

**6 FEBRUARY 2002**

**NEW FOREST DISTRICT COUNCIL**

**CABINET**

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Wednesday, 6 February 2002.

- p Cllr S A Hayes (Chairman)
- p Cllr M J Kendal (Vice-Chairman)

**Councillors:**

- p P C Greenfield
- p Mrs M D Holding
- p T M Russell

**Councillors:**

- p B Rickman
- p C A Wise

**In Attendance:**

**Councillors:**

- K F Ault
- G C Beck
- F J Bright
- B Dash

**Councillors:**

- M H G Fidler
- Mrs B M Maynard
- Mrs M J Robinson
- Mrs B Smith

**Also in Attendance:**

Mr B Birks and Mrs P White, Tenant Representatives

**Officers Attending:**

D Yates, N Gibbs, C Malyon, D Atwill, Ms J Bateman, K Green, M Lowe, Miss G O'Rourke, D Pinder and G Tombs

**145. MINUTES.**

**RESOLVED:**

That the minutes of the meeting held on 2 January 2002, having been circulated, be signed by the Chairman as a correct record.

**146. DECLARATIONS OF INTEREST.**

No declarations of interest were made.

**147. PUBLIC PARTICIPATION.**

No issues were raised during the public participation period.

**148. PUBLIC CONVENIENCES – PROPOSED CLOSURES (REPORT A).**

The Cabinet considered a report proposing the closure of a number of public toilets.

Mr Anderson, Parish Clerk of Fawley Parish Council addressed the Cabinet.

Mr Anderson expressed concern as he felt there had been insufficient consultation on the closure proposals. Fawley Parish Council had only become aware of the proposed closures as a result of a press release following a meeting of the Environment Review Panel. Mr Anderson was also concerned that the proposals were being brought forward ahead of the Best Value review which he felt would have shown that many of the toilets were well used and desperately needed in the community.

There were a large number of elderly and infirm residents in the Fawley area and this issue had raised more concern within the community than any other issue in the past. Mr Anderson commented that the toilets at Blackfield were said to be inappropriately sited as they were now on the edge of a private housing estate which had been built subsequently. Mr Anderson was of the view that if this were considered a problem then it should have been taken account of at the planning stage of the new estate.

Mr Anderson also reported that the beach hut owners at Calshot were unhappy with the proposal to demolish the two existing toilet blocks and replace them with one "superloo". He had attended the last meeting of the Environment Review Panel to express the Parish Council's view but did not feel that the Panel had taken account of his comments. They had made their decisions based on hearsay rather than fact.

The Chairman commented that this was the second time that the Cabinet and Panels had considered reports on this matter and therefore all members should have been aware of the proposals. The Environment Portfolio Holder said that there had been a great deal of press coverage on the matter and he had spoken to a number of local members.

A number of other members of the Council who were present at the Cabinet meeting also expressed reservations about the lack of consultation and saw the closure of public toilets as a significant reduction in service to the vulnerable people in the community.

The Cabinet agreed that the public toilet on the main A337 in Brockenhurst should not be closed until after the public toilet in the village centre was rebuilt in the next financial year. A member commented that this would result in increased traffic in the village and that it might be appropriate for the public toilets on the main road to remain open during the summer months.

The Chairman said that a judgement had to be made. There were some toilets that were not well used and some were vandalised. The proposals are in support of a programme of refurbishment and rebuilding to take place to provide public toilets of a better standard and in more appropriate locations. It was open to Town and Parish Councils to put forward proposals for taking over the responsibility for toilets which would otherwise be closed.

**RESOLVED:**

That the following decisions relating to the proposed closure of public conveniences be agreed for consideration by the Council as part of the overall budget making process:

- (i) Blackfield – Hampton Lane – toilets to be closed in view of their age, condition and un-neighbourly siting;
- (ii) Holbury – Sloane Avenue – close, due to low usage and frequent vandalism;
- (iii) Calshot – Car park at western end of the Spit – close, in view of replacement programme proposals and pending consultations with beach hut owners;
- (iv) Barton Beach – retain but close Marine Drive West toilet instead, following agreement by New Milton Town Council;
- (v) Totton - Eling Recreation Ground and Salisbury Road Recreation Ground – retain subject to the outcome of discussions with Totton and Eling Town Council on their proposals to share operating costs;
- (vi) Ringwood – Market Place – close;
- (vii) Lyndhurst Car Park – old block – retain, due to their continuing importance for tourist use;
- (viii) Brockenhurst – main A337 – close when toilets in village centre are rebuilt next financial year;
- (ix) That it be noted that the Year 1 demolition costs for 2002/03 would be £15,000 and there would also be redundancy costs in the sum of £1,200 relating to 1 cleaner post. Thus, the total savings for 2002/03 would amount to £10,300; and
- (x) It was also noted that the potential capital receipt of £42,000 from the sale of the sites could be fully utilised for reinvestment in future capital projects, subject to all 3 toilet sites (Blackfield, Holbury and Brockenhurst) being auctioned as a package.

**149. COLLECTION OF USED REFRIGERATORS AND FREEZERS (REPORT B).**

Following changes in legislation that have created additional controls on the disposal of fridges and freezers the Cabinet considered a report proposing a new charging system for the collection of used fridges and freezers.

It was noted that Government grant was available to the County Council to cover the storage of fridges and freezers pending the building of new national disposal facilities.

Mrs White, Tenants' Representative, felt that the proposed charge was excessive and would not encourage people to dispose of the items properly.

It was noted that, as with other special collection charges, officers had delegated authority to waive charges in appropriate cases. These concessions would be widely publicised by Customer Services when bookings for special collections were made. Information would also appear in Forestnews.

**RECOMMENDED:**

- (a) That a special charge for the collection of old fridges and freezers be introduced on 1 March 2002;**
- (b) That the special charge for collecting old fridges and freezers be £20 (inc. VAT) for each item collected; and**
- (c) That the special charge for collecting fridges and freezers be additional to the cost of collecting any other special collection items.**

**150. SOUTH EAST RINGWOOD LAND DRAINAGE INVESTIGATION AND FLOOD RELIEF SCHEME (REPORT C).**

As a result of flooding in South East Ringwood the Cabinet considered a proposed flood relief scheme for the area.

It was noted that whilst the scheme was not intended to pre-empt any future development proposals for the area, the funding available did mean that the scheme could be constructed to a maximum specification that could take account of any future development.

**RECOMMENDED:**

***That £104,000 be made available from Developers' Contributions to carry out land drainage works in South East Ringwood.***

**151. COMMUNITIES AGAINST DRUGS INITIATIVES (REPORT D).**

A new source of funding for Crime and Disorder Partnerships had been made available through the Government Office for the South East. The main purpose of the funding was for tackling the supply of drugs and disrupting drug markets.

**RECOMMENDED:**

***That a supplementary revenue estimate of £37,500 for the Communities Against Drugs Initiative be agreed and that the CCTV net capital budget be reduced by £37,500.***

**152. CONTAMINATED LAND STRATEGY FOR NEW FOREST DISTRICT COUNCIL (REPORT E).**

The Cabinet considered a draft Contaminated Land Strategy for the New Forest.

**RECOMMENDED:**

- (a) That the Contaminated Land Strategy circulated to all members of the Council be approved subject to the Director of Community Services being authorised to incorporate any relevant comments from the consultation process into the strategy;***
- (b) That any Council land that is potentially contaminated be investigated as a priority;***
- (c) That due to the current financial position the application to join the Dorset Contaminated Land Consortium be delayed for 1 year, so that the bid for funding can be fully considered in the 2003/4 spending review, and that it be recognised that this will delay the strategy by a year; and***
- (d) That progress on the Contaminated Land Strategy be reported to the Environment Review Panel on an annual basis and that recommendations for amendments to the strategy be made then.***

**153. FUNDING FOR GROUNDS MAINTENANCE FOR THE REMAINDER OF THE CURRENT FINANCIAL YEAR (REPORT F).**

In considering a report on funding for Grounds Maintenance for the remainder of the current financial year, the Cabinet agreed that the possibility of re-designating land to enable it to transfer from the Housing Revenue Account to the General Fund should be considered.

**RESOLVED:**

- (a) That virement of £13,200 be agreed from the budgets for Public Conveniences and Refuse Collection to the budget for Grounds Maintenance as set out in report F for the financial year 2001/02; and
- (b) That the Housing, Health and Social Exclusion Review Panel be asked to give consideration to the possibility of re-designating land from the Housing Revenue Account to the General Fund.

**154. FINANCIAL REPORT FOR THE PERIOD APRIL 2001 TO DECEMBER 2001 (REPORT G).**

The Cabinet considered the forecast budget variations of all Portfolios and Committees from the approved original estimates for 2001/02. It was noted that there was not now likely to be any overspend and budgets would remain within original estimates.

**RECOMMENDED:**

- (a) *That supplementary estimates of £23,000 for Lymington Quay Project and £70,000 for environmental enhancements as detailed in Appendix 2 to Report G be approved; and*
- (b) *That supplementary estimates of £55,000 for repairs and maintenance, £70,000 revenue contribution for Environmental Enhancements and £75,000 for reductions in interest as set out in Appendix 3 to Report G be approved.*

**RESOLVED:**

- (a) That the revised General Fund budget as set out in Appendix 1 to Report G be approved;
- (b) That the revised capital expenditure as set out in Appendix 2 to Report G be approved subject to it being noted that the forecast variation for the CCTV programme has reduced to £378,000; and
- (c) That the revised Housing Revenue Account budget as set out in Appendix 3 to Report G be approved.

**155. HOUSING REVENUE ACCOUNT ESTIMATES 2002/03 (REPORT H).**

The Cabinet considered the draft Housing Revenue Account estimates for 2002/03.

**RECOMMENDED:**

- (a) That the HRA budget, as set out in Appendix A to Report H, be approved;**
- (b) That a revenue contribution of £0.50m from the HRA to fund environmental enhancements be made in 2002/03;**
- (c) That the overall level of the HRA estimates for 2002/03 and consequential increases in charges of:-**
  - 3.1% (average) in rents for Council dwellings; in line with the rent restructuring guidelines;**
  - 3.9% in service charges for sheltered housing schemes and recovery of Council Tax, in accordance with current policy;**
  - 3% in service charges for hostels for homeless households and recovery of Council Tax, in accordance with current policy;**
  - 10p per week in garage rents (plus VAT for garages let to non-council tenants)****be approved to take effect from 1 April 2002; and**
- (d) That the service of the appropriate notices be authorised.**

**156. HOUSING CAPITAL ESTIMATES 2001/2002 REVISED AND 2002/2003 (REPORT I).**

The Cabinet considered the Housing Portfolio's draft capital estimates for 2001/02 revised and 2002/03.

**RECOMMENDED:**

**That the capital estimates for 2001/02 revised and 2002/03 as detailed in Report I be approved.**

**157. GENERAL FUND REVENUE AND CAPITAL BUDGETS (REPORT J).**

The Cabinet considered the draft General Fund revenue and capital budgets for 2002/2003. It was noted that a Council Tax increase of 9.4% was recommended. Whilst this would put the Council in a stronger position in 2002/03 there were still a number of financial challenges facing the Council over the coming years.

**RECOMMENDED:**

- (a) *That, having considered the recommendations from the Environment Review Panel, the schedule of public conveniences put forward for closure be agreed and the financial implications included in the overall budget making process;*
- (b) *That the Expenditure Plan variations as detailed in Report J be agreed including the revised schedule of fees and charges as detailed in Appendix 3 to Report J;*
- (c) *That the financial strategy and use of balances as outlined in paragraphs 5 and 6 of Report J be agreed;*
- (d) *That the General Fund budget for 2002/2003 be set at £18,520,000 as summarised in Appendix 1 to Report J;*
- (e) *That the General Fund Capital Programme for 2002/2003 be agreed as summarised in Appendix 2 to Report J;*
- (f) *That the Council Tax be agreed at £120.60 for a Band D property for 2002/2003; and*
- (g) *That the site licence fees and service charges at Stillwater Park be increased by 2.5%, with effect from 1 April 2002, and that the service of the appropriate notices be authorised.*

**158. TREASURY MANAGEMENT IN THE PUBLIC SERVICES : CODE OF PRACTICE (REPORT K).**

The Cabinet considered the proposed new Treasury Management Policy Statement.

**RECOMMENDED:**

- (a) *That the adoption of the four clauses as recommended by the new Code as detailed in Report K be approved;*
- (b) *That the Treasury Management Policy Statement as detailed in Appendix 2 to Report K be approved; and*
- (c) *That it be noted that treasury management practices when determined in full, will be reported back to Cabinet.*



**159. QUALITY TOWN AND PARISH COUNCILS – A CONSULTATION PAPER (REPORT L).**

The Cabinet considered a response to a Department for Environment, Food and Rural Affairs' consultation paper on how "Quality" parish or town councils might work.

**RESOLVED:**

That the draft response as detailed in Report L be agreed.

**160. COUNCIL TAX : A PROPOSED RESPONSE TO THE GOVERNMENT'S CONSULTATION PAPER ON SECOND HOMES AND LONG TERM EMPTY PROPERTY STRATEGY (REPORT M).**

The Cabinet considered a response to a Department for Transport, Local Government and the Regions' consultation paper on proposed changes to the council tax for second homes and long term empty properties.

**RESOLVED:**

That the proposed response as detailed in Appendix 1 to Report M, amended to reinforce the Council's view that local authorities should be able to retain the additional Council Tax raised to finance housing or any other locally identified priority, be agreed for submission to DTLR and the Local Government Association.

**161. BORROWING LIMITS 2002/2003 (REPORT N).**

The Cabinet considered the borrowing limits for the financial year 2002/2003 as required by the Local Government and Housing Act 1989.

**RECOMMENDED:**

**(a) That the Council's overall borrowing limit be £60 million of which not more than £15 million be payable at variable interest rates; and**

**(b) That the Council's short-term borrowing limit be £25 million.**

**162. TREASURY MANAGEMENT STRATEGY FOR THE FINANCIAL YEAR 2002/2003 (REPORT O).**

In accordance with the Council's policy on Treasury Management the Cabinet considered a Treasury Management Strategy for 2002/03.

**RECOMMENDED:**

- (a) *That the borrowing requirement of the Council for 2002/03 be met by raising temporary loans or using temporary surpluses;*
- (b) *That up to £2m of invested set aside capital receipts be used to repay outstanding debt if financially beneficial to the Council;*
- (c) *That the premature repayment of debt be undertaken if financially beneficial to the Council;*
- (d) *That rescheduling and replacement of loans be undertaken if financially beneficial to the Council; and*
- (e) *That full consideration be given to financial advice provided by the Council's treasury consultants.*

**163. LOCAL GOVERNMENT WHITE PAPER STRONG LOCAL LEADERSHIP – QUALITY PUBLIC SERVICES (REPORT P).**

The Local Government White Paper was published in December 2001. It was a major statement of the view of central government on the future role of local government and the way it would be financed.

Whilst the general intentions of the White Paper were welcomed there were still major concerns about the commitment of Central Government to implementing the changes. In particular there were no firm proposals to address the balance of central/local funding.

It was proposed that a seminar be held for all members of the Council to consider further the implications of the White Paper. It was also noted that a programme of member workshops was being arranged over the next few months to brief members on a number of strategic issues.

**RESOLVED:**

- (a) That the White Paper and the opportunity to contribute to the development of its proposals be noted; and
- (b) That a seminar be held for all Members of the Council to consider further its implications.

**164. KEY ACHIEVEMENTS 2001/2002 AND KEY TARGETS 2002/2003 (REPORT Q).**

The Cabinet noted the Council's key achievements over the past year and considered the new targets for the coming 12 months.

**RESOLVED:**

That the Key Achievements and proposals for the original Key Targets be agreed as detailed in Report Q for inclusion in the Best Value Performance Plan subject to:-

**Economy and Planning Portfolio**

Key Target No. 3 be amended to read:-

Respond to the Designation Order for a New Forest National Park and represent the District Council's stated views of a preference for a tailor-made National Park at the public inquiry.

**Finance and Support Portfolio**

Add the following new target:-

To agree with all political groups the level and breadth of management information required by members and establish suitable financial and other reports accordingly.

**Housing Portfolio**

Add the following two new targets:-

- Progress arrangements for developing the reactive maintenance partnership between the Council and its suppliers; and
- Agree an approach to meeting the housing needs of Keyworkers in the District.

**Policy and Strategy Portfolio**

Key Target No. 2 be amended to read:-

2. To continue to develop family friendly and work life balance policies including "right to ask" for flexible working hours.

**165. APPOINTMENTS TO OUTSIDE BODIES.**

**RESOLVED:**

- (a) That, with the exception of the appointment to Lymington Harbour Commissioners, all the vacancies on outside bodies be held over until after the forthcoming by-elections;
- (b) That Mr P Cummings be appointed as the Council's Representative to the Lymington Harbour Commissioners for an interim period until their membership arrangements are reviewed; and

- (c) That consideration be given to members appointed to outside bodies being asked to give an annual update on their particular organisation.

**165. THE QUEEN'S GOLDEN JUBILEE CELEBRATIONS.**

The Cabinet noted a number of issues that had arisen for members of the public who were arranging their own events to celebrate the Queen's Golden Jubilee.

The Council wished to be as supportive as possible to communities seeking to celebrate the Golden Jubilee and offered, in particular, advice on public entertainment licences; road closure orders and associated insurance requirements.

**RESOLVED:**

- (a) That the Council continue to support the community in their arrangements for the Golden Jubilee celebrations;
- (b) That it be noted that the Council has made arrangements with its Insurers to enable Public Liability Insurance to be offered at a favourable reduced rate in respect of applications for Road Closures; and
- (c) That officers continue to seek ways to facilitate members of the public in arranging such celebrations.

**167. EXCLUSION OF THE PUBLIC AND THE PRESS.**

**RESOLVED:**

That, under Section 100 (A)(4) of the Local Government Act 1972, the public and the Press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 8 and 9 of Part I of Schedule 12A of the Act.

**168. TERM CONTRACT FOR HOUSING REACTIVE MAINTENANCE – OPTIONS FOR THE FUTURE (REPORT R).**

The Cabinet considered the current problems being experienced with the operation of the term contract for housing reactive maintenance and possible short and long term solutions.

Mr Birks and Mrs White, Tenants' Representatives, expressed some concern that proposed increase in rates of 10% was too high and the transition from CCT to Best Value principles too rapid.

The Cabinet agreed with the comments in the report that the contract was in need of review and felt that quality could suffer if costs were set too low.

**RECOMMENDED:**

- (a) ***That the rates in the New Forest Schedule of Rates be increased by 10%, and that the date for implementation of the increase be agreed between the Director of Community Services and the Housing Portfolio Holder;***
- (b) ***That the existing term contracts with the existing contractor and New Forest Commercial Services be extended for a further 12 months from 1 July 2002;***
- (c) ***That negotiations and discussions be undertaken with New Forest Commercial Services and the existing contractor with a view to investigating further options for change to the terms and conditions of the current contracts for reactive maintenance; these options to include the possibility of future partnering arrangements for the provision of the service;***
- (d) ***That, in consultation with the Tenants' Representatives, officers commence a review of options available for the delivery of the housing reactive maintenance service from 1 July 2003, to include an assessment of the market place and developing trends at other housing organisations; and***
- (e) ***That a further report on the way forward for housing reactive maintenance in the New Forest be submitted once the outcome of the further discussions are concluded.***

CHAIRMAN

(DEMOCRAT/CB060202/MINUTES.DOC)