



New Forest
DISTRICT COUNCIL

Council Meeting Agenda

11 December 2023



SUMMONS

To All Members of the Council

You are hereby summoned to attend a meeting of the District Council to be held in the Council Chamber - Appletree Court, Beaulieu Road, Lyndhurst, SO43 7PA on Monday, 11 December 2023, at 6.30 pm



Kate Ryan
Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA
www.newforest.gov.uk

This agenda can be viewed online (<https://democracy.newforest.gov.uk>).

It can also be made available on audio tape, in Braille and large print.

Members of the public may watch this meeting live on the [Council's website](#).

Enquiries to: Matt Wisdom
Email: democratic@nfdc.gov.uk
Tel: 023 8028 5072

AGENDA

Apologies

1. MINUTES (Pages 7 - 24)

To confirm the minutes of the Special and Ordinary meetings held on 9 October 2023 as correct records.

2. DECLARATIONS OF INTERESTS

To note any declarations of interests made by members in connection with an agenda item. The nature of the interests must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. CHAIRMAN'S ANNOUNCEMENTS

4. LEADER'S ANNOUNCEMENTS

5. REPORT OF CABINET - 1 NOVEMBER 2023 (Pages 25 - 50)

6. REPORT OF CABINET - 6 DECEMBER 2023 (To Follow)

7. QUESTIONS (To Follow)

To ask questions under Standing Order 22. Questions received will be published ahead of the meeting. (Members are reminded that questions must be submitted to Democratic Services by no later than 12.00 noon, Wednesday 6 December 2023).

8. NOTICE OF MOTION

In accordance with Standing Order 21, Cllr Blunden will move the following motion:-

“For our District, the greatest challenges that our coastal community face are:

- *Coastal communities impacted by climate change.*
- *Coastal Landfill being eroded.*
- *Obtaining funding to protect our coastline.*

Therefore, this Council supports the All-Party Parliamentary Group for Coastal Communities’ call for a dedicated Minister for the Coast, to provide an effective and efficient overarching role to support our unique communities and the many challenges that they face on land on the frontline of climate change.”

Cllr Cleary will second the motion.

Under the provisions of Standing Order 42, the above motion, after being proposed and seconded (without speeches), should stand referred to the body within whose terms of reference the subject matter of the motions comes, or the Cabinet or such Committees or Panels that the Council may determine.

The Chairman may allow the motion to be dealt with at this meeting if they consider it urgent, convenient or conducive to the despatch of business.

9. APPOINTMENT OF MONITORING OFFICER

The Council’s Monitoring Officer, Grainne O’Rourke (Strategic Director – Housing, Communities and Governance) will leave the Council in January 2024.

Approval is sought to ensure the smooth transition of the Monitoring Officer function.

RECOMMENDED:

1. That Tanya Coulter (currently Service Manager – Legal and Deputy Monitoring Officer) be appointed as Monitoring Officer, with effect from the departure date of the current Monitoring Officer, Grainne O’Rourke.
2. That the consequential amendments be made throughout the Council’s Constitution.

10. MEMBERSHIP OF COMMITTEES AND PANELS

To consider any changes to the membership of Committees or Panels that might be proposed by the political groups.

11. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

12. EXCLUSION OF THE PUBLIC AND THE PRESS

The Background Report to be circulated at item 6 of the agenda (Report of the Cabinet – 6 December 2023), relating to ‘Freedom Leisure Contract Variation’, contains exempt information by virtue of Paragraph 5 in Part I of Schedule 12A of the Local Government Act 1972.

If required, the Chairman will move the following resolution:-

“That, under Section 100(A)(4) of the Local Government Act 1972, the public and the press be excluded from the meeting on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 5 of Part I of Schedule 12A of the Act and the public interest in maintaining the exemption outweighs the interest in disclosing the information.”

Description of exempt information:-

Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Part II - Private Session

Members are reminded that reports and information relating to this session are not for publication and should be treated as strictly confidential.

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Agenda Item 1

9 OCTOBER 2023

NEW FOREST DISTRICT COUNCIL

Minutes of a Special meeting of the New Forest District Council held on Monday, 9 October 2023

- * Cllr Neville Penman (Chairman)
- * Cllr David Hawkins (Vice-Chairman)

Councillors:

- * Alan Alvey
- * Peter Armstrong
- * Geoffrey Blunden
- * Hilary Brand
- * Mark Clark
- * Steve Clarke
- * Jill Cleary
- * Keith Craze
- * Kate Crisell
- * Sean Cullen
- * Jack Davies
- Steve Davies
- * Philip Dowd
- * Barry Dunning
- * Jacqui England
- * Allan Glass
- David Harrison
- * Matthew Hartmann
- John Haywood
- * Jeremy Heron
- Nigel Linford
- * Patrick Mballa
- * Colm McCarthy

Councillors:

- * David Millar
- Neil Millington
- * Ian Murray
- Alan O'Sullivan
- Stephanie Osborne
- * Adam Parker
- * Dave Penny
- * Dan Poole
- * Caroline Rackham
- * Alvin Reid
- * Joe Reilly
- * Janet Richards
- * Barry Rickman
- * Steve Rippon-Swaine
- * John Sleep
- * Michael Thierry
- * Derek Tipp
- * Neil Tungate
- * Alex Wade
- * Malcolm Wade
- * Christine Ward
- * Phil Woods
- * Richard Young

*Present

Officers Attending:

Kate Ryan, Grainne O'Rourke, Alan Bethune, James Carpenter, Chris Noble, Daniel Reynafarje, Karen Wardle and Matt Wisdom.

Apologies

Apologies for absence were received from Cllrs S Davies, Harrison, Haywood, Linford, O'Sullivan and Osborne.

An apology for late attendance was received from Cllr Mballa.

36 ADMISSION OF JOHN WARD TO BE AN HONORARY ALDERMAN

Cllr Cleary reported to the Council that former Cllr John G Ward was first elected to the District Council in 2003, to the Milton Ward. He was successfully returned on four occasions, serving a total of 20 years. From 2011, John served alongside Cllr

Cleary in the Fernhill ward and she spoke of him as a fantastic ward colleague for the following 12 years.

John was the Corporate Overview Panel Chairman for over a decade, leading on a number of hugely influential initiatives in the way the Council had developed and modernised. From the early development of proposals to undertake an Electoral Review of the District Council – which culminated this year, to a number of changes to the Council’s governance arrangements, including the establishment of Overview and Scrutiny Panels aligned to key Council service areas.

John worked closely with South East Employers and was considered to be an outstanding representative of the Council to external organisations.

John also served on the Council’s Leisure Review and Industrial Relations Committees, and spent time as the Vice-Chairman of the Audit Committee, and before it the Final Accounts Committee.

Cllr Cleary spoke of John being wonderful to work alongside, and wished him and his wife an enjoyable retirement.

Cllr Cleary concluded by moving the following motion:-

“That in pursuance of the statutory powers them enabling, the Council hereby admits John G Ward to the Roll of Honorary Aldermen of the New Forest District, in recognition of 20 years eminent service to the Council and the District.

That the proper entry be made upon the Roll of Honorary Aldermen of the District.”

Cllr Ward seconded the motion and wished John all the very best for the future.

Other Members spoke in support of the motion, paying tribute to John’s financial astuteness, his commitment to residents and his ward work, and the significant contribution to the evolution of the Council to its current form.

RESOLVED:

That in pursuance of the statutory powers them enabling, the Council hereby admits John G Ward to the Roll of Honorary Aldermen of the New Forest District, in recognition of 20 years eminent service to the Council and the District.

That the proper entry be made upon the Roll of Honorary Aldermen of the District.

Honorary Alderman John G Ward responded following the Council bestowing the above honour upon him.

CHAIRMAN

9 OCTOBER 2023

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- * Cllr David Hawkins (Vice-Chairman)

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- * Malcolm Wade
- * Christine Ward
- * Phil Woods
- * Richard Young

*Present

Officers Attending:

Kate Ryan, Grainne O'Rourke, Alan Bethune, James Carpenter, Chris Noble, Daniel Reynafarje, Karen Wardle and Matt Wisdom.

Apologies

Apologies for absence were received from Cllrs S Davies, Harrison, Haywood, Linford, O'Sullivan and Osborne.

37 MINUTES

RESOLVED:

That the minutes of the meeting held on 11 September 2023, be confirmed.

Note – Cllr M Wade referred to the absence of a response to a previous Portfolio Holder question, which he had expected to receive from the Portfolio Holder for Community, Safety and Wellbeing. Whilst the Portfolio Holder highlighted that the question had already been put and answered only a few months prior, he would recirculate that answer to councillors in due course.

38 DECLARATIONS OF INTERESTS

There were no declarations of any disclosable pecuniary interests by Members.

39 CHAIRMAN'S ANNOUNCEMENTS

Middle East Conflict

The Chairman expressed the Council's solidarity with innocent civilians in the middle east, in light of the ongoing violence in the region. As the Council met this evening, its thoughts were with all those affected.

Members noted that the Council would continue to work with partners to support local communities, recognising the impact of these recent events.

Former Cllr Graham Wales

The Chairman referred with great sadness to the recent passing of former Cllr Graham Wales. Graham was first elected in 1983 to the Lymington Town ward and served continuously for 12 years, until 1995.

Graham served most notably on the Policy and Resources and Housing Committees. He was Vice-Chairman of the Housing Committee from 1987 to 1989. He represented the District Council on a number of local outside bodies including the Lymington Harbour Commissioners and Lymington CAB.

The Chairman extended his sincere condolences to Graham's family and friends and placed on record the Council's thanks for his service to the District.

Engagements

The Chairman reported on the following engagements that had taken place since the last Council meeting:-

13 September

He attended the Civic Day of the Mayor of Christchurch and was provided a guided walking tour, taking in some historical points presented by the Christchurch History Society. There was also an escorted tour of Christchurch Priory, where volunteers discussed the story of the Priory which went back to at least the middle of the 11th century.

14 September

The Mayor of Test Valley hosted a Showcasing Event. This involved a great presentation and interesting tour of the Army Flying Museum.

19 September

He attended the Basingstoke & Deane Borough Council Civic Afternoon. There was an introductory meeting with the collections House Manager, Dominique Shemby and then a tour of Vyne House and Gardens.

21 September

He attended the grand opening of Namaste Hub dementia unit and cut the ribbon to officially open the Hub at Carpathia Grange in Hythe. Meeting the staff and residents was extremely rewarding and interesting.

29 September

Applemore Leisure Centre was the location of the NFDC Charity Football Tournament on 29 September. The Chairman enjoyed presenting a trophy to the winning team from Revenues and Benefits. This raised money for the Minstead Trust.

1 October

He attended a traditional harvest thanksgiving in Winchester, bringing together traditions, readings, hymns and choral music. A donation was also provided towards the Winchester Food Bank. This was followed by the Winchester Green Week Gathering. The Chair, Jo Crocker and Cadet Lizzy Kitchenside of Salvation Army provided a talk, and the cathedral girls choir and renowned soprano Lucy Hole sang. The Winchesters Dance Team also took part.

7 October

He attended the Mayor of Basingstoke and Deane's Variety Show, with funds raised in support of the Mayor's Charity Appeal.

8 October

He attended the High Sheriff of Hampshire's Law Sunday Service.

9 October

The Chairman joined Her Royal Highness the Princess Royal at Avon Tyrell – UK Youth's Outdoor Learning Centre. A charity which seeks to equip young people to thrive at early stages of their lives.

40 LEADER'S ANNOUNCEMENTS

The Leader of the Council made the following announcements:-

Coastal

The Council continued to work tirelessly to protect the local and global environment. 4,500 tonnes of shingle was being added to Milford-on-Sea beach, to improve beach levels and help protect the seawall ahead of the winter. This would also include the repair of three groynes located opposite the Needles Eye Café. The Coastal Team expected the work to take several weeks, depending on tidal and weather conditions. The Council continued to work with partners on the vital

Flooding and Coastal Erosion Risk Management Strategies which together covered the most vulnerable sections of the District's coastline, from the border with Christchurch to Lymington.

Garden Waste

Later in October, subscriptions would open for the Council's new wheeled bin garden waste service. This was the first step of the transformation of waste and recycling services. Bins would be rolled out to customers after Christmas, with collections due to start in April next year.

Fly tipping

As a great example of partnership working last month, members of the Council's Environmental Enforcement Team worked closely with colleagues from Hampshire Police, Forestry England, the National Park Authority and Lyndhurst and Minstead Parish Councils, spending a morning in Lyndhurst checking vehicles and waste carriers licences, as part of the efforts to reduce fly tipping. Out of 89 vehicles checked, eight notices were issued to vehicles.

41 REPORT OF CABINET - 4 OCTOBER 2023

PART I – ITEMS RESOLVED BY CABINET

There were no speakers on the items resolved by Cabinet at its meeting on 4 October 2023.

PART II – RECOMMENDATIONS TO COUNCIL

ITEM 3 – MEDIUM TERM FINANCIAL PLAN 2023 ONWARDS

Cllr Heron introduced the item and moved the recommendations from the Cabinet meeting. Cllr Cleary seconded the motion.

A Member expressed his concern at the impact of the national Government's approach to local government finances and the consequential pressures on balancing annual budgets. The Portfolio Holder highlighted that the Council remained in a strong financial position, notwithstanding the challenges ahead and this strong position was achieved by the administration's long term approach to financial planning. A number of Members further to this commented on the importance of retaining a prudent level of reserves, in playing an important part in the overall financial sustainability of the Council.

A Member highlighted the future approach to the setting of fees and charges, and welcomed further clarity at some stage on the programme for any Portfolio Holder Decisions in this area.

In responding to the debate, the Portfolio Holder welcomed any specific technical questions outside of the meeting which he would be happy to respond to.

RESOLVED:

That Council approve:-

- (a) That the revised MTFP forecasts, as outlined within the Cabinet report and appendices be adopted;
- (b) That the options identified to close the budget gap for 2024/25 and through to 2027/28 are developed further;
- (c) That the Fees and Charges Policy set out in section 4f of the Cabinet report be adopted; and
- (d) That the reporting timeline as set out in section 6 of the Cabinet report be agreed.

ITEM 4 – ANNUAL FEES AND CHARGES FOR 2024 – CAR PARKING AND KEYHAVEN MOORINGS

Cllr Blunden introduced the item and moved the recommendations from the Cabinet meeting. Cllr Cleary seconded the motion.

Cllr M Wade spoke with concern about the significance of the increase in the charges and the impact on local residents and moved an amendment on the parking clock prices, as follows:-

Short stay annual clocks from £30.00 to £32.00
Long stay annual clocks from £140.00 to £150.00
Long stay quarterly clocks from £40.00 to £43.00

Cllr J Davies seconded the amendment.

Members speaking for the amendment referred to the percentage increases and highlighted specifically the impact on local businesses that purchased clocks for their employees. Concerns were also raised on the impact to on street parking. With inflation and cost of living pressures, it was suggested that wages were not keeping up with this level of increase to local fees and charges.

Members speaking against the amendment encouraged councillors to consider the figures as well as the percentages. A number of Members suggested that the New Forest District Council, with its unique parking clock initiative, remained one of the best councils in respect of value for money car parking for residents and local businesses, in the country.

The Portfolio Holder, in responding to the debate on the amendment highlighted that in his view, it was commendable that the Council had been able to freeze charges for so long, in some cases for eight years. Whilst percentage rises could generate headlines, he encouraged Members to look at the individual figures and the benchmarking undertaken with other local authorities. He highlighted the retention of the first hour of parking remaining at £1 to support local high streets and the Council remaining far cheaper overall to park with, than a number of other local areas.

Put to the vote, the amendment was lost.

The Council further debated the substantive motion.

Put to the vote, the substantive motion was carried.

RESOLVED:

That Council approve:-

- (a) that the 2024 town & village and amenity car park tariffs be increased by £1.00 per tariff, except for the 1-hour tariff which will remain at £1.00, and the “up to 20 hours” tariff which will increase by £3.
- (b) that the 1-hour tariff is applicable in all car parks throughout the year.
- (c) that the increase in charges for NFDC parking clocks be agreed; namely;
 - Short stay annual clocks from £30.00 to £40.00
 - Long stay annual clocks from £140.00 to £220.00
 - Long stay quarterly clocks from £40.00 to £65.00
- (d) that the Council allocate 4 days of free parking in town centre car parks to support local businesses during December 2023, as detailed in section 7 of the Cabinet report.
- (e) that the Keyhaven fees and charges as detailed at Appendix A to the Cabinet report be approved.

42 REPORT OF PLACE AND SUSTAINABILITY OVERVIEW AND SCRUTINY PANEL - 14 SEPTEMBER 2023

Cllr Rippon-Swaine introduced the report of the Place and Sustainability Overview and Scrutiny Panel of 14 September 2023, and moved the adoption of the recommendations. In doing so, he highlighted that the Climate and Ecology Bill was yet to receive a second reading in parliament and the Panel sought further information on the financial implications of the Bill. It was recommended that, at the appropriate time, a Task and Finish Group be established to monitor the Bill’s progress through parliament and to understand those wider implications. Cllr Reid seconded the motion.

Cllr M Wade moved an amendment, to include the following addition to the proposed resolution:-

“That the Council write to MPs Sir Julian Lewis and Sir Desmond Swayne to inform them that the motion has been passed, urging them to sign up to support the Bill, or thanking them for already doing so; and

That the Council write to Zero Hour, the organisers of the cross-party campaign for the Bill, expressing its support.”

In moving the amendment, Cllr M Wade spoke of the importance of taking action in addition to declaring support in principle. He highlighted the growing concern of extreme climate incidents in the UK and the need to act swiftly. Cllr Clark, seconded the amendment. He spoke of the delays to the Council declaring a Climate and Nature Emergency and the need to show leadership on the issue.

The Council debated the amendment. Those speaking for highlighted the ease of writing to the local MPs on the issue at this stage and the need to show leadership on the content of the Bill. Those speaking against highlighted the proposals from the Panel, wishing to take carefully into account the overall implications of the Bill,

whilst supporting it in principle, and this did not take away from the Council's ongoing response to the Climate and Nature Emergency through its Climate and Nature Action Plan. Concerns were raised that climate initiatives needed to be very carefully considered, particularly those that might place additional financial burdens on the community.

Put to the vote, the amendment was lost.

The Council then voted on the substantive motion of the report, which was carried.

RESOLVED:

- (a) That the Council support the proposed Climate and Ecology Bill in principle; and
- (b) That a Task and Finish Group be created to monitor the progress of the Climate and Ecology Bill through Parliament and explore the detail of the Bill.

43 QUESTIONS

Questions were put and answered under Standing Order 22, as follows:-

- From Cllr Harrison to the Portfolio Holder for Finance and Corporate, Cllr Heron on Anti-fraud.
- From Cllr Brand to the Portfolio Holder for Planning and Economy, Cllr Tipp, on businesses in the New Forest.
- From Cllr M Wade to the Leader of the Council, Cllr Cleary, on support to the Armed Forces.
- From Cllr Clark to the Portfolio Holder for Finance and Corporate, Cllr Heron, on the award of large contracts.
- From Cllr J Davies to the Portfolio Holder for Community, Safety and Wellbeing, Cllr Poole, on Freedom Leisure swimming arrangements.
- From Cllr A Wade to the Portfolio Holder for Community, Safety and Wellbeing, Cllr Poole, on Freedom Leisure swimming arrangements.
- From Cllr Rackham to the Portfolio Holder for Community, Safety and Wellbeing, Cllr Poole, on Freedom Leisure swimming arrangements.
- From Cllr Rackham to the Portfolio Holder for Planning and Economy, Cllr Tipp, on permitted development legislation.

Note: A copy of the full questions and replies are attached to these minutes.

44 NOTICE OF MOTION

The Chairman confirmed that he would allow the motion to be dealt with at the meeting, as he considered it convenient to the despatch of business.

In accordance with Standing Order 21, Cllr Rackham then moved the following motion:-

"This Council recognises the nature of any decisions it makes in relation to finance, crime and the environment in how it impacts the current residents of the district but does not consider the impact on the future generation of residents or the youth of today of these or any other factors.

This Council notes the youth of today are the electors of tomorrows, whose views on how the Council manages the district are vitally important so it is essential that policies and plans take into account additional generational factors such as social, environmental and wellbeing changes as well in relation to the next generations of council tax payers.

The Council recognises other local and regional governments take this into account already, including the Welsh Sennydd and encourage young people to be part of the democratic processes which will shape their world, encouraging active participation and contribution.

Therefore I propose every decision taken by New Forest District Council is considered in terms of the impact on future generations, in the same way that decisions are considered in terms of impact regarding environment, finance and crime.

In many ways we are caretakers of our district, hoping to improve life for our residents but leave our district a better place for future generations. But questions regarding the impact of decisions we make now on future residents are not asked. We are not usually told about any impact on future generations as part of our discussions unless there is a particular relevance. Portfolio Holders currently do not need to record that impact on the decision outlines.

I would suggest that our decisions should be specifically considered in terms of their impact on generations into the future, to ensure we are not leaving our future residents with poor decisions made for short-term purposes. Other local and regional governments take this into account already, including the Welsh Sennydd and if we are to encourage young people to be part of the democratic processes which will shape their world, we surely need to start by considering how our own decisions will impact on future generations.”

Cllr J Davies seconded the motion. In doing so, he highlighted the need to safeguard future generations through decision making by ensuring that all policies and decisions were considered in the context of their impact on younger people.

The Council debated the motion.

The Leader highlighted the opportunity to consider how the new Corporate Plan might address the needs of future generations in the District and that this was subject to Member involvement and decision making in due course.

Those speaking in favour of the motion considered that a specific requirement to consider these issues could only serve as a useful additional prompt, in areas such as planning and HR, with particular reference to the Council's ageing workforce.

A number of Members spoke on the work already taking place across the Council, in support of future generations, from the work on the Climate and Nature Action Plan and its long term view, to the Local Plan and its 20 year timeframe, reviewed every five years. Initiatives in housing were also noted such as Greener Housing, Starter Homes and Shared Ownership, as was the Council's Medium Term Financial Plan.

Those speaking against the motion expressed concern that it implied that the Council did not already take into account these issues, and indeed the wider

community impact of all decisions. Some councillors highlighted the importance of taking into account all issues connected with a decision, and this need not be expressly highlighted in separate assessments, but implicit in the overall evidence base and reasons for taking any decision.

Cllr Rackham responded to the debate and welcomed the work underway across the Council in support of future generations. However, it was suggested that the step requested by the motion would only serve as an additional opportunity to promote this work taking place, and prompt further consideration of the impact of the Council's work on future generations.

Put to the vote, the motion was lost.

45 MEMBERSHIP OF COMMITTEES AND PANELS

RESOLVED:

- (a) That Cllr Brand replace Cllr Rackham on the Housing and Communities Overview and Scrutiny Panel.
- (b) That Cllr Rackham replace Cllr Brand on the Audit Committee.

CHAIRMAN

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FULL COUNCIL – 9 OCTOBER 2023 – QUESTIONS UNDER STANDING ORDER 22

First Questions

Question 1

From Cllr Harrison to the Portfolio Holder for Finance and Corporate, Cllr Heron

Why doesn't the District Council employ a full-time anti-fraud officer? The post under question being the Corporate Fraud and Compliance Officer - currently a part time post.

Answer:

The Council is committed to preventing and detecting fraud and everyone connected with the Council has a responsibility to be fraud aware and report any potential fraud.

The majority of fraud work, including staffing, was transferred to the Department for Work and Pensions in 2016 as part of their Single Fraud Investigation Service initiative. We work closely with the DWP as part of a joint working partnership to investigate fraud, including predominately Housing Benefit and Universal Credit. We retained a part-time dedicated Corporate Fraud and Compliance Officer who works corporately across the council, to investigate all referrals and reports received, to promote and raise awareness, and to ensure steps are taken to prevent fraud and error. The annual internal audit plan provides independent assurance on the council's control environment, and appropriately trained fraud staff within the partnership are on hand to support the Council as required.

An annual fraud report is overseen by the Council's Audit Committee, with the last report presented on 31 May 2023. This report highlighted the range of activities and initiatives undertaken, the outcomes of investigations, and the proactive steps we take to prevent and detect fraud.

With this collective Council wide responsibility, current workloads of the specific officer are manageable with the resource available.

Note – this question was dealt with in writing, in the absence of Cllr Harrison.

Question 2

From Cllr Brand to the Portfolio Holder for Planning and Economy, Cllr Tipp

With Prezzo leaving Lyndhurst and another Lyndhurst restaurant gone bust and closed last week, can the Portfolio Holder tell us how many businesses have failed in the New Forest in 2022/23?

Answer:

I am sorry but I am not able to give you that information because we get this from the Office for National Statistics and they have not produced the figures for 2022/23 yet. We expect this to be available in November.

Business obviously involves risks, as there are so many problems that can arise. If we look at statistics, we must interpret those very carefully to understand the situation.

We all know our highstreets are undergoing significant changes due to a number of pressures, including online shopping, raised interest rates and inflation. We are disappointed to lose any businesses but this can happen in a free market economy.

Note – in response to a supplementary question on what support the Council was providing to businesses in the District, the Portfolio Holder highlighted schemes such as Shop Doctor, start-up support and opportunities to bid for funding.

Question 3

From Cllr M Wade to the Leader of the Council, Cllr Cleary

Whilst most members of the Armed Forces community are healthy, happy and gainfully employed, the unique nature of military life brings with it many challenges that need to be recognised and better understood and for some, particularly the injured and bereaved, for whom extra support needs to be provided.

It was to support veterans and military families the Military Covenant was enshrined in law in the 2011 Armed Forces Act and ensures that members of the Armed Forces community are not disadvantaged as a result of their service when accessing Government and commercial services.

Although some actions do take place in the New Forest District to support military families currently the New Forest District Council does not meet the full breadth of requirements outlined in the Military Covenant and its guidance for local authorities.

Therefore, can you confirm that this Council will put in place such actions as are necessary to meet the full criteria under the act.

Answer:

Thank you for your question, which is timely, as a review of the Council's Armed Forces Community Covenant is already well underway, with the Council's Executive Management Team due to consider a report later this month.

This Council has a strong track record working with the Armed Forces community, having entered into an Armed Forces Community Covenant with HQ Solent Station in May 2013. The Community Covenant is an additional, voluntary statement of mutual support between a civilian community and its local armed forces community. It supplements the statutory Armed Forces Covenant which outlines the moral obligation between the Nation, the Government and the Armed Forces at a local level.

The Council has due regard to the principles of the Statutory Armed Forces Covenant when exercising the relevant functions, and a significant range of activity takes place across the Council.

- The Council is a 'Forces Friendly' Employer. We have an HR policy for Reservists, helping them meet their training requirements. We advertise employment opportunities on the Ministry of Defence's Career Transition website and I am pleased to report that we have just had our first successful recruitment through this website, for a gas engineer.*
- In Communities, we work closely with the 17 Port and Maritime Regiment's Community Development Worker, who is part of the Army Welfare Service. Working*

with HQ Solent Station we have recently delivered the artificial turf pitch at Applemore College, with the council contributing £50,000 toward the costs.

- In Housing and Homelessness, we work with those who are leaving the Armed Forces throughout their homelessness pathway, as well as ensuring appropriate signposting to relevant support agencies. AND most importantly in terms of our statutory duty, our Allocations Policy ensures our duty of care is met through disregarding compensation received for injury or disability; exemption from the local connection requirement and automatic placement into band 3.*
- We have a long standing civic commitment to the Armed Forces in the District, having awarded Freedom of the District to 17 Port and Maritime Regiment RLC in 2016. Our civic commitments also include the marking of Armed Forces day and Armistice and Remembrance Sunday Commemorations, with the work of our Armed Forces Member Champion, who supports the Chairman at these events.*

Finally, I am delighted to inform Members that the Council has recently been nominated, by a newly employed veteran, for the Defence Employer Recognition Scheme. This scheme encourages employers to support defence and inspire others to do the same.

The review underway will reflect on this wide range of activity, of which I have given just a small snapshot, bringing it together in one place. I hope this will shine a light on all this Council already does, whilst looking to other opportunities to enhance, and I will bring forward an update to Cabinet in due course.

Note – in response to a supplementary question on additional activity to support veterans, the Leader agreed that these initiatives would be pursued as soon as possible.

Question 4

From Cllr Clark to the Portfolio Holder for Finance and Corporate, Cllr Heron

Is the Council content with its due diligence process before awarding large contracts to external companies?

Answer:

The Council has a documented, robust process in awarding contracts and I am comfortable with that process. I can assure you that we do follow it and that contracts are awarded in accordance with it.

Note – in response to a supplementary question on the Freedom Leisure's net contribution to the Council, the Portfolio Holder suggested that this figure could have been obtained had the question been put in advance.

Question 5

From Cllr J Davies to the Portfolio Holder for Community, Safety and Wellbeing, Cllr Poole

Why did Conservative Councillors, when agreeing the contract for the leisure service, give Freedom Leisure the power to evict local swimming clubs from the Leisure Centres after 12 months?

Answer:

In agreeing to entering into the Contract with Freedom Leisure, Members of this Council were aware of the need for Freedom to be able to make operational decisions for the running of our 5 leisure centres. Safeguards were built in to ensure that clubs' bookings were maintained for a period of 12 months. This contract addition was welcomed by the clubs who were fully consulted during the transition to Freedom Leisure, and so had full awareness of this position at the time of contract commencement.

As all Members will know, Freedom have paused any decisions on changes to the Swim Club bookings until further dialogue and consultation has taken place. Senior officers and I are liaising with Freedom over this issue and will look to reach consensus as far as possible.

Note – in response to a supplementary question on prior awareness of any decision to change access to swimming facilities, the Portfolio Holder confirmed that this was not the case and the contract made provision for 12 months of protection as noted in the answer to the first question.

Question 6

From Cllr A Wade to the Portfolio Holder for Community, Safety and Wellbeing, Cllr Poole

This Council has a responsibility to undertake Equality Impact Assessments on all its decisions. Why was this not considered when Freedom Leisure, our Partners, made the unpopular and upsetting decision to tell local Swimming Clubs they could no longer use their pools and stop access for many children with special and specific needs to learn this essential life skill in a appropriate environment? And why didn't you as the Portfolio Holder challenge this decision when you were made aware of it and engage with Freedom if access to Swimming for all ages and abilities really matters?

Answer:

Freedom Leisure teach over 63,000 children per week how to swim. They have over 4,700 children learning to swim at the 5 New Forest Leisure Centres. They exclusively deliver learn-to-swim programmes to children with a variety of needs at the significant majority of the sites they operate; they know what they are doing when it comes to teaching children, and adults, how to swim.

I do accept that their initial decision to give notice to the swimming clubs who are operating learn-to-swim should have been better consulted on, so I am pleased that they have paused any decisions on changes to the Swim Club bookings.

I would like to remind the councillor that one of the key drivers in the change of operational model was to not only protect the provision of the Council's 5 leisure centres across the District, but to enhance them. I believe we are incredibly lucky to have a partner who has delivered nearly £3m in capital investment at our centres, meaning they are a more diverse community facility than ever before.

Note – in response to a supplementary question on acknowledging the concerns about swimming provision at a recent Overview and Scrutiny Panel meeting, the Portfolio Holder highlighted that these questions were not asked of the Portfolio Holder, or the Freedom Leisure Area Manager, at this meeting.

Question 7

From Cllr Rackham to the Portfolio Holder for Community, Safety and Wellbeing, Cllr Poole

The contract for Freedom Leisure was described by the then chair of the Task and Finish Group as 'robust ...in view of detail' and voted for by every Conservative member then present, some of whom are still here. What can be done to make sure the awful behaviour towards our swimming and other community clubs cannot continue or be replicated in the future?

Answer:

As I have already commented, the clubs were engaged in the consultation process when the Council was considering its options in order to protect the provision of its 5 Leisure Centres. The clubs, as with the cross-party Task and Finish Group, were fully aware of the 12 month booking protection offered within the contract. That 12 month protection expired in June 2022.

I'll say it for the third time now, I am pleased that they have paused any decisions on changes to the Swim Club bookings, and I look forward to working with Freedom to ensure the needs of all swimming club members are catered for under any new alternative proposal.

Note – in response to a supplementary question on other groups and clubs impacted by service change proposals, the Portfolio Holder confirmed that he was not aware of any such clubs. He concluded by highlighting that in partnering with Freedom, the Council had been able to protect the provision of leisure facilities, rather than face their closure, as in other areas of the country.

Second Questions

Question 8

From Cllr Rackham to the Portfolio Holder for Planning and Economy, Cllr Tipp

Can the portfolio holder please outline how NFDC responded to the recent suggested Permitted Development legislation which would allow shops, offices and outbuildings to be turned into housing with no structured plan or infrastructure?

Answer:

I think Cllr Rackham is referring to some changes that came in over two years ago in August 2021. There was a more recent consultation this year that specifically proposed extending the same existing permitted development change of use rights to land in National Parks. As it is the New Forest National Park Authority who are the planning authority for the National Park, and I would suggest that Cllr Rackham's query as to how they responded as an affected planning authority is best directed to them.

Note – in response to a supplementary question on supporting Town and Parish Councils with any lost CIL or S106 funds, the Portfolio Holder highlighted that the Council could not commit to this without understanding the detail of any final proposals to changing legislation.

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COUNCIL – 11 DECEMBER 2023

REPORT OF CABINET – 1 NOVEMBER 2023

PART I – ITEMS RESOLVED BY CABINET

1. FINANCIAL MONITORING REPORT (based on Performance April to September 2023 inclusive)

PORTFOLIO – FINANCE AND CORPORATE / ALL

CABINET RESOLUTION:

That Cabinet:-

- a) notes the latest budget forecasts of the General Fund (section 5), Capital (section 6), and HRA (section 7).
- b) approves an increase in the Housing Revenue Account reactive maintenance budget of £200,000 and notes a reduction in the Dwelling Rents income budget of £100,000, with offsetting adjustments to act as a budget virement from a reduction of £100,000 in the Cyclical maintenance budget, a reduction of £120,000 in the Supervision and Management Maintenance Administration budget and a reduction of £80,000 in the Major Repairs capital budget.
- c) approves an increase of £100,000 in the Housing Revenue Account Disabled Facilities Grant capital budget, with an offsetting reduction to the Major Repairs capital budget.

CABINET DISCUSSION:

The Portfolio Holder for Finance & Corporate reported that there were pressures relating to the Housing Revenue Account (HRA) budget, which were mainly due to the ambitious targets set by the Council earlier in the year. Although the Portfolio Holder was disappointed that the Council had not delivered its Community Safety project at this stage he confirmed consultations had commenced with Town and Parish Councils and that the project plan delivery in 2024. He stressed that it was important, when there is expenditure of this level, to ensure that value for money is attained and that the project is delivered properly in order to benefit the District's residents.

The Strategic Director of Corporate Resources, S151 and Transformation provided a summary of the report and explained that this was the second Financial Monitoring update of the year, this time covering April to September 2023 inclusive.

Cabinet was informed that the 2023/2024 Pay Award had not yet been settled. The current offer, following the result of the unions' balloting process, would likely see additional budget requirements. These expected costs had already been largely achieved by way of cumulative budget savings.

The Strategic Director Corporate Resources S151 and Transformation was optimistic that the Community Safety project could be delivered within the next 12 months.

Increasing car park costs to the Council, by way of income collection and rent expenditure, would be offset by the 2024 revised car parking tariffs.

Homelessness pressures were prevalent across the District. It was explained that the Council had anticipated this had reflected this expectation within the annual budget. Cabinet was pleased to note that the Government had awarded £302,000 in grant funding to the Council, meaning the additional cost to the HRA had reduced from £1million to approximately £700,000.

There had been an increase in the number of void homes which the Strategic Director explained inevitably comes with a cost. Housing officers continued to work on this matter in order to reduce the financial impact it would have on the Council.

A non-executive member raised concern over the increase in car parking charges and tariffs and how this was being used to mitigate increased costs faced by the Council. The Portfolio Holder for Finance & Corporate explained that the increase to car parking charges had been carefully considered. Due to the cap on increasing Council Tax and the increasing costs faced by the Council, the Portfolio Holder explained that in order to balance the budget, whilst also maintaining efficient services for residents, the increased car parking charges were necessary.

PART II – RECOMMENDATIONS TO COUNCIL

2. PROCUREMENT STRATEGY (2023 REFRESH)

PORTFOLIO – FINANCE AND CORPORATE

RECOMMENDED:

That Cabinet recommend to Council that the Procurement Strategy (2023 Refresh) set out in attachment Appendix 1, be adopted.

CABINET DISCUSSION:

The Portfolio Holder for Finance and Corporate reported that the paper dealt with a standard Council process and, as a refresh of the 2018 Procurement Strategy, would enable the Council to continue meeting the standards expected when undertaking the procurement of third parties.

The Strategic Director of Corporate Resources, S151 and Transformation explained that the Procurement Strategy 2023 was largely the same format and content as the 2018 version, however updates had been made on the guiding principles. These guiding principles were: Value, Compliance, Environment and Fairness. Each principle had a set of improvement goals and an action plan in order to help monitor the progress and achieve the desired aims.

A non-executive member asked whether the Council would be reviewing all other legal processes and procedures involving third parties to see how improvements could be made. Reference was made to leisure centres and the Portfolio Holder expressed that the contract in question had saved the Council a considerable amount of money whilst retaining leisure services.

The Portfolio Holder answered a further question on how the strategy would achieve value for money and he explained that the cheapest option was not always the best value for money as it could cause further expense in the near future. Therefore, the Cabinet would always assess tenders with a wider view than basic cost.

Attachments – Appendix 1 – Background Report to Cabinet

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PROCUREMENT STRATEGY (2023 REFRESH)

1. RECOMMENDATIONS

- 1.1 That Cabinet recommend to Council that the Procurement Strategy (2023 Refresh) set out in attachment **Appendix 1**, be adopted.

2. INTRODUCTION

- 2.1 This report presents the Council's draft Procurement Strategy. This is a refresh of the current live Procurement Strategy that was approved by Cabinet and Council in 2018 for publication on the Councils website. The Procurement Strategy 2023 Refresh retains the same format and majority of content of the 2018 version. The 2023 refresh version updates performance against improvement goals, inserts objectives regarding efficiency savings, cost reduction and environment. The proposed Procurement Strategy 2023 Refresh is attached at **Appendix 1**.
- 2.2 The current draft Procurement Strategy 2023 Refresh has been reviewed by the Resources and Transformation Overview and Scrutiny Panel (21Sep23) and the Executive Management Team (EMT).

3. BACKGROUND

- 3.1 Procurement operates in a complex legal framework set by the UK Government to ensure fairness, openness and transparency in the process to procure works, goods and services. This regulation takes the form of the Public Contracts Regulations 2015. <https://www.legislation.gov.uk/ukxi/2015/102/contents>

Please Note: The Procurement Bill (2022) is nearing completion of its passage through Parliament. When it achieves Royal Assent, the new guidance will be reviewed against the Procurement Strategy and the Councils internal Procurement Contract Standing Orders.

The Procurement Strategy sets out our procurement approach along with objectives and goals. It is publicly available. The Strategy is complimented by the Procurement Contract Standing Orders (CSO's) that set out the rules of the road for staff and members involved in the procurement of works, goods and services covering the end-to-end business procurement process. No Changes to CSOs are included here.

The Procurement Strategy aims to explore and realise the Quality, Service and Value for Money offering from our suppliers to support and improve the Councils service provision to our residents and businesses

The Strategy has 4 guiding principles namely,

- Value
- Compliance
- Environment
- Fairness

Each guiding principle has a set of improvement goals and action plans.

This format was originally introduced in 2018. The majority of content is still relevant today, hence the decision to refresh for 2023 and beyond.

4. ITEMS AMENDED IN THE PROCUREMENT STRATEGY REFRESH 2023

- 4.1.1 The Procurement Strategy refresh includes the following changes or additions:
- 4.1.2 Improvement Goals for Value, Compliance, Environment and Fairness have been updated to reflect progress made and latest target dates.
- 4.1.3 Value section (5.1) objectives inserted setting out goals regarding efficiency savings and cost reduction. Content added to reflect the importance and objectives under Outcome Based Specification and Contract Management. Content was amended here to reflect the additional contract relationship resource added to the centre-led Procurement Team in the form of Contract Relationship Officer roles (3 FTE's) who are assigned to support each Strategic Directorship.
- 4.1.4 Environment section (5.3) has been reviewed to align with the 2021 climate change and nature emergency statement from NFDC full Council. Objectives also added under heading of Net Zero. The Sustainable Procurement section adds content regarding the consideration of the "whole life basis" of the supply chain.
- 4.1.5 The Governance table section (6.1) and narrative (6.2) reflects the introduction of Contract Relationship Officer (CRO) role to overview contract management by Strategic Directorship.
- 4.1.6 The Strategy now has no end date. Going forward the plan being to make changes as further refreshes, so that the strategy does not appear to be out of date when the content is still relevant.

5. CONSULTATION PROCESS

- 5.1 The current draft Procurement Strategy 2023 Refresh has been developed by the Councils procurement team and scrutinized by the Executive Management Team in September 2023. The draft Strategy was then circulated and reviewed by the Resources and Transformation Overview and Scrutiny Panel on 21Sep23.

6. CONCLUSIONS

- 6.1 The proposed Procurement Strategy supports the Council in compliance to the UK Government regulations (PCR2015) to deliver successful "business as usual" procurement as well as drive improvements emanating from the forthcoming Transformation projects across NFDC Services.
- 6.2 It is proposed that following approval of Cabinet the Procurement Strategy refresh 2023 be submitted for approval of Council on 11th December 2023 for full adoption and publication via the website and normal internal communication routes.

7. FINANCIAL IMPLICATIONS

- 7.1 The budgeting process for the procurement of works, goods and services will remain as is with each project being subject to a business case and financial sign-off, however

the goals of the Procurement Strategy Refresh should be considered regarding value for money, cost reduction and environmental considerations. Officers are required to explore opportunities for, and realisation of, cost improvements for all procurement projects. Cost savings and contributions to the Medium-Term Financial Plan (MTFP) will also be recorded for each project by the responsible service.

8. GOVERNANCE OF THE PROCUREMENT PROCESS

- 8.1 The Council's Cabinet is responsible for setting the overall Procurement Strategy. The Executive Management Team (EMT) is responsible for implementing the Council's Procurement Strategy. The Procurement Team provide policy and process direction to Service Managers (and their nominated Contract Administrators) for procurement projects.

9. ENVIRONMENTAL IMPLICATIONS

- 9.1 The Council recognises it has a vital role in sustainable development, through its procurement of goods, works and services. Procurement decisions have a major socio-economic and environmental impact, both locally and globally, now and for future generations. On 6 October 2021 NFDC declared a climate change and nature emergency for the district at our meeting of full Council. The announcement builds on our environmental and sustainability actions to further focus on outcomes that will provide positive benefits to the world-wide climate change agenda.
- 9.2 A targeted approach will be used to determine and focus upon the categories of works, goods and services that have an impact upon the environment. This will help ensure positive outcomes can be delivered through the procurement process (e.g. score impact based upon the following: energy conservation, emissions to air, discharges to water, waste and social environment).
- 9.3 Suppliers tendering for Council contracts are required to set out how their proposals contribute to the goals of the Councils Climate Change and Nature Emergency and specifically what innovations and improvements will be delivered from the start of contract and step changes to be delivered throughout the contract life cycle under the impact headings of nature, health, economy and social.

10. EQUALITY & DIVERSITY IMPLICATIONS

- 10.1 Section 5.4 of the Procurement Strategy covers the approach to Fairness and includes Equality and Diversity outcomes we would require for relevant procurement projects.
- 10.2 The Council recognises the opportunity procurement provides to influence the Equality and Diversity agenda. We are committed to ensuring that our major suppliers and contractors share our equality and diversity vision and values, and work to implement these. It is the responsibility of staff involved in procurement activities to ensure that equality is embedded in contracts and service provision (specification).

11. DATA PROTECTION IMPLICATIONS

- 11.1 Data protection considerations (DPA and GDPR) are constituent elements of each procurement project. If applicable any requirements and implications would be set out in the contract terms and conditions by our Legal Services team.

12. RESOURCES & TRANSFORMATION OVERVIEW AND SCRUTINY PANEL COMMENTS

- 12.1 The R&T O&S Panel provided feedback on the draft strategy refresh regarding the importance of specification and environmental whole life consideration which have been incorporated in the draft strategy as set out in points 4.1.2 and 4.1.3 herein.

13 PORTFOLIO HOLDER COMMENTS

- 13.1 I am pleased to see the refresh of the Procurement Strategy coming forward. Whilst in essence a technical document it is invaluable in ensuring the delivery of projects, the securing of good working relationships with suppliers and the delivery of both quality and value for money to our residence.

For further information contact:

Gary Jarvis

Strategic Procurement Manager

Legal

New Forest District Council

Tel: **02380 285307**

gary.jarvis@nfdc.gov.uk

Attached Papers:

Appendix 1

Procurement Strategy 2023 Refresh

Alan Bethune FCCA

Strategic Director Corporate Resources &

Transformation

Section 151 Officer

New Forest District Council

Tel: **02380 285001**

alan.bethune@nfdc.gov.uk



Procurement Strategy

Refresh 2023

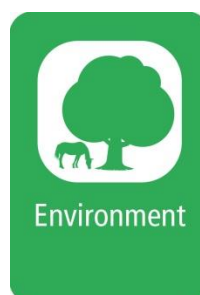
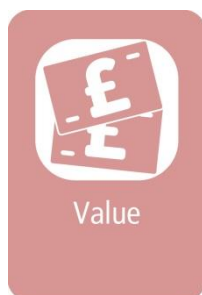
New Forest District is a unique and special place, to live, work, visit and enjoy

Our Procurement Strategy aims to:

explore and realise the Quality, Service and Value for Money offering from our suppliers to support and improve the Councils service provision to our residents and businesses. We will..

- Challenge the “as is” through creativity and innovation
- Operate within the legal framework set by UK Government
- Procure to protect the environment
- Encourage local & regional businesses to bid for opportunities
- Ensure fairness and clarity in the sourcing of suppliers
- Make it easy for businesses to interact with the Council

Our Procurement Guiding Principles are:



You can find out more about our Procurement process at;

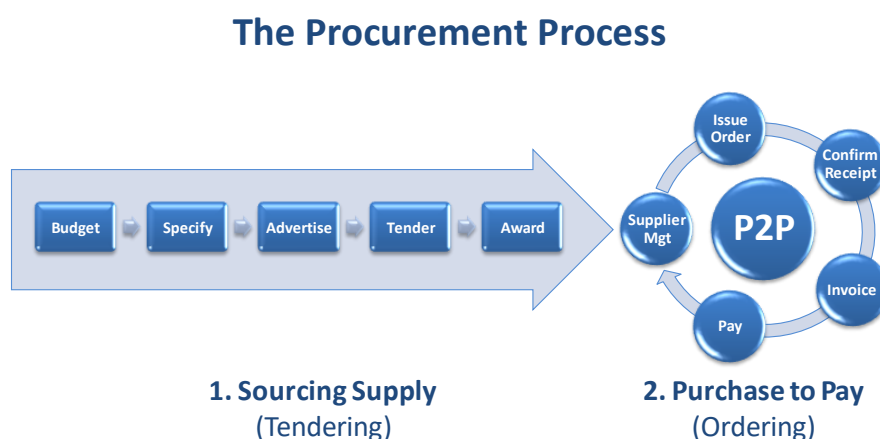
<https://www.newforest.gov.uk/article/942/Supplying-the-council>

1. What is Procurement

Procurement is about making effective commercial choices in the process of acquiring works, goods and services from suppliers within a pre-agreed financial budget. The process starts from the identification of need through to the end of a service provision or the end of a product's useful life.

The Procurement Process is made up of 2 distinct elements:

- 1) Sourcing Supply to establish approved suppliers via a competitive quotation or tender depending on the contract value
- 2) Purchase to Pay process covering the ordering, receipt, invoice processing and payment for works, goods and services.



2. Why we need a Procurement Strategy

- **To set out the Corporate direction of travel for Procurement:**
The Procurement Strategy sets out the major priorities, objectives and improvement goals for Procurement across the Council whilst ensuring compliance with the Public Contracts Regulations (PCR2015) set by the UK Government ¹
- **To support the delivery of the Council's Corporate Plan:**
The Procurement Process has a direct impact on the achievement of the Council's goals in relation to delivering value for money, improving sustainability and acting transparently.
Procurement is a key component of the Corporate Plan, where our procurement goals include;
 - identifying new and innovative methods of procuring services
 - producing more flexible contracts
 - smarter buying taking environment into account

¹ The Procurement Bill (2022) is nearing completion of its passage through Parliament. When it achieves Royal Assent, the new guidance will be reviewed against this Strategy.

- **To maximise effectiveness of our spending power:**
The effectiveness of our Procurement decisions has a direct impact on;
 - New Forest District Council’s budget and Council Tax levels
 - The quality and cost of services to the people of the district
 - Corporate and service objectives

3. The Council’s Procurement mission

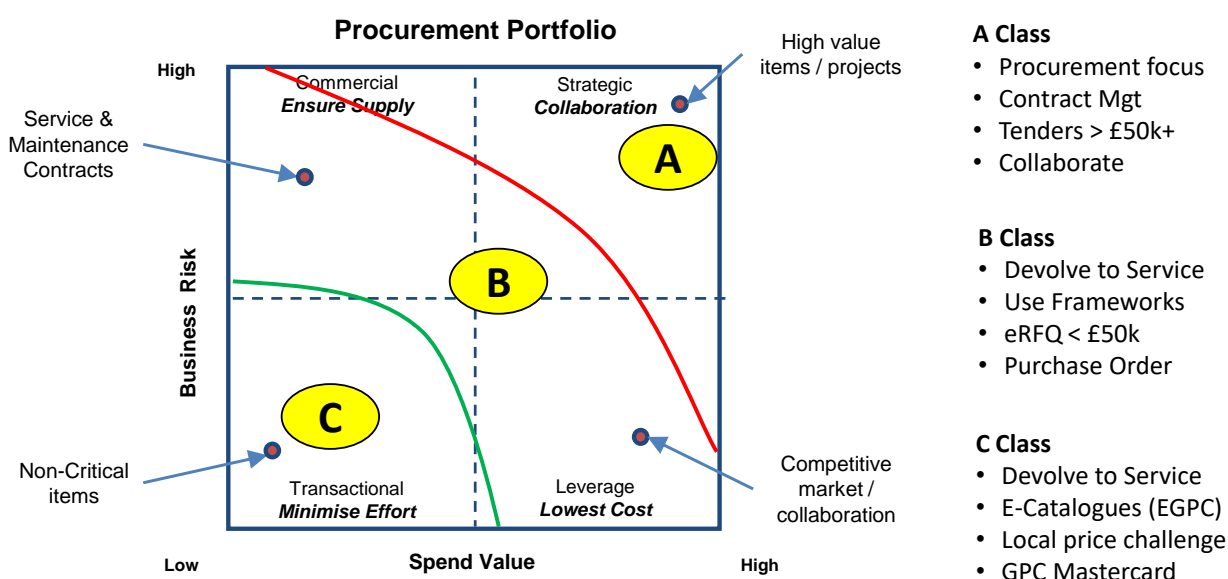
We will be **ambitious, innovative and customer focused** on how we improve the outcomes of our procurement projects to support the delivery of services to our community. We will be **financially responsible** with the public funds made available to us to procure works, goods and services. We will be **collaborative** in our working, and work with others to represent the best interests of our unique and special place. We will be **open and transparent** in our approach and with our plans to deliver our aims and priorities.

New Forest District is a unique and special place, to live, work, visit and enjoy.

Procurement should be seen in the context of the Council’s overall vision, priorities and objectives as set out in our Corporate Plan <http://www.newforest.gov.uk/corporateplan>

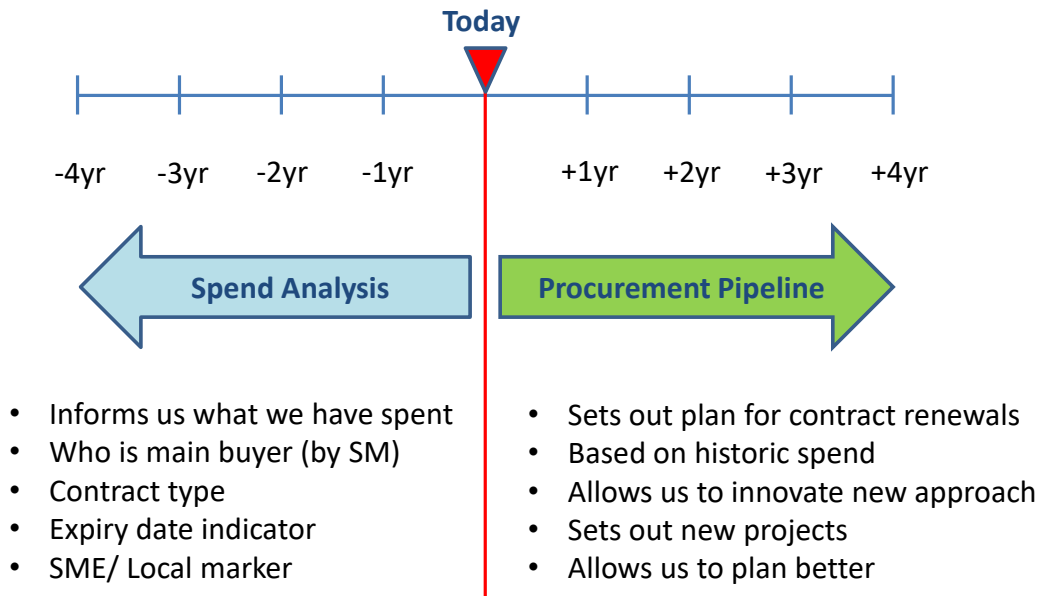
4. Use of Pareto ABC for Procurement Analysis and Planning

- **Pareto ABC spend grouping**
We consider different approaches for each procurement project based on a risk/value model to define our approach under strategic, commercial, leverage and transactional themes. Typically pareto ABC analysis is used as a means to target resource to the right place and proitise risk versus value contracts as shown in the diagram below



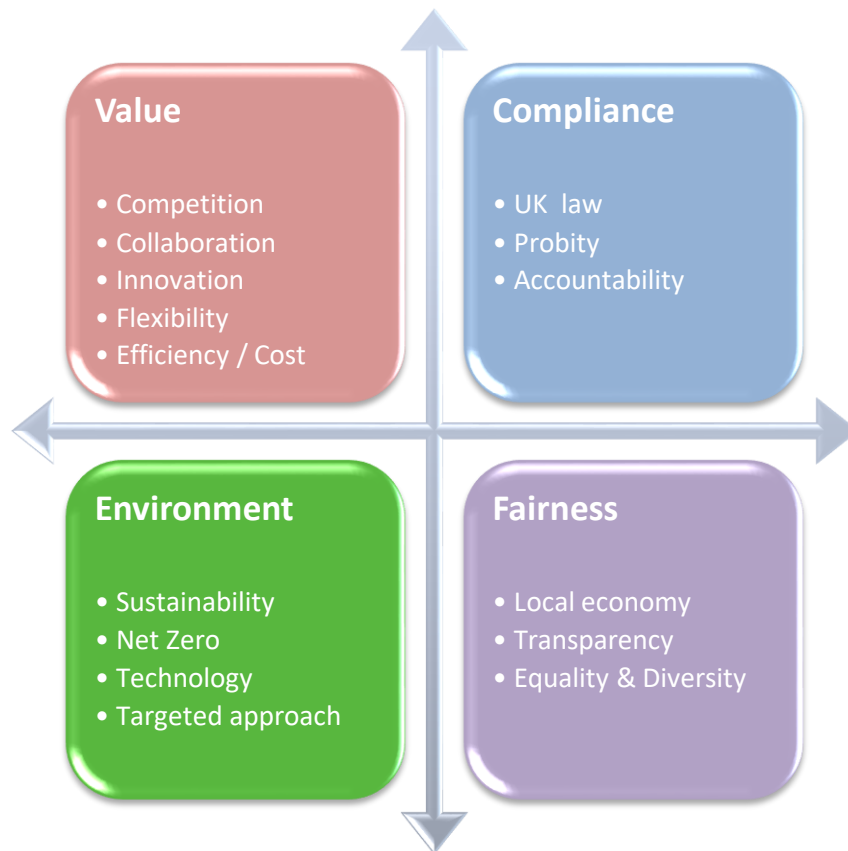
- **Spend Analysis to inform the Procurement Pipeline**

We will use Spend Analysis techniques to inform us of future Procurement Pipeline projects to ensure we improve our contract management activity. The pipeline will allow us to interact with NFDC Service Managers (SM) and the supply market earlier to understand the latest offerings and enhance the planning of our opportunities and tendering programmes.



5. Procurement Guiding Principles

The guiding principles below form the key elements of the Council's Procurement Strategy.



The following sections of the Strategy explain **the objectives** of each of the above procurement principles, the **improvement goals** the Council will promote within each area and an **action plan** timescale.

The Guiding Principles set out in this strategy apply to a) the AS IS business as usual Procurement to support day to day council services and b) the TO BE future state as set out in the Councils business transformation programme through improvement goals.

Definition: Objective, Improvement Goals and Action Plan

The **Objectives** are the main improvement “themes” within each of the **4 Guiding Principles**.

The **Improvement Goals** are the specific elements of the action plan to deliver the objectives.

The **Action Plan** is the timeline by which we plan to deliver the improvement goals of the strategy.



5.1 Value

In order to achieve the best value for money and to encourage **competition** from the relevant supply markets, Officers working closely with the Procurement Team use the Council’s e-business portal to advertise procurement opportunities. <https://sebp.due-north.com>

The Council encourages **collaboration** both within the Council and with other regional local authorities to stimulate **innovation** from our suppliers. This helps improve customer service levels, delivers better value and enhances quality.

When inviting quotations or tenders from potential suppliers our primary focus is on the outcome or end result required. This encourages **flexibility** in the approach taken by suppliers to achieve our goals.

Value Objectives	Improvement Goals	Action Plan
Competition:	Spend Analysis: Continue to improve our records of supplier's master file to record supplier size, locality, spend category, contract type (National, Regional, Local) and report savings achieved through the procurement sourcing process. Use pareto ABC modelling to tailor the procurement approach to best suit the needs of the Councils customers through our supply chain.	In Place
	Procurement Pipeline: Improve communication of planned procurement by maintaining a plan of forthcoming tenders / contract opportunities (the Procurement Pipeline). To cover both multi-service corporate-wide expenditure and planned specialist service-based contracts.	In place
	To be publicly available by industry sector via the Council's website.	Apr25
	e-Business: Maximise use of e-tendering and simplify communication between the Council and Suppliers whilst maintaining fully auditable processes.	In Place
Collaboration:	Organisation: Utilise the centre led procurement organisation to coordinate a consistent and corporate-wide approach to procurement.	In place
	Work Together: Both in-house and regionally with town & parish councils and other local authorities to identify collaborative opportunities.	Ongoing
	Establish Local & Regional Frameworks: The Council will further develop a range of Framework Agreements with local and regional suppliers to provide a reactive and consistent	In Place

	commercial structure for lowest cost whilst minimising contractual commitments. These frameworks will support Service teams to deliver quality, timely and cost-effective responses to our customers. Emphasis over the strategy period will be to set up frameworks for building materials, building & facilities management contractor services and building / estates professional services.	
Innovation: <i>Procurement and Service Teams to explore with suppliers how innovative approaches could save the Council money and improve services.</i>	<p>Outcome Based Specifications: Allow suppliers the ability to bring forward innovation and best practice by use of outcome-based specifications. The specification is recognised as a critical component of the tender / contract pack and that getting the right balance of “must have outcomes” and marketplace best practice and innovation is the goal.</p> <p>Stimulate innovation: Wherever possible offer the opportunity within our tender specifications for innovation from the market. The Council is keen to encourage businesses to bring forward ideas, value engineering proposals and new technology to reduce running costs or improve delivery and service quality.</p>	Ongoing Dec24
Flexibility:	<p>Build in Change Management: Set up flexible contracts with specifications that drive continuous improvements in cost, quality and service outcomes throughout the contract life and minimise disputes.</p> <p>Contract Management: Contracts will include performance management at a frequency relative to the risk and complexity proportionate to the deliverables. Essential Contracts will be supported by the assigned Contract Relationship Officer.</p>	Ongoing Ongoing
Efficiency Savings and Cost Reduction	<p>Transformation: Officers will explore opportunities to drive cost efficiencies across the supply chain supporting our services. The Councils Transformation Programme will aim to drive process improvement and explore cost reduction opportunities by alternative ways of working.</p> <p>Tendering Outcomes: Service Managers will set out the cost benefits achieved through the tendering of regular repetitive contacts as part of the contract award proposals. These savings will be considered for contribution to the Councils Medium Term Financial Plan (MTFP). Procurement will report these savings via the procurement pipeline tool.</p>	Mar25 From Jan24



5.2 Compliance

The Council complies with UK Law under **Public Contracts Regulations 2015***. This sets out the rules which central and local government must follow with their procurement procedures. The legislation applies to contracts for supplies, services and works based on contract values (see table below). The legislation sets out competition rules, threshold levels for advertising of opportunities, tendering and contract award procedures as well as prompt payment through the supply chain.

*PCR2015 <https://www.legislation.gov.uk/uksi/2015/102/contents>

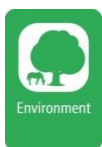
To ensure **probity** is maintained in the procurement process, the Council is required to establish and maintain Contract Standing Orders (CSOs). These rules are written in a way that allows local suppliers to apply for contract opportunities via the Council's business portal either singly or as part of an SME consortium. Higher value contracts are fully advertised to ensure full competition in line with UK procurement regulations (using the UK Government Find a Tender Service FTS).

The Council's service managers whose teams are engaged in the procurement process maintain full **Accountability** for compliance to the Councils CSOs issued and approved by the Executive Management Team and Cabinet.

Compliance Objectives	Improvement Goals	Action Plan
<p>Public Contracts Regulations (PCR2015): <i>Procure within the current UK Procurement law.</i></p>	<p>Knowledge: Procurement in conjunction with the Legal team, to develop and communicate clear guidance to the organisation explaining UK Procurement law (and any changes made from time to time).</p> <p>Compliance: Ensure all Procurement projects are completed in line with the regulations set by UK Government and where above the relevant higher value thresholds (for Works, Supplies & Services) use one of the five defined procedures (Open; Restricted; Competitive Dialogue; Competitive with Negotiation and Innovation Partnership).</p> <p>Payment On Time in Full: Ensure that suppliers are paid to the Council's terms and that main Suppliers are contracted to pay their sub-contractors to the same timeline (back-to-back). The Council has signed up to the BIS Prompt Payment Code: See link here>> http://www.newforest.gov.uk/article/9517/Payment-of-Suppliers</p>	<p>In Place</p> <p>Monitor & Review</p> <p>In Place</p>
<p>Probity: <i>Keep within the Legal framework defined</i></p>	<p>Thresholds: Clearly communicate in Corporate Contract Standing Orders (CSOs) and user-friendly guides the process to follow based on contract value. The Council has set a local</p>	<p>In place</p>

<p>by UK Government.</p>	<p>threshold of £50,000 for all contracts to be transparently and openly advertised. Contracts below this value will be subject to competitive quotations from local & regional suppliers to encourage small and medium sector business growth.</p> <p><u>NFDC Local Thresholds – based on contract value</u> Best Value Price check: up to £15,000 Restricted Quotation: £15,000 to £50,000k Openly Advertised in UK: £50,000 to UK Threshold</p> <p><u>UK Thresholds (01.01.2022) – based on contract value</u></p> <p>Openly Advertised in UK: ²</p> <ul style="list-style-type: none"> • Supplies & Services Contracts above £213,477 • Works contracts above £5,336,937 <p>https://www.gov.uk/government/publications/procurement-policy-note-0921-thresholds-and-inclusion-of-vat</p>	
<p>Accountability:</p>	<p>Comply with Contract Standing Orders (CSO’s): Ensure ALL staff (and consultants, members, etc.) operate within the guidelines set out in the Councils CSO’s.</p> <p>Manage Risk (Public Funds): Use appropriate independent checks on suppliers based on value and risk to safeguard public finances.</p> <p>To our Customers: Ensure Suppliers are aware of (and commit to deliver) the Council’s obligations under health and safety, equality, safeguarding children and vulnerable adults and environmental sustainability, modern day slavery act, data protection.</p> <p>For Service Specific Spend: Service Managers to lead with Procurement support. Collaboration opportunities (internally and with other councils / organisations) to be tested wherever possible to establish benefit potential.</p> <p>For Corporate Wide Spend: Service Managers & Procurement (via Contract Relationship Officers) to jointly lead sourcing projects that effect many Council services with support of key users (by Service) to maximise the Council’s commercial impact (test collaboration with other councils or like-minded public sector organisations).</p>	<p>In Place</p> <p>In Place</p> <p>In Place</p> <p>In place</p> <p>In place</p>

² Updated as and when new thresholds are introduced under a new PPN.



5.3 Environment

The Council recognises it has a vital role in sustainable development, through its procurement of goods, works and services. Procurement decisions have a major socio-economic and environmental impact, both locally and globally, now and for future generations.

On 6 October 2021 NFDC declared a climate change and nature emergency for the district at our meeting of full Council. The announcement builds on our environmental and sustainability actions to further focus on outcomes that will provide positive benefits to the world-wide climate change agenda. For further details please see NFDC Website link below:

<https://newforest.gov.uk/climatechange>

The Council will strive to educate and train internal purchasers to consider **Sustainability and Climate Change** in their procurement projects as we seek to achieve **Net Zero**. The supply market will be encouraged to bring forward new or emerging **Processes and Technologies** with a proven positive impact upon the environment.

A **Targeted Approach** will be used to determine and target categories of works, goods and services that have an impact upon the environment. This will help ensure positive outcomes can be delivered through the procurement process (e.g. score impact upon the following: energy conservation, emissions to air, discharges to water, waste and social environment).

Suppliers tendering for Council contracts are required to set out below how their proposals contribute to the goals of the Councils Climate Change and Nature Emergency and specifically what innovations and improvements will be delivered from the start of contract and step changes to be delivered throughout the contract life cycle under the impact headings of nature, health, economy and social.

Our contract management processes will measure climate & nature emergency mitigations along with targets committed targets and deliverables through the contract life cycle.

The Council will tackle climate change and reduce waste in line with the UK Government National Procurement Policy Statement as set out in PPN 05/21.

- contributing to the UK Government's legally binding target to reduce greenhouse gas emissions to net zero by 2050
- reducing waste, improving resource efficiency and contributing to the move towards a circular economy;
- identifying and prioritising opportunities in sustainable procurement to deliver additional environmental benefits, for example enhanced biodiversity, through the delivery of the contract.

Environment Objectives	Improvement Goals	Action Plan
<p>Sustainability:</p> <p><i>Ensure procurement supports innovation that will reduce environmental impact to Air, Water and Land, in line with the Councils Climate Change and Nature Emergency programme.</i></p>	<p>Sustainable Procurement means that the Council meets the needs of the community for works, goods, services in a way that achieves value for money on a whole life basis in terms of generating benefits in the long term not only to the Council, but also to society and the economy, whilst minimising damage to the environment. Explore procurement opportunities to promote the local green economy and health and wellbeing.</p> <p>Identify Opportunities: Investigate opportunities across the supply chain for energy consumption reduction, emission output reduction, recycling, reduced usage, bulk delivery, co-delivery across services, nature benefits and better packaging.</p> <p>Evaluation of Suppliers: Ensure that Sustainability Criteria are part of the supplier evaluation process and are used in the award of contracts.</p>	<p>Ongoing</p> <p>Ongoing</p> <p>In place</p>
<p>Net Zero:</p> <p><i>For all of the emissions created by NFDC activities, we must find opportunities to offset and generate carbon benefit, to reach a balance of net zero emissions. Many of the impacts and opportunities to reduce our emissions will be found within our supply chains.</i></p>	<p>NFDC Carbon Contribution: NFDC is committed to reducing corporate and district-wide emissions (carbon dioxide and other greenhouse gasses), so we must ensure that any such emissions associated with the works, goods and services we procure is minimised or eliminated. A process is being developed to assist staff in the measurement and reporting of emissions and is scheduled to be introduced in 2024/25.</p> <p>Projects / Action Plan: The Climate and Nature Emergency Action Plan 2023 includes the requirement to embed carbon reduction as a priority within all council activities and decision-making processes, including procurement.</p>	<p>In design</p> <p>2024/25</p>
<p>Technology:</p> <p><i>Use our Procurement projects to explore, encourage and realise innovative ideas.</i></p>	<p>Environmental Specification: Wherever possible and practicable, specify a requirement in line with known UK environmental standards or allow suppliers to submit offers for environmentally friendly alternatives.</p> <p>Enable: Encourage the supply market to bring forward new/emerging design technology that has a positive and measurable impact upon the environment.</p>	<p>Ongoing</p> <p>Ongoing</p>

<p>Targeted Approach:</p> <p><i>Use a simple scoring method to grade and prioritise projects that improve our environment.</i></p>	<p>Impact Analysis: Carry out pre-procurement soft market testing to consider the costs and benefits of environmentally preferable materials, systems or services.</p> <p>Partnership: work with other South-East Region councils and agencies to maximise sustainable procurement gains.</p> <p>Sustainability considerations:</p> <ul style="list-style-type: none"> • Reduction of consumption where possible (Do we need it?) • Costs/benefits evaluated • Green options sought • Green design and supplier selection where available • Green deliveries and collections • Operational impact assessment • Green delivery of operational services • Reduction of packaging • End of Life Recycling/reuse/disposal of materials • Opportunities for co-delivery across services • Opportunities to improve nature <p>Consider Impacts on the Environment</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Monitor</p>
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5.4 Fairness

The Council is committed to promote fairness to all suppliers, stimulate local employment opportunities and encourage the **Local Economy** to bring forward ideas that could help the Council save money and deliver better services.

As a major purchaser of goods, services and works in the region the Council recognises the importance of **Transparency** in the communication of forthcoming tender / contract opportunities to promote local employment and the economy. The Council works with agencies such as the Federation for Small Businesses (FSB) and Chamber of Commerce to help SMEs decide if public sector contracts are right for them, if they are ready to tender and how they can submit the best possible proposals.

The Council recognises the opportunity procurement provides to influence the **Equality and Diversity** agenda. We are committed to ensuring that our major suppliers and contractors share our equality and diversity vision and values, and work to implement these. It is the responsibility of staff involved in procurement activities to ensure that equality is embedded in contracts and service provision.

Fairness Objectives	Improvement Goals	Action Plan
<p>Local Economy: <i>Engage with local economy small to medium sized businesses (SMEs), representative bodies (FSB/CoC) and Voluntary and Community Sector (VCS) Compact.</i></p>	<p>Engagement: NFDC’s Economic Development team and the Procurement team will work with local businesses and agencies such as the FSB and Chamber of Commerce to assist their understanding of how to obtain alerts and apply for Council contract opportunities. E.g. via Meet the buyer events, forums, training events, targeted information, etc.</p> <p>The Public Services (Social Value) Act (2012): UK legislation supports the delivery of equality outcomes through procurement. Public authorities have to actively consider how a service being procured might improve the economic, social and environmental wellbeing of the relevant area, consider its public and community obligations and determine how these outcomes and improvements are delivered through procurement.</p> <p><i>e.g. Consideration will be taken at the pre-procurement stage via consultations to assess the opportunity for community stakeholders, voluntary and community sector organisations and other interested parties to shape (or provide) the service.</i></p>	<p>In place</p> <p>Ongoing</p>
<p>Transparency: <i>Ensure the wider supplier base is aware of the Council’s</i></p>	<p>Communication via the Procurement Pipeline: Use clear communication channels to promote forthcoming contract opportunities to allow local SMEs or SME consortia to compete.</p>	<p>Apr25</p>

<p><i>opportunities and how we communicate upcoming contracts.</i></p> <p><i>Encourage ideas from suppliers that could help the Council.</i></p>	<p>Opportunity Notices: Advertise all contract opportunities in excess of £50,000 electronically via the South East Business Portal (SEBP) so that suitably qualified suppliers can register their interest online.</p> <p>Advance Notice: Economic Development and Procurement to work together to produce an online “Heads Up” list of lower value (below £50,000) opportunities which are specifically suited to SME or local suppliers.</p> <p>Extend e-tenders: Extend the use of e-tendering to lower value opportunities to encourage online through a restricted e-Quotation process where local and regional SMEs are targeted via a soft market testing exercise. Saving suppliers time and paper through use of e-Quotation and the Council can support the local economy.</p>	<p>In place</p> <p>In place</p> <p>Ongoing</p>
<p>Equality & Diversity:</p> <p><i>The Equality Act 2010 has laid out specific procurement criteria to be included in contracts and achieved through the procurement process.</i></p>	<p>Legislation: The Equality Act 2010: sets out anti-discrimination law and the requirements of the Public Sector Equality Duty (PSED). Compliance with the PSED ensures that Council procurement is fit for purpose and meets the needs of our customers.</p> <p>The Modern Slavery Act 2015 requires complete transparency in the sourcing of goods and services to ensure slavery, human trafficking and forced or compulsory labour does not occur at any point of the supply chain.</p> <p>The Council’s Equality and Diversity Objectives can be seen on our website; http://www.newforest.gov.uk/equalities</p> <p>Influence: Promote a positive approach to equality and diversity. In our procurement processes, we will make sure that we give our suppliers advice on equality issues and ensure that contracts reflect the outcomes required.</p> <p>Obtain Commitment: The Council expects its partners and suppliers to share its commitment to equal opportunities. Procurement can promote equality of opportunity and service delivery in those organisations that supply the Council or its residents.</p> <p>Increasing supplier diversity: Meet with potential new contractors and identify barriers to entry for smaller businesses by finding out why they do not respond to advertisements or invitations to tender.</p>	<p>In place</p> <p>In Place</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>

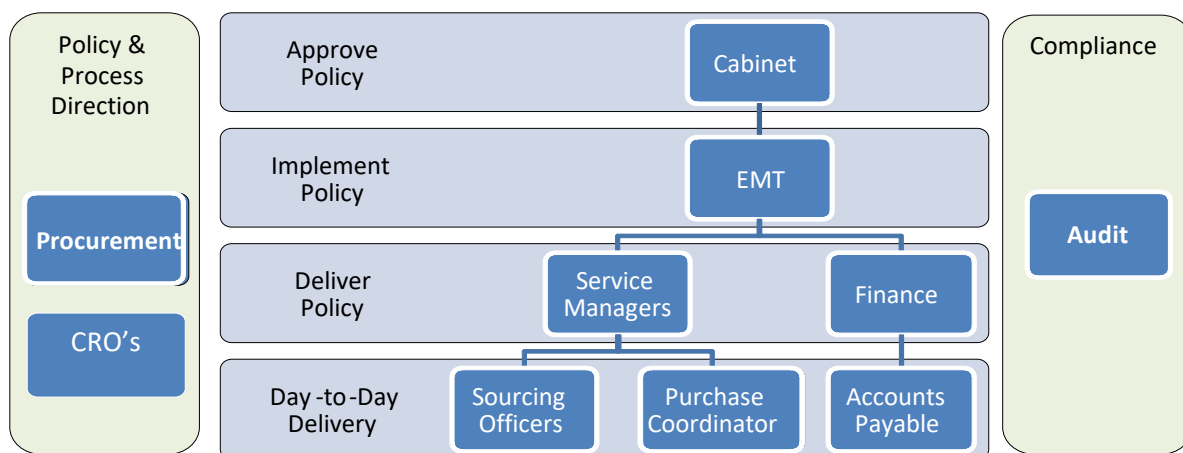
6 Procurement Organisation

6.1 Governance and Responsibility for Procurement

The **Council's Cabinet** is responsible for setting the overall Procurement Strategy. The **Executive Management Team (EMT)** is responsible for implementing the Council's Procurement Strategy. The **Procurement Team** provide policy and process direction to **Service Managers** (and their nominated Contract Administrators) for procurement projects.

The Council's Cabinet and Executive Management Team have approved the adoption of a **centre led Procurement network** that retains the benefits of a devolved structure whilst adding the direction and control required from centre. This ensures the Council:

- Complies with Public Sector Procurement legislation
- Achieves its corporate plan objectives
- Maintains effective supplier relationship management



6.2 Centre Led Procurement Network

The Council's centre-led approach to procurement, where the Service Manager (budget holder) and Strategic Procurement Team work together, combines technical and commercial skills while ensuring that all procurement rules are followed and good practice is established.

The approach covers the design, management and delivery in procuring; a) service specific contracts, b) corporate wide contracts and c) regional collaborative contracts.

The centre led procurement network model encourages:

- **Innovation** in procurement covering the following scenarios:
 - Doing procurement in an innovative way e.g. improving the process or tools used to help buyers and suppliers.
 - Enabling suppliers to offer innovative bids for what we are buying e.g. allow suppliers to offer new solutions.

- Encouraging innovation that may lie outside what we normally buy, e.g. products or services that can bring wider economic and service benefits for the District.
- **Collaboration** between Technical (Service Teams) and Commercial (Procurement, Finance and Legal) in-house teams and with other partners (local government, voluntary sector organisations etc.) to influence the supply market.
- **Contract Management** is the responsibility of the relevant Council Directorate and the Service Managers (budget holder). Typically, Procurement Contracts are assigned a “contract administrator” to manage day-to-day contract delivery. In 2023 the Council introduced a Contract Relationship Officer (CRO) for each of the three service directorates. The CROs report to Procurement but are deployed to work closely with Service teams to manage the end-to-end contract life cycle.
- **Consolidation** of spend wherever possible to maximise competitive opportunity.
- **Decision making** at operational level (by Service teams) whilst maintaining corporate process and legal compliance.

6.3 Partnerships in Procurement

Suppliers are essential to the Council's customer service delivery objectives. The Council aims to ensure that local suppliers are embraced and that their knowledge and service capabilities are utilised to improve services for the local community.

The Council also encourages an active two-way relationship with suppliers to continually improve its procurement approach. Suppliers and prospective suppliers to the Council are encouraged to support procurement developments by using online quotations / tenders as well as proactively proposing innovative ideas that could improve cost, quality and service.

E-tendering is fully operational and hosted via the South East Business Portal (SEBP) <https://sebp.due-north.com> for all contracts in excess of £25,000 for restricted e-quotations (and selected lower value projects) and above £50,000 for open e-tenders (advertised on SEBP and the Governments ‘Contracts Finder’ portal. For higher value tenders (in excess of UK PCR2015 thresholds) the contracts are also advertised on the UK Government ‘Find a Tender Service’ (FTS).

Economic Development of our region through the continued strong working links with representative bodies such as the **Federation of Small Businesses** and the regional **Chamber of Commerce** will enable engagement with suppliers to ensure a sustainable future in New Forest.

Inter Council Collaboration - The Council seeks to play a strong role in regional procurement collaboration in the Hampshire and Dorset regions as well as working with other like-minded Councils and Government Agencies to jointly procure contracts of mutual benefit, through shared resources and know-how. Historically, collaboration at regional level has given rise to a wide range of procurement projects (e.g. Insurance, Cash Collection, Tree Maintenance, Facility Management, etc.) and delivered savings of £5m+ since 2009.

6.4 Skills Development & Best Practice

Procurement will provide support and guidance to Officers through a set of common processes and tools that encourage skills development and knowledge transfer in order to deliver procurement projects for which they are accountable. As there is no 'one-way' for any project the need for prior planning and early engagement is essential to deliver best practice outcomes.

Procurement will develop and monitor methods to ensure efficient and effective Corporate Procure to Payment (P2P) processes that are understood and enacted across the Council.

7 General Information

7.1 Glossary of Contract Types

- **Works Contracts** - These contracts relate to construction, demolition, building and civil engineering work and completion work such as joinery, plastering and decoration. It includes major repairs or complete refurbishment. For example: building a new affordable housing scheme, refurbishing a leisure centre, resurfacing a car park, repairing a building roof, installing a heating system.
- **Goods Contracts** - These contracts relate to the purchase, hire, siting or installation of goods (sometimes referred to as Supplies), but not their maintenance. For example: equipment, clothing, vehicles and spare parts, office stationery, consumables, gas and electricity.
- **Services Contracts** - These contracts relate to the provision by a person or other entity to provide services. For example: consultancy agreements, provision of maintenance services, provision of professional services (e.g. legal / insurance) and provision of cleaning services.

END

Version Control

v1.00 Original issue

v2.00 Amended website links to SEBP in sections 3.1 and 4.3

v3.00 Amended PCR2015 UK/EU thresholds @ Jan 2020 in section 3.2

v4.00 Amended to reflect changes made to legislation following EU exit on 31.12.20

v5.00 Refresh Dec 2023

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