

7 AUGUST 2002

NEW FOREST DISTRICT COUNCIL

CABINET

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Wednesday, 7 August 2002.

e Cllr S A Hayes (Chairman)
p Cllr M J Kendal (Vice-Chairman) (in the Chair)

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:

p K F Ault
p W R Catt
p B D Dash

Councillors:

p R C H Hale
p Mrs M Humber

Also In Attendance:

Mrs P White, Tenant Representative

Officers Attending:

D Yates, Ms E Malcolm, C Malyon, Ms J Bateman, Mrs P Higgins and Ms A Righton and, for part of the meeting, A Bradbury.

39. MINUTES.

RESOLVED:

That the minutes of the meeting held on 8 July 2002, having been circulated, be signed by the Chairman as correct record.

40. DECLARATIONS OF INTEREST.

The following members disclosed interests in Minute No. 48:-

Cllrs Ault, Catt, Dash, Hale, Holding, Heron, Kendal, Rickman, Russell and Wise.

41. PUBLIC PARTICIPATION.

No issues were raised during the public participation period.

42. HIGHWAYS AGENCY : MANAGEMENT OF TRAFFIC REGULATION (REPORT A).

The Cabinet considered an offer from Hampshire County Council for the District Council to carry out the traffic regulation function. The basis of the County's offer was that the service currently provided by NFDC and HCC should continue at the same level of funding.

RESOLVED:

- (a) That the offer made by the County Surveyor in his letter dated 20 May 2002 be accepted subject to the approval of the formal agency agreement; and
- (b) That the expenditure plan bid of £17,000 previously identified be reduced to £10,000.

43. SOUTH EAST STRATEGIC REGIONAL COASTAL MONITORING PROGRAMME – RESOURCE PLAN (REPORT B).

The Cabinet considered a report seeking agreement to detailed proposals for the management and resources for the South East Regional Coastal Monitoring Programme.

Members congratulated officers for the work undertaken in pursuit of this programme.

RESOLVED:

That approval in principle be given to proceed with establishment of the Channel Coastal Observatory and recruitment of appropriate fixed term staff, subject to Department of Environment, Food and Rural Affairs scheme approval and funding.

44. ALLOCATION OF LOCAL AUTHORITY SOCIAL HOUSING GRANT (LASHG) – ELM AVENUE, NEW MILTON (REPORT C).

The Cabinet considered a report seeking approval to the principle of "earmarking" LASHG funding from 2003/04 for a scheme to provide 14 dwellings for affordable rent in Elm Avenue, New Milton.

RESOLVED:

- (a) That the offer from Swaythling Housing Society to forward fund a scheme to provide 14 dwellings for affordable rent in Elm Avenue, New Milton be accepted, subject to LASHG being available in 2003/04 and no Housing Corporation funding being allocated through 2002/03 pre-allocations or the 2003/04 Approved Development Programme; and
- (b) That LASHG funding totalling £480,520 be allocated in 2003/04 to Swaythling Housing Society to support the scheme.

45. DELEGATION OF POWERS TO OFFICERS : ANTI-SOCIAL BEHAVIOUR ORDERS (ASBO's) AND ACCEPTABLE BEHAVIOUR CONTRACTS (ABC's) (REPORT D).

The Cabinet considered proposals to delegate powers to officers to enter into ABC's and apply to the courts for ASBO's.

There had been 37 referrals to the Acceptable Behaviour Contracts Co-Ordinator in the last year. 32 of these had been juvenile and 5 had been adult. There were 4 current ABC's with a 5 further pending. Members asked that they be kept up to date on problems that occurred within their local areas. It was pointed out that whilst information relating to individuals could not be disclosed as it may be sub judice, officers would take legal advice and disclose to members as much information as possible.

The Cabinet agreed that in order to maintain consistency and develop expertise all Acceptable Behaviour Contracts should be counter-signed by either the Director of Community Services; the Assistant Director (Environmental Health) or the Acceptable Behaviour Contracts Co-Ordinator. This would also enable monitoring of the contracts.

In response to a question members were informed that ASBO's and ABC's were proving very successful and so far there had only been one case where further difficulty had arisen.

Members were pleased to note that the way in which NFDC was dealing with this initiative, through the appointment of an Acceptable Behaviour Contracts Co-Ordinator, was now being championed nationally as best practice and other authorities were being encouraged to follow this Council's lead.

RESOLVED:

That powers to act be delegated to officers as set out in Appendix 1 to these minutes.

46. FINANCIAL REPORT FOR THE PERIOD APRIL 2002 – JUNE 2002 (REPORT E).

The Cabinet considered the forecast budget variations of all Portfolios and Committees from the approved original estimates for 2002/03.

It was reported that most of the variations highlighted were as a result of accounting changes and future reports would be modified to clarify this point. Members noted that the capital expenditure of £22,000 for Lymington Quay Wall and surfaces and £113,000 for Regional Monitoring would be funded by additional external resources. However, they expressed some concern at the additional £42,000 capital expenditure proposed for Principal Environment Enhancements to Lymington Quay. It was agreed that officers would go through the detail of this particular item with the Environment and Economy & Planning Portfolio holders.

Members discussed the reduced estimates of income generated from pest control. As this was the first year that there had been a charge for this service it was difficult to estimate what the take up would be.

RECOMMENDED:

- (a) ***That approval be given to capital expenditure of £22,000 for Lymington Quay Wall and surfaces and £113,000 for Regional Monitoring both of which will be covered by additional external resources; and***
- (b) ***That approval be given to additional capital expenditure of £42,000 for Principal Environmental Enhancements to Lymington Quay.***

RESOLVED:

- (c) That the revised General Fund budget as set out in Appendix 1 to report E be approved; and
- (d) That the revised capital expenditure as set out in Appendix 2 to report E be approved subject to those items reserved to Council as set out above.

47. ASSET MANAGEMENT PLAN AND CAPITAL STRATEGY – SUBMISSION OF PLANS FOR 2002/03 (REPORT F).

The Cabinet considered the Capital Strategy and Asset Management Plan for 2002/03 which the Council was required to submit to GOSE by 31 July 2002.

RECOMMENDED:

That the Capital Strategy and Asset Management Plan attached to Report F to the Cabinet and as circulated separately to all members of the Council be approved.

48. COUNCILLOR NOTIFICATION UNDER THE DATA PROTECTION ACT 1998 (REPORT G).

Cllrs Ault, Catt, Dash, Hale, Heron, Holding, Kendal, Rickman, Russell and Wise all declared personal interests in this item in that they might receive reimbursement from the Council of the cost of notification under the Data Protection Act 1998. None of the members considered their interest to be prejudicial and they remained at the meeting.

Cllrs Heron, Holding, Kendal, Rickman, Russell and Wise took part in consideration of the item and voted. Cllrs Ault, Catt, Dash and Hale did not have a vote.

The Cabinet considered a report seeking approval for the Council to reimburse members the cost of notification under the Data Protection Act.

Members discussed what information had to be supplied to the Information Commissioner and to individuals and at what stage. Members also enquired if it were possible to make a charge for information provided by them. It was agreed that further guidance would be sent to members separately.

RESOLVED:

That the cost of annual notification with the Information Commissioner by NFDC members be reimbursed by NFDC on submission of a confirmation of notification letter from the Information Commissioner.

CHAIRMAN

(DEMOCRAT/CB070802/MINUTES.DOC)

APPENDIX 1

Source	Power Delegated	Delegation to
Local Government Act 2000, s.15	To sign Acceptable Behaviour Contracts	Assistant Director (Environmental Health), or Assistant Director (Housing Landlord Services), or Assistant Director (Housing Strategic Services), or Senior Environmental Health Manager (Environmental Protection), or Housing Improvement Manager, or Environmental Health Manager (Commercial), or Senior Environmental Health Officers, or Environmental Health Officers, or Acceptable Behaviour Contracts Co-Ordinator, or the Community Safety Officer, or Housing Estates Manager, or Senior Housing Officer, or Housing Officers, or Head of Legal & Democratic Services or Solicitors <i>subject to</i> the contracts being counter signed by either the Director of Community Services; Assistant Director (Environmental Health) or the Acceptable Behaviour Contracts Co-Ordinator.
Crime and Disorder Act 1998, s1	To apply for an Anti-Social Behaviour Order	Head of Legal & Democratic Services, or Solicitors, in consultation with Director of Community Services, or Assistant Director (Environmental Health), or Assistant Director (Housing Landlord Services), or Assistant Director (Housing Strategic Services), and in consultation with the Chief Officer Hampshire Constabulary