subsequent plans will cover a period beginning with the first day of the second month covered in the preceding plan.*

### 2. *Contents of forward plans*

- 2.1 *The forward plan will contain matters which the Leader has reason to believe will be the subject of a key decision to be taken by the Cabinet, any Committee of the Cabinet, individual Portfolio Holders or Officers in the course of the discharge of an executive function in the period covered by the plan. It will describe the following particulars, so far as the information is available or might reasonably be obtained:*

- (i) The matter on which a decision is to be made;*
- (ii) Where the decision is to be taken by an individual, his or her name and title (if any). Where the decision is to be taken by a body, its name and details of membership;*
- (iii) The date on which, or the period within which, the decision will be taken;*
- (iv) The identity of the principal groups the decision taker proposes to consult before taking the decision;*
- (v) The means by which it is proposed to undertake any such consultation;*
- (vi) The steps anyone who wishes to make representations to the Cabinet or decision taker about the matter on which the decision is to be made should take, and the date by which those steps should be taken;*
- (vii) A list of the documents submitted to the decision maker for consideration in relation to the matter.*

### 3. *Publication of forward plans*

- 3.1 *The forward plan must be published at least 14 days before the start of the period covered. The Chief Executive will publish a notice at least once a year in at least one newspaper circulating in the District, stating:*

- (i) that key decisions are to be taken on behalf of the Council;*
- (ii) that a forward plan containing particulars of the matters on which decisions are to be taken will be prepared monthly;*
- (iii) that the plan will contain details of the key decisions to be made for the four month period following its publication;*
- (iv) that each plan will be available for inspection at the Council's offices during office hours free of charge;*

- (v) that each plan will contain a list of the documents submitted to be submitted to the decision takers for consideration in relation to the key decisions on the plan;**
- (vi) the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed in the forward plan is available;**
- (vii) that other documents may be submitted to decision takers;**
- (viii) the procedure for requesting details of documents (if any) as they become available; and**
- (ix) the dates on each month in the following year on which each forward plan will be published and available to the public at the Council's offices.**

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## Schedule 7

## PROTOCOL FOR EXECUTIVE DECISION MAKING BY PORTFOLIO HOLDERS

### 1. INTRODUCTION

1.1 ~~The Leader of the Council and Members of the Cabinet, hereinafter referred to as Portfolio Holders, have been authorised to undertake~~ ***The Leader and individual Portfolio Holders, and officers, are authorised to take*** certain executive actions ~~decisions~~ under the Terms of the Council's Constitution. This Protocol identifies the responsibilities and processes to be followed ~~by Portfolio Holders in carrying out those tasks for which they are individually responsible.~~

1.2 ~~For the purposes of this Protocol, the appropriate Head of Service is the proper Officer for providing advice to Portfolio Holders and the Chief Executive is the Proper Officer for the maintenance of the Corporate Register of decisions taken.~~

1.2 ***This Protocol applies to:***

***decisions made by the Cabinet;***

***decisions made by individual Portfolio Holders under delegated powers; and***

***key decisions made by officers under delegated powers.***

### 2. ACTION PRIOR TO REACHING A DECISION - CABINET

2.1 ***The provisions of Standing Orders for Meetings relating to convening meetings and issue of documentation shall apply to all meetings of the Cabinet.***

### 3. ACTION PRIOR TO REACHING A DECISION – PORTFOLIO HOLDERS

3.1 In all cases, prior to taking any decision on any matter, the Portfolio Holder shall be responsible for:-

- (i) ensuring that the decision to be made is within his/her delegated powers;
- (ii) obtaining, in writing (which may be transmitted electronically) a summary of the issues from the Head of Service responsible for the matter under consideration;
- (iii) obtaining confirmation that any course of action proposed is within the Council's legal powers and complies with the Council's strategies, policies and budgets;
- (iv) determining whether the proposed action has any effect on the responsibilities of other Portfolio Holders;

- (v) ensuring that where the matter affects a specific part of the District Council's area, the views of the relevant Ward Members, and where appropriate, the local Parish or Town Council's views have been obtained and taken into account in reaching a decision; **and**
- (vi) **if the decision is a key decision:**
  - a) **ensuring that details of the subject of the decision are contained in the relevant forward plan for consideration at that time, and if they are not that the relevant provisions of Schedule 8 to this Constitution are followed;**
  - b) **ensuring that any report or other written information that he/she intends to take into consideration when he/she makes the decision was available for public inspection as soon as reasonably practicable after he/she received it, and has been so available for at least three clear working days before the decision is made; and**
  - c) **ensuring that any report or other written information that he/she intends to take into consideration when he makes the decision has been forwarded to the Chairman of the relevant Portfolio Performance and Review Panel.**

3.2 Where any matter considered by a Portfolio Holder:-

- (i) is outside his/ her delegated powers;
- (ii) is outside the legal powers of the Council or contrary to the Council's strategies, policies or budgets;

the matter shall stand referred to the Cabinet for consideration. No action that commits the Council shall be taken on that matter until after the issue has been determined by the Cabinet. EXCEPT that where a decision which does not comply with the Council's strategies or policies, or would not be wholly in accordance with the budget, **or is a key decision which a forward plan does not specify is for decision at that time**, is required urgently, that matter may be determined in accordance with the provisions of Schedule 8 to this Constitution.

3.3 Where a decision would have an effect on the responsibilities of another Portfolio Holder or has implications which might affect the corporate strategies of the Council, the Portfolio Holder shall consult with any other Portfolio Holder and the Leader prior to reaching any decision.

#### 4. ACTION PRIOR TO REACHING A KEY DECISION – OFFICERS

4.1 **In all cases, prior to taking a key decision on any matter, the Officer shall be responsible for:-**

- (i) **ensuring that the decision to be made is within his/her delegated powers;**
- (ii) **obtaining confirmation that any course of action proposed is within the Council's legal powers and complies with the Council's strategies, policies and budgets;**
- (iii) **ensuring that details of the subject of the decision are contained in the relevant forward plan for consideration at that time, and if they**

**are not that the relevant provisions of Schedule 8 to this Constitution are followed;**

- (iv) ensuring that any report or other written information that he intends to take into consideration when he makes the decision was available for public inspection as soon as reasonably practicable after he received it, and has been so available for at least three clear working days before the decision is made;**
- (v) ensuring that any report or other written information that he intends to take into consideration when he makes the decision has been forwarded to the Chairman of the relevant Portfolio Performance and Review Panel; and**
- (vi) ensuring that where the matter affects a specific part of the District Council's area, the views of the relevant Ward Members, and where appropriate, the local Parish or Town Council's views have been obtained and taken into account in reaching a decision.**

## **5. ACTION AT POINT OF DECISION MAKING – PORTFOLIO HOLDERS**

5.1 In reaching a decision on any matter referred to him/her the Portfolio Holder shall:-

- (i) take into consideration the views expressed by the Head of Service responsible for the matter under consideration;
- (ii) where appropriate, take account of the views of other Portfolio Holders, the Leader, the Ward Members and the local Parish or Town Council;
- (iii) endorse the written documentation prepared by the appropriate Head of Service with his/her decision and where that decision is contrary to the Officer's recommendation or views submitted by the Ward Member or local Town or Parish Council, the reasons for reaching the different conclusion; and
- (iv) endorse all written documentation giving options considered with the reasons why particular options were rejected.

## **6. ACTION AFTER DECISION - CABINET**

6.1 **As soon as reasonably practicable after a meeting, the Chief Executive shall ensure that a written statement that includes the information set out below is produced in respect of every decision made at that meeting:**

- (i) a record of the decision;**
- (ii) a record of the reasons for the decision;**
- (iii) details of any alternative options considered and rejected by the Cabinet at the meeting;**
- (iv) a record of any conflict of interest in relation to the matter decided which is declared by any member of the Cabinet; and**
- (v) in respect of any declared conflict of interest, a note of any dispensation granted by the Standards Committee.**

6.2 **The Chief Executive shall also:-**

- (i) ***maintain copies, which may be held electronically, of all the reports and supporting papers taken into account by the Cabinet in making a decision;***
- (ii) ***make the notice prepared under 6.1, the reports and supporting papers (including a list of background papers) available for inspection at the Council's main office by any Member of the Council during normal office hours; and***
- (iii) ***make the notice, reports and supporting papers (including a list of background papers), except for those which contain confidential or exempt information as defined by the Local Government Act 1972 (as amended), available for public inspection at the Council's main office during normal office hours. No charge shall be made for inspection of such papers.***

## **7. ACTION AFTER DECISION – PORTFOLIO HOLDERS**

7.1 On reaching a decision and ~~subject to the Protocol on call-in arrangements at Schedule 9,~~ the Portfolio Holder shall:-

- (i) give instructions to the appropriate Head of Service to take the necessary action to implement the decision;
- (ii) personally, or arrange for the appropriate Head of Service to, notify Members of the decision taken;
- (iii) ensure that the decision is not implemented until such time as the period for, and the conditions of , the Protocol on call-in arrangements for decisions taken by the Executive have been complied with; and;
- (iv) supply a copy of all papers (which may be transmitted electronically) considered by him/her to the Chief Executive – together with a copy of the decision with reasons.

7.2 Upon notification of a decision, the Head of Service will:-

- (i) subject to compliance with the Protocol on call-in arrangements at Schedule 9, ensure implementation within any specified time scales and, if none given, within a reasonable period;
- (ii) ensure that a copy of the decision and appropriate supporting papers are placed on the relevant file;
- (iii) where instructed by the Portfolio Holder to arrange for a report on the decision taken to be circulated to all Members of the Council.
- (iv) immediately notify Parish & Town Councils, together with any other persons or organisations, consulted about the proposals, of the decision taken.

7.3 ***As soon as reasonably practicable after a decision is taken the Chief Executive shall ensure that a written statement that includes the information set out below is produced in respect of that decision:-***

- (i) a record of the decision***
- (ii) a record of the reasons for the decision;***
- (iii) details of any alternative options considered and rejected at the time by the Portfolio Holder when he made the decision;***
- (iv) a record of any conflict of interest in relation to the matter decided which was declared by any Cabinet member who the Portfolio Holder making the decision consulted; and***
- (v) in respect of any declared conflict of interest, a note of any dispensation granted by the Standards Committee.***

7.4 The Chief Executive shall ***also:-***

- (i) maintain a register or registers, which may be held in electronic form, of decisions taken by Portfolio Holders under delegated powers;***
- (ii) maintain copies, which may be held electronically, of all the **reports and** supporting papers provided by the Portfolio Holder;***
- (iii) make **the notice under 7.3**, the register, **reports** and supporting papers (**including a list of background papers**) available for inspection at the Council's main office by any Member of the Council during normal office hours;***  
***and;***
- (iv) make the **notice**, register, **reports** and supporting papers (**including a list of background papers**), except for those which contain confidential or exempt information as defined by the Local Government Act 1972 (as amended), available for public inspection at the Councils main office during normal office hours. No charge shall be made for inspection of such papers.***

## **8. ACTION AFTER KEY DECISION – OFFICERS**

8.1 ***As soon as reasonably practicable after an officer has made a key decision, he or she shall produce a written statement that includes the information set out below:-***

- (i) a record of the decision;***
- (ii) a record of the reasons for the decision;***
- (iii) details of any alternative options considered and rejected by him or her at the time he or she made the decision;***
- (iv) a record of any conflict of interest in relation to the matter decided which was declared by any Cabinet member who the officer consulted; and***
- (v) in respect of any declared conflict of interest, a note of any dispensation granted by the Standards Committee.***



## 8.2 The Chief Executive shall:-

- (i) *maintain a register or registers, which may be held in electronic form, of key decisions taken by officers under delegated powers;*
- (ii) *maintain copies, which may be held electronically, of all the reports and supporting papers taken into account by an officer in making a key decision;*
- (iii) *make the notice under 8.1, the register, reports and supporting papers (including a list of background papers) available for inspection at the Council's main office by any Member of the Council during normal office hours; and*
- (iv) *make the notice, register, reports and supporting papers (including a list of background papers), except for those which contain confidential or exempt information as defined by the Local Government Act 1972 (as amended), available for public inspection at the Council's main office during normal office hours. No charge shall be made for inspection of such papers.*

## 9. KEY DECISIONS – PORTFOLIO PERFORMANCE AND REVIEW PANELS

9.1 *If a decision is taken that was not treated as a key decision, but the relevant Portfolio Performance and Review Panel considers that it was a key decision, the Portfolio Performance and Review Panel may require the Cabinet, or the person responsible for the decision, within a reasonable period specified by the Panel, to submit a report to the Council setting out:-*

- (i) *the decision and reasons for it;*
- (ii) *the body or individual who took the decision; and*
- (iii) *why it was not considered a key decision.*

*This is in addition to any other rights of Portfolio Performance and Review Panels in relation to executive decisions contained elsewhere in this Constitution.*

## 10. URGENT DECISIONS

10.1 Where in the opinion of the Head of Service and the Monitoring Officer, a decision within policy and budget, **and which is not a key decision**, is required urgently on any matter, **whether by the Cabinet or** delegated to a Portfolio Holder, the **requirements** ~~provisions of:-~~

- (i) ~~Paragraph 2.1 (ii) and 3.1 (iii),~~ relating to the information, and **(in the case of Portfolio Holder decisions)** decision being in writing or electronic form;
- (ii) ~~Paragraphs 2.1 (v), 3.1 (ii) and 4.2 (ii)~~ relating to consultations with Ward Members and where appropriate the local Parish or Town Council;

shall apply only if there is sufficient time to follow these procedures without prejudicing the decision or the Council; provided that as soon as practicable after the matter has been determined, a written record of the

- issues and the action taken shall be made and circulated in accordance with the remaining provisions of this Protocol; and
- (iii) paragraphs 3.1 to 3.8 of Schedule 9, so far as they relate to the date on which the decision may be implemented, shall not apply, and the decision may be implemented immediately.

- 10.2 Where a decision which is not within policy or budget, ***or is a key decision which a forward plan does not specify is for decision at that time, is required***, the provisions of the Protocol at Schedule 8 to this Constitution shall apply.

## 11. VARIATION OF PROTOCOL

- 11.1 This Protocol may be varied by a resolution of the Council upon a recommendation from the Cabinet. No such recommendation shall be made until the Cabinet has consulted the Standards Committee, Portfolio Performance and Review Panels and other Committees of the Council.

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## PROTOCOL – URGENT DECISIONS OUTSIDE POLICY AND/OR BUDGET, AND URGENT KEY DECISIONS

### 1. INTRODUCTION

- 1.1 The Cabinet has been empowered, subject to compliance with the Council's policies and budgets, to make decisions on behalf of the Council in accordance with the provisions of this Constitution.
- 1.2 This Protocol describes the procedures to be followed where a decision which:  
 does not comply with Council policy or budget; or  
 is contrary to or not wholly in accordance with policy and budget; or  
**is a key decision which it was impracticable to include in a forward plan, or which is included in a forward plan but is scheduled for decision at a later date or time (an "urgent key decision")**,  
 is required urgently.
- 1.3 Where any decision will give rise to expenditure exceeding £20,000 (or such other sum as may be prescribed from time to time in financial regulations (Schedule 22)) no action shall be taken to implement that decision until the matter has been considered by Council.
- 1.4 In this Protocol the expression 'Cabinet' refers to the Cabinet, a Committee or Sub-Committee of the Cabinet or to the appropriate Portfolio Holder where any powers have been delegated, **and, in relation to key decisions, to any officer planning to make the decision under delegated powers.**

### 2. URGENT DECISIONS OUTSIDE POLICY OR BUDGET - ACTION PRIOR TO DECISION

- 2.1 Where it appears to the Cabinet that a decision, which is outside the Council's approved policies or budget, is required urgently and it is not reasonable to delay the decision making to the next or a special meeting of the Council, the Cabinet shall:-
- (i) Obtain confirmation from the Chief Executive and other appropriate professional advising Officer, that a decision is required urgently<sup>1</sup>;
  - (ii) Carry out, so far as is reasonable, consultations with Ward Members and other Stakeholders<sup>1</sup>; and
  - (iii) Consult with the Chairman of the Portfolio Performance and Review Panel whose terms of reference relate to such function, on the proposed decision and the need for action to be taken urgently.
- 2.2 In the event of a matter affecting more than one Portfolio Performance and Review Panel, the Chief Executive shall determine which Chairman shall be consulted.

- 2.3 Where the Chairman of the Portfolio Performance and Review Panel is not available for whatever reason, the Chairman of the Council, or in his/her absence, the Vice-Chairman of the Council shall be consulted.
- 2.4 Where the Chairman of the Portfolio Performance and Review Panel, or in his/her absence, the Chairman or Vice-Chairman of the Council, as the case may be, agrees with the proposed decision, and that it is urgent, the Cabinet shall be empowered to implement such decision.
- 2.5 For the purposes of this paragraph, consultations may be made:-

In writing,  
Electronically, or  
Orally,

depending upon the need to ensure effective and timely decision making, but in all cases a written record of the decision. all options considered and the reasons why the decision was required urgently, shall be made by the Cabinet to Council.

- 2.6 ***If the decision is an urgent key decision, as well as a decision outside policy or budget, section 3 below also applies.***

### **3. URGENT KEY DECISIONS – ACTION PRIOR TO DECISION**

- 3.1 ***Where it appears to the Cabinet, or a Portfolio Holder or officer with delegated powers to make the decision, that a decision which is:***

***a key decision that it has proved impracticable to include in a forward plan; or***

***a key decision that is included in a forward plan, but is scheduled for decision at a later date or time***

***is required urgently, and it is not reasonable to delay the decision until it can be included in a forward plan, the following action shall be taken:***

- (i) ***The Chief Executive shall inform the Chairman of the relevant Portfolio Performance and Review Panel, by notice in writing, of the matter about which the decision is to be taken;***
- (ii) ***The Chief Executive shall make a copy of the written notice in (i) available for public inspection at the Council's offices;***
- (iii) ***The Cabinet, Portfolio Holder, or officer, as appropriate, shall take the decision only after three clear working days have elapsed after the notice in (ii) has been available for public inspection.***

- 3.2 ***For the purpose of paragraph 3.1, in the event of a matter affecting more than one Portfolio Performance and Review Panel, the Chief Executive shall determine which Chairman shall be consulted. Where the Chairman of the Portfolio Performance and Review Panel is not available for whatever reason, the Vice-Chairman of the relevant Portfolio Performance and Review Panel shall be consulted.***

- 3.3** *If, exceptionally, it is impracticable to comply with the requirements of paragraph 3.1, the decision may only be taken if the decision maker has obtained agreement from the Chairman of the relevant Portfolio Performance and Review Panel that the decision must be made urgently and cannot reasonably be deferred.*
- 3.4** *For the purpose of paragraph 3.3, in the event of a matter affecting more than one Portfolio Performance and Review Panel, the Chief Executive shall determine which Chairman shall be consulted.*
- 3.5** *For the purpose of paragraph 3.3, where the Chairman of the Portfolio Performance and Review Panel is absent or unable to act for whatever reason, the Chairman of the Council, or in his/her absence, the Vice-Chairman of the Council, shall be consulted.*
- 3.6** *For the purposes of paragraphs 3.3 to 3.5, consultations may be made:-*
- In writing,  
Electronically, or  
Orally,*
- depending upon the need to ensure effective and timely decision making, but in all cases a written record of the decision, all options considered and the reasons why the decision was required urgently, shall be made by the Cabinet to Council.*
- 3.7** *If the decision is outside policy or budget, as well as an urgent key decision, section 2 above also applies.*

#### **4. ACTION AFTER DECISION**

- 4.1** As soon as reasonably practicable after a decision has been made under the provisions of this Protocol, the Cabinet must provide a written report to the full Council explaining:-
- (i) The decision;
  - (ii) The reasons a decision was required;
  - (iii) The reasons why the decision was required urgently and could not have been brought to the Council for determination; and
  - (iv) The manner, timing of consultation and office of person consulted prior to the decision being taken.

#### **5. VARIATION OF PROTOCOL**

- 5.1** This Protocol may be varied by resolution of the Council upon a recommendation from the Cabinet. No such recommendation shall be made until the Cabinet has consulted the Portfolio Performance and Review Panels.

<sup>1</sup>These provisions currently conflict with the Draft Statutory Guidance which requires no consultations with Officers or other Members/Stakeholders. The Council has suggested that the Statutory Guidance should be amended to reflect the need for this type of consultation even for urgent decisions. These Paragraphs will, therefore, need revisiting once the final Statutory Guidance is available.

## Schedule 15

**TERMS OF REFERENCE - PORTFOLIO PERFORMANCE AND REVIEW PANELS**

1. The Statutory overview and scrutiny functions of the Council shall be undertaken by Portfolio Performance and Review Panels. Each Panel shall have a particular responsibility for the overview and scrutiny of the functions undertaken for the following Portfolios within the Cabinet:-

Policy and Strategy, and Finance and Support

Crime and Disorder

Environment

Housing

Economy and Planning

Leisure

2. For those matters being the responsibility of the Cabinet relating to the functions of the Portfolio(s) for which each Panel has been established:-

- (i) To prepare an annual programme of reviews each year for approval by the Council.
- (ii) 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.
- (iii) 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,<sup>1</sup> as appropriate.
- (iv) To review performance against annual budgets, including budget profiles and to report thereon to the Council, Cabinet or Portfolio holders as appropriate.
- (v) To review the 'called in' decisions of or action taken by the Cabinet, Portfolio Holders and Officers acting under delegated powers and report the outcome of each review to the Council, the Cabinet, Portfolio Holders and Officers, as appropriate.<sup>2</sup>
- (vi) To review decisions or action taken in respect of any functions which are not the responsibility of the Executive (with the exception of development control, licensing and other regulatory matters as determined by the Chief Executive), and to make reports and recommendations in respect of such functions.

- (vii) To undertake, in conjunction with the Cabinet and/or its Members, reviews of service performance under the Best Value regime.
- (viii) To review departmental performance outside the Best Value regime and to make such reports and recommendations as it considers appropriate.<sup>3</sup>
- (ix) To undertake reviews of services provided by other agencies and which affect the economic, social and environmental well-being of the Council's area.
- (x) To review the Council's involvement and support to outside organisations that fall within these Terms of Reference.
- (xi) To receive and review external audit reports which relate to matters within these Terms of Reference, and
- (xii) 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.<sup>4</sup>
- (xiii) To make recommendations to the Cabinet and Council on estimates of expenditure and the budget required to enable the Panel to undertake its functions.
- (xiv) To make reports or recommendations to the Council or the Executive in respect of any functions which are not the responsibility of the Executive;
- (xv) To make reports or recommendations to the Council or the Executive in respect of matters which affect the Local Authority's area or its inhabitants;
- (xvi) To appoint a member or members to represent the Panel in the Scoping, Assessment of Cabinet Decision, Verification, and Action Planning and Report stages of the Best Value process;
- (xvii) To consider whether decisions taken by the executive which were not treated as key decisions should have been so treated, and to require the executive to prepare a report to the Council in appropriate cases as set out in Schedule 7 to this Constitution.***

<sup>1</sup>Officers" refers to The Chief Executive, Directors and other Chief Officers.

<sup>2</sup>The 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 Panels Terms of Reference.

<sup>3</sup>Such 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.

<sup>4</sup>The 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.

## PROTOCOL

### PORTFOLIO PERFORMANCE AND REVIEW PANELS – OPERATIONAL RIGHTS AND RIGHTS OF ACCESS TO INFORMATION

#### 1. INTRODUCTION

- 1.1 This Protocol defines the operational rights and the rights of access to information to be afforded to the Portfolio Performance and Review Panels. It is to be read in conjunction with and is supportive of other elements of the Council's Constitution.
- 1.2 For the purposes of this Protocol, the following definitions shall apply:-
- Council – means all Members of the Council acting together at formal meetings convened under the provisions of the Local Government Act 1972;
  - Cabinet – means the formal body within the Council defined as the Executive under the Local Government Act 2000;
  - Committees – means the Standards Committee, the Planning Development Control Committee, the General Purposes and Licensing Committee and any other Committees comprising of only Councillors as voting Members established by the Council to undertake any of its functions.
  - Corporate Plans – means the Council's Corporate Plan, Best Value Performance Plan, Community Plan and such other similar documents and policies as the Council may determine should be prepared;
  - Prepare – includes the initial preparation, review, amendment or any modification thereof, of any document or papers relating to Corporate Plans, policies or budgets;
  - Budgets – means the preparation of the annual budget of the Council which is to be used for the purposes of setting the Council Tax.
- 1.3 Where any review to be undertaken by a Panel affects one or more other Panels the Chairman of the Panels shall agree which shall undertake the review and in the event of disagreement, the disagreement shall be referred to Council for determination.



## 2. AREAS OF ACTIVITY

2.1 The Panels shall have the right to be involved in and consulted on:-

- Policy Development
- Policy Review
- Budget Setting
- Service Scrutiny
- Best Value Reviews
- Reactive Reviews

## 3. TIMING OF INVOLVEMENT

3.1 The following principles shall apply:-

### a. Policy Development

- Where the Cabinet decides to develop new policies, it shall after its initial consideration of any proposal, supply details to the relevant Panel prior to any recommendation being made to Council. Where the Council gives instructions to the Cabinet to undertake development of a new policy, it shall at the same time instruct the Cabinet to consult with the appropriate Panel during development of the new policy.
- Adequate time shall be allowed to Panels to respond to consultations from the Cabinet but, as a general principle, the period for response will not normally be less than one month.
- For topics included in any annual or other programme approved by the Council, target dates will be included within the programme.

### b. Policy Review

- After initial consideration by Cabinet and before any report by Cabinet to Council details of the review will be supplied to the relevant Panel.
- As a general principle, this should always be determined having regard to the nature and complexity of topic but a minimum period of one month should normally be allowed.
- For topics included in the annual or other programme approved by Council, target dates will be set within the programme.
- Where a Member of a Panel has sought, and the Panel has agreed, to undertake a review of existing policy, the Panel shall set its own timetable for completion of the work details of which shall be reported to Council.

**c. Budget Setting**

- Within two months of the guidelines for the following year's budget being approved by Council, the Cabinet will provide each Panel with its expenditure plan proposals for the following year's budget.
- Each Panel will be allowed one month to respond to proposals submitted to it by Cabinet. The Panel's comments will be submitted to Council by the end of November with the Cabinet's provisional expenditure plan proposals.
- Following consideration of the detailed policy budget and the provisional revenue support grant settlement, the Cabinet will finalise its proposals by the end of December each year and submit them to each Panel for comment by the end of the third week in January.
- Following their consideration of the policy budget, Panels will respond to the Cabinet to enable the Cabinet to reconsider its budget by the end of the first week in February each year and make its final budget recommendations to Council.

(NB: Timing of February Council will need to take account of County Council Timetable and the arrangements for the resolution of any dispute between the Council and Cabinet)

**d. Service Scrutiny**

- Prior to 1<sup>st</sup> April in each year, each Panel shall produce a programme identifying the service reviews it proposes to undertake in the forthcoming year and shall submit such programme to the Council and the Cabinet.
- Within the annual programme, each Panel shall identify the full extent of the service reviews including the specific area of activity and the purpose of the review – together with a timetable showing the commencement and completion dates for such reviews.
- The annual programme shall identify the overall resources likely to be required for completion of the review.
- Upon receipt of the annual programme or at any time during the year, the Council or the Cabinet may request a Panel to undertake a specific service review. Upon making such request, the Council or the Cabinet shall identify the objective of the review and the timescales, which will normally not be less than one month, for completion of the review.
- Panels shall not include within their annual programme, or commence work on any service review under this paragraph where such service is also subject to a Best Value review during that year.

**e. Best Value Reviews**

- Each Panel shall be entitled to be involved in all reviews under the Best Value regime in accordance with the Protocol at Schedule 6 to this Constitution.

**f. Reactive Reviews**

(i) Where any matter is referred to a Panel by a single Member under the call-in procedures at Schedule 6, the Panel shall at its next meeting:-

- Determine whether a decision taken and implemented by the Executive should be reviewed for the purpose of advising the Cabinet and/or the Council, that a decision:-
  - (a) has not been implemented in accordance with Council policy or budget, or;
  - (b) has been taken within policy or budget but that either the policy or budget should be reviewed.
- Where a Panel decides to review any implemented decision, it shall determine the purposes and terms of reference of the review and the timescales to be applied.
- Upon completion of the review under this paragraph, the Panel shall report on its deliberations to the Council and the Cabinet,

(ii) Where any decision of the Executive is referred to a Panel by two Members of the Panel, under the call-in procedures at Schedule 9 (in which case the decision would not have been implemented), the Panel shall:-

- Meet within ten days of the request made for the purpose of reviewing the Executive's decision.
- Make such arrangements as the Chairman of the Panel in consultation with the Chief Executive, shall deem necessary to enable the Panel to carry out an objective review of the Executive's decision.
- Ensure that within two working days of the completion of the review, the outcome is reported to the Executive.
- Where the Panel determines that the Executive's decision should be referred to Council, make such arrangements as are necessary to call a special meeting of the Council within ten working days.

#### 4. ACCESS TO INFORMATION

4.1 To enable Panels to undertake their duties under the terms of this Protocol, each Panel shall have timely access to:-

- All reports and supporting papers, including exempt information, considered by the Executive as soon as practicable after the Executive has reached a decision.
- Supporting papers, including documents prepared or supplied by Officers which had an effect on the decision taken including any papers containing information about options rejected by the Executive.
- Such other information and reports as the Panel may request Directors to supply or prepare, subject to the right of the Chief Executive to refer the need for such work to the Council for agreement.
- Members of Panels shall respect the confidentiality of confidential and exempt information and shall not provide or disclose it to any person who is not a Councillor and in particular shall not discuss the information in the presence of non-voting Members of the Panel.

**4.2 *Paragraph 4.1 above applies to reports and supporting papers taken into account by officers when making key decisions under delegated powers, as well as to reports and supporting papers considered by the Cabinet or individual Portfolio Holders.***

#### 5. ATTENDANCE OF EXECUTIVE COUNCILLORS AT PANEL MEETINGS

- 5.1 In consideration of any decision taken by the Executive, Panels shall have the absolute right to require the decision-maker, or a Member of the Cabinet where the decision was taken in a Cabinet meeting, to attend any meeting called to review the decision of the Executive.
- 5.2 A decision of the Executive shall not be implemented until such time as the Member of the Cabinet or its representative has attended a meeting of the Panel or the Panel has reported on the decision to the full Council at its next ordinary meeting.
- 5.3 A Panel may request copies of information or documents to enable it to review a decision of the Executive. If such papers have not been supplied at least two days prior to the meeting of the Panel, the Executive's decision shall stand deferred to a further meeting of the Panel which shall be arranged as soon as practicable.

#### 6. ATTENDANCE OF OFFICERS AT PANEL MEETINGS

- 6.1 Each Panel shall be entitled to require any Officer to attend its meetings who:-
- (i) Took a decision on behalf of the Executive;

- (ii) Was involved in providing information to enable a decision to be reached by another Officer or by the Executive or has some material information that will assist the Panel in reviewing the decision.

6.2 Where any Officer fails to attend a meeting of the Panel without good cause, he/she may be subject to action under the Council's disciplinary rules.

6.3 In determining which Officers to call to provide information, the Panel shall have due regard to the seniority of Officers and shall normally only invite those Officers to give evidence who hold supervisory and management posts.

6.4 Officers shall only be required to give evidence on questions of fact when called to attend meetings of Panels. They should not be expected, or required, to comment on the merit of any options considered by the Executive, except insofar as the decision being reviewed is that taken by the Officer.

## **7. ATTENDANCE OF OTHER PERSONS AT PANEL MEETINGS**

7.1 Where a Panel considers it necessary to enable it to undertake a review of any matter coming before it, it shall:-

- (i) be entitled to call any person who is not a Councillor or Officer to provide information to assist in its deliberations;
- (ii) make reasonable travel and subsistence payments to any such persons attending meetings to provide information.

## **8. ADDITIONAL SUPPORT**

8.1 A Panel shall be entitled to appoint a Consultant, other person or organisation to undertake research or other tasks on its behalf subject to budget provision having been made for that purpose and the cost not exceeding £1000, or such other amount as may be agreed by Council.

## **9. VARIATION OF PROTOCOL**

9.1 This Protocol may be amended at any time by the Council upon a recommendation from the Cabinet following consultation with the Council's Portfolio Performance and Review Panels and Committees.

**Schedule 21 (extract)****Extract from Standing Orders for Meetings**

23.3 A petition shall not be put to an extraordinary or special Council meeting, or to a special Cabinet, Committee or Panel meeting, unless, in the Chief Executive's opinion, it is relevant to a subject specified or to be specified on the summons or agenda for that meeting.

23.4 Where:

the subject of a petition is of a quasi-judicial nature, and the Monitoring Officer considers presenting it would prejudice any legal proceedings to be taken by the Council; or

the petition refers to legal proceedings being taken, or anticipated to be taken, by or against the Council,

the petitioner shall be advised, and the petition shall not be entertained.

~~24. Advance Notice of Cabinet Business – Work Plan~~

24. *24 IS A SPARE NUMBER*

**DISPUTES BETWEEN CABINET AND COUNCIL****25. Resolving Disputes between the Council and Cabinet**

25.1 The mechanism for resolving disputes between the Council and Cabinet shall be as stated in the Council's Constitution.

**26. Portfolio Performance and Review Panels – Call-In Procedures**

26.1 The circumstances in which a Portfolio Performance and Review Panel may call in a decision made by the Cabinet, including a decision made on its behalf under delegated powers, shall be as stated in the Council's Constitution.

**ATTENDANCE AT MEETINGS****27. Attendance Record**

27.1 Every Council member attending a Council, Cabinet, Committee, Sub-Committee or Panel meeting shall sign his name on the register provided. The names of all members attending shall be recorded in the minutes of the meeting.

**28. Non-members Attending Cabinet, Committees, Sub-Committees and Panels**

28.1 Subject to 28.2, the Chairman, Vice-Chairman, Leader and Deputy Leader of the Council, and the leaders of the opposition groups, may attend and speak (but not vote unless they are a member) at any meeting of a Committee, Sub-Committee or Panel.

41.2 The Chairman may allow the motion to be dealt with at the meeting at which it is brought forward if:

he considers it urgent, convenient, or conducive to the despatch of business; and  
the motion does not affect matters which are the Cabinet's responsibility.

The rules of debate for Council meetings (Standing Order No. 47) will apply.

41.3 A motion which affects the Council's approved strategies, policies or budgets shall be referred to the Cabinet for consideration and report to the next Council meeting, in addition to being referred to any Committee or Panel.

41.4 If a motion set out in the summons is not moved by:

the member who gave notice of it; or  
some other member on his behalf,

it shall be:

treated as withdrawn, and shall not be moved without fresh notice; or  
postponed by consent of the Council.

#### **42. Matters not on the Summons or Agenda**

42.1 Except under 42.2, business shall not be transacted at a Council, Cabinet, Committee, Panel or Sub-Committee meeting unless it is stated on a Summons or agenda which has been available to the public

- (a) for 3 clear working days before the date of the meeting; or
- (b) if the meeting has been convened **or the business added to the agenda** at shorter notice, from the time the meeting was convened **or the business added**.

42.2 The exception referred to in 42.1 is where, after taking advice, the Chairman of the meeting considers that due to special circumstances the item should be considered as a matter of urgency under section 100B(4) of the 1972 Act. The special circumstances shall be stated in the minutes of the meeting.

**42.3 The exception in 42.2 does not apply to meetings of the Cabinet, or any Sub-Committee of the Cabinet.**

#### **43. Confidential Business – Exclusion of the Public and Press**

43.1 The public and press shall be excluded from a meeting while it considers any business which would involve the likely disclosure of confidential information within the meaning of section 100A(2) of the 1972 Act.

41.2 The Chairman may allow the motion to be dealt with at the meeting at which it is brought forward if:

he considers it urgent, convenient, or conducive to the despatch of business; and  
the motion does not affect matters which are the Cabinet's responsibility.

The rules of debate for Council meetings (Standing Order No. 47) will apply.

41.3 A motion which affects the Council's approved strategies, policies or budgets shall be referred to the Cabinet for consideration and report to the next Council meeting, in addition to being referred to any Committee or Panel.

41.4 If a motion set out in the summons is not moved by:

the member who gave notice of it; or  
some other member on his behalf,

it shall be:

treated as withdrawn, and shall not be moved without fresh notice; or  
postponed by consent of the Council.

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- (a) for 3 clear working days before the date of the meeting; or
- (b) if the meeting has been convened **or the business added to the agenda** at shorter notice, from the time the meeting was convened **or the business added**.

42.2 The exception referred to in 42.1 is where, after taking advice, the Chairman of the meeting considers that due to special circumstances the item should be considered as a matter of urgency under section 100B(4) of the 1972 Act. The special circumstances shall be stated in the minutes of the meeting.

**42.3 *The exception in 42.2 does not apply to meetings of the Cabinet, or any Sub-Committee of the Cabinet.***

#### **43. Confidential Business – Exclusion of the Public and Press**

43.1 The public and press shall be excluded from a meeting while it considers any business which would involve the likely disclosure of confidential information within the meaning of section 100A(2) of the 1972 Act.



## **61. Public Inspection of Documents**

- 61.1 The public shall have the right to inspect the agenda, and officers' and other reports, for each Council, Committee, Panel and Sub-Committee meeting in advance of the meeting, as provided in sections 100B and 100E of the 1972 Act.
- 61.2 Following any meeting of the Council, Committee, Panel or Sub-Committee, the public shall have the right to inspect documents and background papers as provided in sections 100C and 100D of the 1972 Act.
- 61.3 Where a decision has been made by the Cabinet, or on its behalf under delegated powers, the public shall have the right to inspect documents and background papers relating to that decision, as provided in the ~~Local Government Bill 2000 and draft regulations under it.~~ ***Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and the Council's Constitution.***

~~(Note: new statutory provisions to be included above when they come into force)~~

## **GENERAL PROVISIONS**

### **62. New Cabinet, Committees, Sub-Committees and Panels to take up Former Business**

- 62.1 The Cabinet, every Committee, Sub-Committee and Panel shall take up all matters referred to the Cabinet, Committee, Sub-Committee or Panel which was previously appointed, and which has not been fully dealt with.

### **63. Financial Administration**

- 63.1 The Cabinet, every Committee, Sub-Committee, Panel, Councillor and officer of the Council shall comply with the Financial Regulations made by the Council under section 151 of the 1972 Act.

### **64. Suspension of Standing Orders**

- 64.1 Subject to 64.2, the Council may agree to suspend any of these Standing Orders for the purpose of any business at the Council meeting where the suspension is moved.
- 64.2 A motion to suspend Standing Orders under 64.1 shall not be moved without notice (i.e. under Standing Order 44), unless least one half of the whole number of the members of the Council are present.

### **65. Standing Orders to apply to non-members**

- 65.1 These Standing Order shall apply to all members of the Cabinet, Committees, Panels and Sub-Committees, whether or not they are members of the Council.