

**New Forest District Council
&
Local Councils in the New Forest**

WORKING TOGETHER

Statement Of Partnership

Dear Colleagues

Only by working together, as a team, can New Forest District Council and Local Councils in the New Forest provide the best possible services for Residents and make sure their views are taken into consideration when decisions are made on their behalf.

Some time ago we formalised many years of co-operation and consultation by publishing a Statement of Partnership. It outlines the way that we consult each other and work together to try to meet the needs of the people who live, bring up a family or earn a living in the New Forest District. The Statement has proved invaluable as a first attempt at putting into words how we work together on a day to day basis - but now the time has come to bring it up to date and that's exactly what we have done in this publication. In the future, we must be prepared to move with rapid changes taking place in Local Government and review the Statement from time to time. If anyone has any ideas to put forward or would just like an informal chat on how we can work together even more effectively, remember our doors are always open.

INTRODUCTION

- This Statement recognises and gives effect to the continuing partnership between the District Council and Local Councils which represent the interests of the residents, non-domestic ratepayers and other organisations of the New Forest District. It has been agreed between representatives of the New Forest District Association of Local Councils and New Forest District Council. Thirty-five Local Councils in the District have adopted it. They are listed in the Appendix.
- This Statement does not apply to services provided to individuals or any matters which are subject to a statutory complaints procedure.

1. General

- The District Council and the Local Councils recognise that each has responsibilities entrusted to it by Parliament for the whole community within its area, but that the Local Councils have a key role in representing the views of local communities. In exercising the responsibilities entrusted to it by Parliament, the District Council wishes to take into account the views of local communities and to maintain good communications and relations with Local Councils for that purpose.
- This Statement expresses the wishes of the District Council and Local Councils that Local Councils should have the opportunity to influence policies and the delivery of services in their area. Where the District Council consults a local special interest group on any local issue affecting the community at large, it will also consult the Local Council.

2. Relationships

Between District Councillors and Local Councils

- The District Council and Local Councils believe that it is important for District Councillors to maintain a close relationship with Local Councils for their wards.
- The pressures on the time of elected members are recognised, but

The District Council will:-

- ◆ Encourage District Councillors to accept invitations to attend Local Council meetings in their wards whenever possible; and
- ◆ Send copies of correspondence on any significant matter concerning Local Councils to District Councillors representing that area.

The Local Councils will:-

- ◆ Invite the District Councillor(s) for the area to Local Council meetings;
- ◆ At the Local Council's discretion, allow them to speak at such meetings;

- ◆ Provide, on request, to the District Councillor(s) for the area, agenda, reports and minutes of meetings of the Local Councils; and help to keep the District Councillor(s) for the area informed about local views on any matter relating to District Council responsibilities;
- ◆ Ensure that representatives attending any meetings or discussions with the District Council or its representatives report back to the Local Council on the outcome.

3. Information

- The District Council will provide Local Councils and District Councillors with regular information about proposals and developments in services in relation to particular localities.
- The District Council will include all Local Councils on its mailing list for the following, which will be supplied free of charge:
 - ◆ Agenda of Council meetings, reports to Council, and the minutes of Committees published in the Council book;
 - ◆ Agenda of meetings of Committees and Sub-Committees;
 - ◆ Information Bulletin;
 - ◆ Annual Report;
 - ◆ Year Book;
 - ◆ Calendar of meetings;
 - ◆ Directorate contact lists;
 - ◆ District Council telephone directory; and
 - ◆ Deadlines for inclusion of projects in annual budgets and programmes.
- On request, the District Council will include any Local Council on its mailing list for the following, which will be supplied free of charge or at marginal cost only:
 - ◆ Reports to meetings of Committees and reports to and minutes of meetings of Sub-Committees, except for reports containing “exempt” or “confidential” information as defined in the Local Government (Access to information) Act 1985;
 - ◆ Press releases relating to the area of the Local Council;
 - ◆ District Council Members’ Handbook; and
 - ◆ Any publication issued by the District Council which would not otherwise be supplied to the Local Council free of charge.

4. Consultation

- Within the spirit of this statement the District Council will consult Local Councils on the provision of services or proposals affecting their respective areas and will supply all relevant documents which are reasonably necessary to enable the Local Council to respond. See also Section 8.
- At the time of consultation the District Council will provide information and reasons for any proposals it is suggesting.
- The District Council wishes to give Local Councils every reasonable opportunity to comment on and influence decisions on proposals which may affect the local community.
- Within the constraints imposed by statute, necessary service and Committee timetables and any special urgency requirements, the District Council will allow Local Councils a reasonable time for comment. Local Councils will, for their part, respond as promptly as possible within any reasonable timescales set by the District Council.
- The District Council reserves the right under this statement to withhold information defined as “exempt” or “confidential” under the Local Government (Access to information) Act 1985.

5. Decision Making

- Because of its responsibilities to the wider community and the greater range of considerations it must take into account, the District Council will not always be able to follow a Local Council’s expressed wishes. In such cases full consideration will be given to the views of the Local Council before a decision is made.
- Where, in relation to any significant proposal being made by the District Council, a Director or his or her representative proposes to make a decision or recommend a course of action which is contrary to the wishes of the Local Council, the Officer will give that Local Council a reasoned explanation before doing so.
- If, having considered the reasoned explanation, the Local Council considers that its views have not been understood or taken into account it may ask for, and be given, a discussion with the representative of the responsible Director.
- If such discussion does not resolve the matter and the Local Council considers that it will have serious consequences for the local community, it may then resolve to ask the Local District Councillor to ask the Chairman of the relevant Committee or Sub-Committee to discuss the intended decision with him/her and, if the Local District Councillor makes such a request, the Chairman will meet representatives of the Local Council for this purpose. The meeting with the Local Council will take place in the locality or on site if this is considered necessary and relevant to the issues.

- Having met representatives of the Local Council, the Chairman may, at his or her discretion, ask the Director to reconsider the intended decision or recommendation or to submit the matter to the next meeting of the appropriate Committee or Sub-Committee for determination.
- In implementing the procedures described above, any request will need to take account of any statutory or necessary service requirements, Committee timetables or other urgent requirements and when this applies, the District Council will notify the Local Council of such constraints.
- The procedure described above does not apply to applications for planning permission or licences made by third parties, in view of the requirements of natural justice and the requirements to give decisions within a prescribed period, but the District Council will act within the spirit of the procedure. In particular, where a Local Council objects to planning application being dealt with by an Officer under delegated powers, the application will be referred to a Committee or Sub-Committee for a decision if the Officer proposes to act contrary to the Local Council's Wishes.

6. Agency Work

- The District and Local Councils recognise that there may be benefits for one party to undertake work on an agency basis for the other. In addition to work relating to service provision, Local Councils may also be requested to provide assistance with the collation of information. Whilst it is acknowledged that these could be encouraged, the District Council and the Local Councils concur that any agency arrangements should be introduced only after consideration of the following key principles:
 - ◆ The need to provide the best value for money for the residents of the New Forest and individual parishes;
 - ◆ Meeting the needs of the residents;
 - ◆ Avoidance of a two tier system;
 - ◆ To aid the public's understanding of who is responsible for a particular service;
 - ◆ The need to have a consistent approach across the District;
 - ◆ Any statutory restrictions;
 - ◆ The effect the agency work would have on the workload of Local Councils, their clerks and other staff;
 - ◆ Other benefits/disadvantages which would exist for Local Councils;
 - ◆ The need to meet any prescribed minimum level of service provision; and
 - ◆ The effect on the cost-effectiveness of the delivery of the remainder of the service directly by the providing authority if some work is undertaken by the District or Local Councils as an agent for the other party.

7. NFDC Services and Functions

- The District Council is committed to the involvement of the local community in the delivery of services and determination of matters both discretionary and statutory for which it has a responsibility.
- In those cases where the District Council has a statutory obligation to consult with Local Councils, those consultations will be undertaken at the earliest practicable opportunity and Local Councils will be given as much time as possible to enable them to formulate an opinion to submit to the District Council.
- In order to fulfil the commitment to extend the principle of consultation beyond that which is statutorily required, the District Council will inform Local Councils at the earliest practicable opportunity about any of the following additional matters with a view to providing the Local Council with an opportunity to influence any final decision.
 - ◆ Proposals to open or close permanently any District Council establishment open to the public.
 - ◆ The preparation of local plans.
 - ◆ Planning applications submitted to the District Council for its determination.
 - ◆ Applications by the District Council for its own development.
 - ◆ Proposals to provide country parks or other major areas of recreational open space.
 - ◆ Proposals to designate local nature reserves.
 - ◆ Draft countryside management plans.
 - ◆ Applications for work to trees protected by Tree Preservation Orders.
 - ◆ Preparation of the Council's Housing Strategy.
 - ◆ Identification and development of sites for use under the Council's Housing Enabling role.
 - ◆ Major amendments to housing estate management policies.
 - ◆ Construction of local leisure facilities.
 - ◆ Specification for recreation schemes in outlying areas.
 - ◆ Preparation and changes to the Environment Charter.
 - ◆ Policies for pollution monitoring.
 - ◆ Arrangements to be made for dog control.
 - ◆ Provision or withdrawal of Local Information Centres.
 - ◆ Provision of new Visitor Information Points and Centres.

- ◆ Provision or withdrawal from permanent use of public conveniences.
- ◆ Provision of new cemeteries.
- ◆ Proposals for amendments to or provision of new recycling facilities.
- ◆ Provision of new car parking facilities or changes in the permitted waiting periods.
- ◆ New proposals relating to traffic management.
- ◆ Emergency planning arrangements with individual parishes.
- ◆ Determination of applications for licences where the District Council has a discretion but excluding those relating to licences issued to individuals.
- ◆ Street naming.
- ◆ Local Agenda 21 issues.
- ◆ Grant Aid applications/awards.

8. Local Council Services

- Where Local Councils intend to undertake major projects, particularly in the provision of services or facilities for which the District Council also has a responsibility, they will at the earliest practical opportunity consult the District Council on those proposals. These consultations will be separate from and in addition to any statutory consultations or consents which may need to be obtained from the District Council. For the purposes of this paragraph major projects would include provision of:
 - ◆ Recreational facilities
 - ◆ Large areas of open space
 - ◆ Community Buildings
- In undertaking the consultation, Local Councils will give the District Council as much time as possible to enable it to formulate an option and submit it to the Local Council. In recognition of this consultation the District Council will endeavour to respond within any time scales set by the Local Council.

9. Review

- The effectiveness of this Statement of Partnership will be reviewed annually by New Forest District Council and the New Forest District Association of Local Councils which may agree appropriate amendments to any of the provisions.

APPENDIX 1

Town & Parish Councils within the New Forest District which have agreed to adopt this Statement of Partnership

Ashurst & Colbury	Hyde
Beaulieu	Hythe & Dibden
Boldre	Lymington & Pennington
Bramshaw	Lyndhurst
Bransgore	Marchwood
Breamore	Martin
Brockenhurst	Milford-on-Sea
Burley	Minstead
Copythorne	Netley Marsh
Damerham	New Milton
Denny Lodge	Ringwood
East Boldre	Rockbourne
Ellingham Harbridge & Ibsley	Sandleheath
Exbury & Lepe	Sopley
Fawley	Totton & Eling
Fordingbridge	Woodgreen
Hale	Whitsbury
Hordle	