

**8 JULY 2002**

**NEW FOREST DISTRICT COUNCIL**

**CABINET**

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Wednesday, 8 July 2002.

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

**Councillors:**

e P C Greenfield  
p J D Heron  
p Mrs M D Holding

**Councillors:**

p B Rickman  
p T M Russell  
p C A Wise

**In Attendance:**

**Councillors:**

K F Ault  
F J Bright  
W R Catt  
F R Harrison  
P E Hickman  
Mrs M Humber

**Councillors:**

G N D Locock  
Mrs M J Robinson  
D N Scott  
N L T Smith  
D B Tipp

**Also In Attendance:**

Mrs P White, Tenant Representative.

**Officers Attending:**

D Yates, N Gibbs, Ms E Malcolm, Mrs P Higgins, D Atwill, Ms J Bateman, and for part of the meeting S Maggs, M Poole, G Tombs and J Ward.

**21. MINUTES.**

**RESOLVED:**

That the minutes of the meetings held on 5 and 17 June 2002, having been circulated, be signed by the Chairman as correct records.

**22. DECLARATIONS OF INTEREST.**

The following members disclosed interests in the under mentioned items:

Cllr Kendal – Minute 23

Cllr Rickman – Minute 29

**23. PUBLIC PARTICIPATION.**

Cllr Kendal declared a personal interest as a County Councillor for the Lyndhurst area. He did not consider his interest to be prejudicial. He remained at the meeting and took part in the discussion.

Mr R Cooper, Minstead Manor Commoners, addressed the Cabinet. Mr Cooper commented that he had recently attended the National Park pre-inquiry meeting and had made representations that, in view of the amount of work that needed to be undertaken in order to present a good case and the fact that the Dibden Bay Inquiry was running in parallel, the National Park Inquiry should be postponed. The Inspector had refused the request saying that the Inquiry should make good progress if it started on 8 October, 2002 and, while some people might be inconvenienced, it was not in the public interest to delay the start date.

Mr Cooper said that the New Forest had been in existence for 900 years and he did not feel that to delay the start of the Inquiry by six months would make much difference. The Commoners were the only body that had a legal interest in the Crown Land and as such should be afforded the opportunity of being given sufficient time to prepare their evidence. The fact that the Dibden Bay Inquiry was happening at the same time meant that their resources were severely stretched and the availability of witnesses for both Inquiries difficult. In addition the summer period was the busiest time for the Commoners.

The Chairman of the Cabinet responded that the Council had strongly objected to the two Inquiries being held concurrently and strongly shared the commoners concerns. A number of members spoke in support of a postponement and agreed that it was unreasonable for the Council, Commoners and other interested bodies to have to cover two of the most important Inquiries to affect the New Forest at the same time.

The Cabinet agreed that the issue of a legal challenge to the Inspector's decision should be considered urgently and a response made direct to Mr Cooper.

**24. HOUSING STRATEGY AND HOUSING REVENUE ACCOUNT BUSINESS PLAN – 2002 HOUSING INVESTMENT PROGRAMME ROUND (REPORT A).**

The Cabinet considered the Housing Strategy and Housing Revenue Account Business Plan. The number of people in Bed and Breakfast had slightly reduced and it was noted that the Portfolio Holder was actively considering more innovative solutions to overcome the problems of homelessness including the possible use of modular units.

The Cabinet noted that in rural villages of less than 3,000 population qualifying tenants were able to buy Council houses. However, tenants of new housing association properties were not able to do this.

It was reported that all the indications were that the Government was recognising the implications for keyworkers and affordable housing in the South East and had set up a special unit to consider the issues. It seemed likely that the Comprehensive Spending Assessment would provide more funding for affordable housing.

In considering the report the Cabinet agreed to a number of minor drafting amendments.

**RECOMMENDED:**

***That the Council's Housing Strategy and HRA Business Plan be adopted on the basis that any changes that may be necessary as a result of the Council meeting be delegated to officers to make in consultation with the Portfolio Holder for Housing.***

**25. LYMINGTON CONSERVATION AREA APPRAISAL (REPORT B).**

The Cabinet considered recommendations regarding the adoption, as supplementary Planning Guidance to the New Forest District Local Plan, of the Lyminster Conservation Area Appraisal.

**RESOLVED:**

That the Lyminster Conservation Area Appraisal, as detailed in Report B to the Cabinet be approved and adopted as supplementary planning guidance.

**26. ROAD TRAFFIC MANAGEMENT (REPORT C).**

The Cabinet considered the report of the Policy and Strategy Portfolio Holder on proposals to consult on the possible introduction of a Road Traffic Management Scheme.

The Portfolio Holder commented that the intention was to seek input into policy development at an early stage from the widest possible audience. The broad framework of traffic management included issues such as decriminalisation; road specific resident parking; costs and possible income. It was important that whatever scheme was introduced was equitable and simple to administer.

In response to questions the Portfolio Holder said that if parking “clocks” were introduced they would be completely transferable between cars. There was a corporate budget available that would be used for the consultation process and it was possible that Hampshire County Council funding could be used. In terms of reporting, the Portfolio Holder acknowledged that while it was important to keep all members informed he was anxious to ensure that any meetings that were held before the consultation process was complete did not confuse the issue. It would be difficult to report constructively to members until the results of the consultation had been analysed and no decisions on the matter would be made until after that process was complete. However, the Portfolio Holder agreed that he would discuss the matter with the Chairmen of the Environment and Economy & Planning Review Panels.

The form that the consultation would take would be agreed between the Policy and Strategy and Economy & Planning Portfolio Holders and officers. The consultation would specifically canvass views on whether residents and visitors should pay the same charges.

It was generally agreed that it would be helpful for members to discuss the options locally as widely as possible.

**RESOLVED:**

That a process of consultation be progressed over the possible introduction of a Road Traffic Management Scheme as set out in Report C to the Cabinet.

**27. RACE EQUALITY SCHEME (REPORT D).**

The Race Relations Amendment Act 2000 required all public authorities to adopt a Race Equality Scheme and the Cabinet considered a draft Scheme for the Council for 2002.

**RESOLVED:**

That the Race Equality Scheme 2002 as detailed in Report D to the Cabinet be approved.

**28. EMPLOYEE AND CIVIC CATERING – BEST VALUE (REORT E).**

The Cabinet considered a report setting out options for the future of this service.

**RESOLVED:**

- (a) That the existing catering arrangements at Appletree Pantry be replaced by a Deli Bar service;

- (b) That the streamlining of the Hospitality catering service as outlined in Report E to the Cabinet be agreed;
- (c) That the protocol for member catering as set out in Appendix 1 to Report E be agreed; and
- (d) That the principle of an equitable catering provision for all Council employees be agreed.

**29. NEW FOREST CATERERS – PROPOSALS FOR BAR AND CAFÉ CLOSURE (REPORT F).**

Cllr Rickman declared an interest in this item in that his wife was a regular user of Lymington Recreation Centre. He did not consider his interest to be prejudicial. He remained at the meeting, took part in the discussion and voted.

The Cabinet considered a report evaluating the benefits of the current café and bar provision in recreation centres and discussed the future options for the service.

**RESOLVED:**

- (a) That the following actions in respect of each of the bars and cafés at recreation centres be agreed:
  - (i) Totton Recreation Centre  
Integrate the bar and cafeteria areas to effectively enlarge the size of the cafeteria with the bar servery area being converted into storage. The cost can be contained within existing budgets. Bar to close with immediate effect after the Swimming Club have been given due notice.
  - (ii) Applemore Recreation Centre  
Conversion of the Café to a Soft Play Centre with Party Rooms and conversion of the Bar and Servery to office accommodation. Bar to close with immediate effect after giving reasonable notice to any Clubs who still make use of the facility.
  - (iii) Ringwood Recreation Centre  
Final proposals to come forward as part of this year's expenditure plan process, in the meantime the area to be used as a general activity and social area. Bar to close with effect from 1 September 2002, with due notice being given to any Clubs who still make use of the facility.
  - (iv) New Milton Recreation Centre  
Integrate the cafe and bar areas as part of the new Gym extension and to also create a Flexible Children's Party/Meeting space. Bar to close last with effect from 1<sup>st</sup> October 2002 with due notice given to any Clubs who are still making use of the facility.

- (v) Lymington Recreation Centre  
Use money from the Primary Care Trust to equip a 20 station gym in the Café area. Cafeteria to close with immediate effect, subject to consultation with the local community and Town and Parish Council who raised funds for the provision of the social facility.
- (b) That all current liquor licences be retained, to enable alcohol to be provided at special events if required.

**30. PROPOSED PORT DEVELOPMENT AT DIBDEN BAY – PUBLIC INQUIRY (REPORT G).**

The Cabinet considered a report detailing the reasons for the additional funding that was required for the Dibden Bay Public Inquiry.

**RECOMMENDED:**

***That an additional sum of £235,000 be approved towards the costs of the Public Inquiry to be financed by General Fund outturn savings from 2001/02, as highlighted in Minute 31 below.***

**31. FINANCIAL STRATEGY 2003/2006 (REPORT H).**

The Cabinet reviewed the Council's rolling financial strategy in order to make recommendations to establish a financial framework for the next four years.

The Cabinet noted that the proposed additional funding of £235,000 as detailed in paragraph 12.5 of the report was in respect of the Dibden Bay Public Inquiry.

**RECOMMENDED:**

- (a) ***That the Financial Strategy contained in paragraph 10 of Report H to the Cabinet be approved;***
- (b) ***That the Expenditure Planning guidelines contained in paragraph 10 of Report H to the Cabinet be approved;***
- (c) ***That the timetable for the Expenditure Planning and Budget Setting Process be approved;***
- (d) ***That the provisional position regarding the 2001/2002 General Fund Revenue Outturn be noted; and***
- (e) ***That the increase of the provision in respect of the Dibden Bay Public Inquiry in the sum of £235,000 be approved.***

**32. COMPLIANCE WITH THE DATA PROTECTION ACT 1998 (REPORT I).**

Following a review recently undertaken by the District Auditor the Cabinet considered a response to the recommendations that had been made in respect of the Data Protection Act 1998.

**RESOLVED:**

- (a) That the current reporting arrangements and responsibilities for Data Protection as set out in Report I to the Cabinet be approved;
- (b) That the Data Protection Policy at Appendix 2 to Report I to the Cabinet be approved;
- (c) That the introduction of a £10 fee for each and every subject access request under the Data Protection Act be approved;
- (d) That the charging of the actual cost of requests for images of CCTV footage where individuals insist on requiring an electronic copy in either DVD / CD or videotape format be approved; and
- (e) That the progress made to date against the action plan included at Appendix 1 to Report I be noted.

**33. BUILDING REGULATION CHARGES (REPORT J).**

The Cabinet reviewed the fee income and corresponding expenditure of the Building Regulation charge account together with recommendations on future levels of charges for the 12 month period from 1 October, 2002, and suggestions for changes in service delivery using surplus income.

**RESOLVED:**

- (a) That the Charges Statement as set out in Appendix 2 to Report J be agreed;
- (b) That the introduction from the 1<sup>st</sup> October 2002, of an increase in charges for domestic extensions and alterations as set out in Table 1 of Appendix 3 to Report J, which will increase income levels by approximately £7,500 be agreed;
- (c) That the level of charges as shown in Tables 2 & 3 of Appendix 3 to Report J remain unchanged;
- (d) That irrespective of the level of charges for commercial work as detailed in Table 3 of Appendix 3 of Report J, a negotiated fixed price tendering strategy be applied to commercial work when open competition is invited; and

- (e) That plan check consultants be employed at a cost of £28,000, which can be funded from anticipated income.

**34. PLANNING ENFORCEMENT – POLICY GUIDANCE (REPORT K).**

This report was withdrawn and would be considered at a future date.

**35. DISTRICT LOCAL PLAN – REPORT OF ECONOMY AND PLANNING REVIEW PANEL (REPORT L).**

The Cabinet considered a report from the Economy and Planning Review Panel.

The Economy and Planning Portfolio Holder commented that he had written to the Chairman of the Economy and Planning Review Panel in the following terms:

“As part of the process of the Review of the District Local Plan, all members of the Council, and in particular members of the Review Panel and representatives of the political parties have been invited to submit any proposals that they believe to be relevant to the review.

To date, a number of proposals and comments have been received from individual members and officers and these are presently being evaluated by the Portfolio Holder who will initially submit a report to Cabinet for consideration and then to the Review Panel for their scrutiny.

It is anticipated that the review will be completed within the 6 months timeframe originally suggested.”

A member stated that he had received comments on various items contained in the Local Plan. The Economy and Planning Portfolio Holder stressed that any such comments should be passed to him as soon as possible in order that they could be considered as part of the review.

**RESOLVED:**

That the Portfolio Holder’s response to the concerns of the Economy and Planning Review Panel be supported.



**36. REVISION OF CORPORATE COMPLAINTS PROCEDURE (REPORT M).**

The Cabinet considered a revised Corporate Complaints procedure.

Mr McGeorge, New Forest Mediation addressed the Cabinet. Mr McGeorge commented that he thought that it would be helpful in level one complaints for a mediation service to be available to a complainant when appealing to a director. He was of the view that this would be favourably received by complainants and in the long term would be of benefit to the Council.

The Cabinet noted that whilst this suggestion might be useful in complaints of a particularly complex nature, it would not necessarily be helpful to introduce it at the first stage of every complaint.

**RESOLVED:**

- (a) That the revised corporate complaints procedure as shown in Appendix 1 to Report M be approved; and
- (b) That consideration be given to using mediation services in complex cases if necessary.

**37. DELEGATED AUTHORITY.**

**RESOLVED:**

That authority be delegated to the Economic Development Officer and the Leader+ Programme Manager, to approve Leader+ Projects as being in conformity with EU Regulations (and reject those not so conforming) for the Leader+ Programme and to issue offer and refusal letters (as appropriate) in respect of grant funding.

**38. APPOINTMENTS TO LEADER+ PROGRAMME DECISION MAKING GROUP.**

**RESOLVED:**

That the Economy and Planning Portfolio Holder and the member appointed to the New Forest Committee be appointed to sit on the Leader+ Decision Making Group.

CHAIRMAN