

3 DECEMBER 2003

NEW FOREST DISTRICT COUNCIL

CABINET

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Wednesday, 3 December 2003.

p Cllr M J Kendal (Chairman)
p Cllr B Rickman (Vice-Chairman)

Councillors:

p G C Beck
e P C Greenfield
p J D Heron

Councillors:

p Mrs M D Holding
p M H Thierry
p C A Wise

In Attendance:

Councillors:

K F Ault
F R Harrison
G J Parkes
B M F Pemberton
L R Puttock

Councillors:

Mrs M J Robinson
D N Scott
Mrs S I Snowden
J G Ward
P R Woods

Officers Attending:

D Yates, N Gibbs, C Malyon, Ms J Bateman, C Elliott, Miss G O'Rourke and J Ward and for part of the meeting N Frost.

Also in attendance:

Mr M Bowers and Mr M Robinson, District Audit (for Minute No. 92).

81. DECLARATIONS OF INTEREST.

No declarations of interest were made by any members in connection with any agenda item.

82. PUBLIC PARTICIPATION.

No issues were raised during the public participation period.

83. HIGHWAYS AGENCY : HIGHWAYS DEVELOPMENT CONTROL (REPORT A).

Hampshire County Council has reviewed its current arrangements and decided to implement a number of service changes. They have decided to withdraw the Agency Agreement for Section 38 Agreements but have invited NFDC to continue to carry out elements of the highways development control function.

The Cabinet noted that there would be some benefits in retaining the function but there was a need to look strategically at the services that the Council provided. There would be costs to the Council whichever option was chosen.

Members noted that NFDC would retain a strategic transportation function and through this it would be possible to provide a level of advice on highway matters to the Planning Development Control Committee on the same basis as at present.

After discussion, and on balance, the Cabinet agreed that the Council should not retain the highways development control function. They noted that all the staff currently involved in this work at NFDC would transfer under the TUPE regulations to Hampshire County Council.

RESOLVED:

- (a) That the offer made by HCC be rejected;
- (b) That a bid of £50,000 be included in expenditure plans for 2004/05 on the assumption that residual costs will be reduced to this level by 31 March 2004 and that every effort will be made to reduce the remaining residual costs; and
- (c) That the Director of Resources be authorised to negotiate with HCC regarding the transfer of Section 38 fee income to HCC in respect of developments where the roads are not adopted by 31 March 2004.

84. SUPPLEMENTARY PLANNING GUIDANCE – CONSERVATORY DESIGN GUIDE (REPORT B).

The Cabinet considered the adoption, as supplementary planning guidance to the New Forest District Local Plan, of the Conservatory Design guidance. The design guide, and the representations made following public consultation, were considered by the Economy and Planning Review Panel at their meeting on 19 November. The Panel supported the recommendations with the addition of some further wording in relation to the location of conservatories in relation to heat gain.

RESOLVED:

- (a) That the Conservatory Design Guide as attached at Appendix 2 to report B to the Cabinet be approved and adopted as Supplementary Planning Guidance to the New Forest District Local Plan subject to the addition of the following wording:

Design Sheet 1 – Location and Size

“The location of a conservatory will lead to some fundamental decisions about its design in relation to heat gain if it is to be ensured that the building is usable all year round.”

- (b) That the response of the District Council to the representations received during the public consultation exercise be as detailed in Appendix 1 to report B to the Cabinet.

85. EXPENDITURE PLAN CONSULTATION (REPORT C).

The process and the timetable for the Expenditure Plans for 2004/2005 was included in the Financial Strategy approved by the Council in July 2003. The timetable included consultation with all review panels and committees during November. The Cabinet considered the comments arising from those meetings.

In discussing the issues the Leader of the Council updated members on proposals that would come before the Council in January in relation to the amount of Council Tax that could be charged on second homes. As the billing authority it would be for this Council to determine the level of discounts to be applied to second homes. As the County Council were the main benefactor, this Council would be working with them to ensure the maximum benefit to the local community.

RECOMMENDED:

- (a) ***That the fees and charges as set out in Appendix 1 to Report C to the Cabinet be approved; and***
- (b) ***That the transfer of responsibility for grants for Citizens' Advice Bureaux and Community First from the Leisure Portfolio to the Finance and Support Portfolio be approved.***

RESOLVED:

That the comments made by the Panels and Committees be noted.

86. HEALTH BEST VALUE REVIEW (REPORT D).

The Cabinet considered the Health Best Value Review which was the second cross-cutting review undertaken by the Council. The aim of the review was to look at the daily work that the Council carried out across all directorates and with partners to improve the health of local people. The results of the review were very favourable towards the Council. The Health and Social Inclusion Portfolio Holder congratulated Neil Frost, Health Policy Development Manager, for his hard work in undertaking the review.

In particular members commented on the Participatory Needs Assessment (PNA) work that had been carried out in areas of the district, and the need to evaluate the resources necessary to provide ongoing support, when the PNA process was completed.

RESOLVED:

That, subject to budgetary considerations, the 5-Year Improvement Plan be approved.

87. FINANCIAL REPORT – FORECAST FULL YEAR AND ACTUAL FOR THE PERIOD APRIL 2003 – OCTOBER 2003 (REPORT E).

The Cabinet considered the forecast budget variations of all portfolios and committees from the approved original estimates for 2003/2004.

RECOMMENDED:

That the following supplementary estimates be approved:

General Fund

- £35,000 income shortfall in Tourism
- £45,000 reduction in interest earnings

Capital

- £116,000 for Fawley Village Centre, (to be funded by external grant)

Housing Revenue Account

- £58,000 for Reactive Maintenance

RESOLVED:

- (a) That, subject to approval of the above supplementary estimates, the revised General Fund budget, the revised capital expenditure and the revised Housing Revenue Account as set out in Appendices 1, 2 and 3 of report E to the Cabinet be approved;

- (b) That the financial position of Commercial Services as set out in report E to the Cabinet be noted; and
- (c) That the actual expenditure to profiled budget positions of the General Fund and Housing Revenue Account as set out in Appendices 1 and 3 of report E to the Cabinet be noted.

88. LYMINGTON RECREATION CENTRE SPORTS HALL – STORE FUNDING ARRANGEMENTS (REPORT F).

The Cabinet considered a request for virement to enable a new storage area to be constructed at Lyminster Recreation Centre Sports Hall.

RECOMMENDED:

That a sum of £23,000 (currently allocated in the 2003/2004 capital programme for the replacements of the swimming pool heating pump and heat transfer coil at Lyminster Recreation Centre) be vired to fund the construction of the sports hall store at the same centre.

89. TESTWOOD SCHOOL – SYNTHETIC TURF PITCH PARTNERSHIP FUNDING (REPORT G).

Testwood School has been identified as the school to bid for the Specialist Sports College status for the New Forest District. As part of the scheme the school need to raise £50,000 towards a capital scheme to install a synthetic turf pitch. The Cabinet therefore considered a request for a partnership loan to the school to enable them to release the funding that the programme delivers.

RECOMMENDED:

That a bid of £50,000 be submitted as part of the 2003/2004 expenditure plan process, as a partnership loan to Testwood School, on the basis detailed in report G to the Cabinet.

90. PROPOSED NEW FOREST NATIONAL PARK : ARRANGEMENTS FOR PLANNING DEVELOPMENT CONTROL (REPORT H).

The Cabinet considered the suggested arrangements for planning development control in the proposed New Forest National Park. Members noted that the Economy and Planning Review Panel had supported the recommendations as set out in report H to the Cabinet and in addition had proposed the following amendment:

“That in the event that any other district council local planning authority does not wish to carry out a delegated development control function for their area within the National Park, then New Forest District Council should offer also to do this on behalf of the National Park Authority.”

The Economy and Planning Portfolio Holder said that whilst he still believed that the unique circumstances of the New Forest made the option of a standard National Park model wholly unsuitable, the Council must be prepared. The comment of the Economy and Planning Review Panel was a pragmatic response to the current situation.

Overall the Portfolio Holder supported the recommendations contained in the report and said that, should a standard National Park be imposed upon the Council, then working with the new authority would create the best opportunity for NFDC to continue to achieve its corporate priorities such as the provision of affordable housing. The proposed arrangements in relation to planning development control would provide the best option to negotiate for the electorate.

In relation to the Joint Local Authorities Member Steering Group the Cabinet agreed that, in view of the strategic nature of the business that the Group would be undertaking, the additional representatives from this Council should, in the first instance, be members of the Cabinet.

RESOLVED:

That, subject to the comment that the Council continues to favour the establishment of a tailor made National Park, preferring to have none at all rather than a standard version, and in the event that the Secretary of State decides to agree a National Park designated under the act:-

- (i) That the work of the technical officers' group on developing an outline scheme for the delegation of development control within a New Forest National Park be welcomed;
- (ii) That New Forest District Council confirms that in principle this Council strongly supports the principle of delegation of development control to existing local planning authorities within a New Forest National Park;
- (iii) That officers be instructed to continue to work in a technical group with colleagues from other local planning authorities in order to develop a detailed and costed scheme that can be put as a proposal to any newly formed National Park Authority as a practicable and efficient way in which to carry out the planning development control function within the special circumstances of the New Forest;
- (iv) That the Chairman of the Planning Development Control Committee, the Economy and Planning Portfolio Holder and the Leisure Portfolio Holder be appointed to a joint local authorities Member Steering Group to oversee the work of the technical officers group. In the event of a deputy being required, in the first instance another member of the Cabinet should attend, or failing that, the Leader of the Opposition be asked to nominate a deputy to attend;

- (v) That DEFRA be informed of this decision and be kept informed of progress in developing the delegation scheme; and
- (vi) That in the event that any other district council local planning authority does not wish to carry out a delegated development control function for their area within the National Park, then the New Forest District Council should offer also to do this on behalf of the National Park Authority.

91. APPOINTMENTS TO OUTSIDE BODIES.

RESOLVED:

That the following appointments be made:-

Dorset New Forest Tourism

Cllr Puttock (in place of Cllr Woods)

Totton College Board of Governors

Cllr Hibbert (be nominated in place of Mr N Miller)

New Forest Tourism Association Management Committee

Cllr Beck (in place of Cllr Heron) (deputy – vacancy)

Crime and Community Safety Action Group

Cllr Beck (in place of Cllr Heron)

Local Government Association Coastal Issues Special Interest Group

Cllr Heron (in place of Cllr Russell)

Lymington Coastal Area Joint Management Committee and Coastal Advisory Panel

Cllr Heron (in place of Cllr Russell)

New Forest Committee

Cllr Heron as deputy (in place of Cllr Russell)

New Forest Road Safety Council

Cllr Beck (in place of Cllr Heron)

92. ANNUAL AUDIT LETTER 2002/2003 (REPORT I).

Each year the Council received an Audit letter summarising the work undertaken by the District Auditor for the preceding year.

Mr M Robinson and Mr M Bowers from District Audit addressed the Cabinet and summed up the salient points of the review. The Annual Audit letter complimented the Council on its sound financial standing and described its revenue and budget setting processes as well developed with its reserves being actively managed. Overall the picture was one of satisfaction with no major issues to raise.

RESOLVED:

That the Annual Audit Letter for 2002/2003 be noted.

CHAIRMAN

(DEMOCRAT/CB031203/MINUTES.DOC)