

**3 NOVEMBER 2004**

**NEW FOREST DISTRICT COUNCIL**

**CABINET**

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Wednesday, 3 November 2004

- 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:**

- C Baker
- W H Dow
- Mrs L C Ford
- F R Harrison
- Mrs M Humber
- R J Neath
- G J Parkes
- B M F Pemberton

**Councillors:**

- L R Puttock
- Mrs M J Robinson
- Mrs S I Snowden
- D B Tipp
- S S Wade
- J G Ward
- P R Woods

**Also In Attendance:**

Mrs P White and Mrs A Murphy, Tenants' Representatives.

**Officers Attending:**

D Yates, N Gibbs, C Malyon, J Mascal, Ms J Bateman and Miss G O'Rourke and for part of the meeting Mrs R Drummond, R Millard, M Powell and Ms A Righton.

**67. MINUTES.**

**RESOLVED:**

That the minutes of the meeting held on 6 October 2004, having been circulated, be signed by the Chairman as a correct record.

**68. DECLARATIONS OF INTEREST.**

Cllr Robinson declared an interest in minute no. 75

**69. PUBLIC PARTICIPATION.**

No issues were raised during the public participation period.

**70. HEALTH AND LEISURE CENTRES OPERATING DEFICIT – SUPPLEMENTARY ESTIMATE (REPORT A).**

The Cabinet considered the detail of a supplementary estimate of £87,000 required for 2004/05 to cover a continuing shortfall in income at Ringwood and Totton Health and Leisure Centres. The Cabinet also considered a request for an expenditure plan bid of £53,000 for 2005/06 in respect of an increase in the net operating costs for Health and Leisure Centres.

***RECOMMENDED:***

***That a supplementary estimate of £87,000 for the current financial year 2004/05 be approved.***

**RESOLVED:**

That an expenditure plan bid of £53,000 be made for 2005/06 in respect of an increase in net operating costs for the Health and Leisure Centres.

**71. EXPENDITURE PLAN PROPOSALS/FEES AND CHARGES (REPORT B).**

The Cabinet considered the expenditure plan proposals together with suggested fees and charges for the coming financial year. All review panels and committees would be considering the detail of the proposals at their next meeting and would be reporting back to the Cabinet in December.

In discussing the report the Finance and Support Portfolio Holder said that whilst it was recognised that there would be a financial impact over the coming years as a result of National Park status, this had not yet been quantified and was not included in the proposals. He said that as a result of central government changes relating to the withdrawal of social housing grant and the retention of housing receipts, the proposals showed a projected fall in resources and a consequent fall in interest income.

The Portfolio Holder encouraged review panels to look closely at all the proposals but to give particular attention to fees and charges. He was of the view that the Council needed to be considering an 8% increase overall in this area.

The Portfolio Holder said he would be happy to discuss the proposals with the employee side and would attend each review panel.

Members noted that the final Government grant settlement would not be available until nearer the end of November. However a 1½% increase had been assumed as part of the proposals. In previous years there had been a significant contribution of funding of capital through reserves and steps were now being taken to provide for an on-going programme funded from revenue. The Council had now agreed a pay settlement in line with the national agreement of 2.75% in 2004/05 with 2.95% in the next two years.

Members were also advised of the consequences of the 'gearing effect' that meant every % increase in net expenditure led to double the % increase in council tax.

The Cabinet discussed the effect that the Gershon report into local authority procurement would have on expenditure plan proposals in future years. Whilst the detail was still to be clarified it appeared that it would result in a reduction in government grant in future years and the setting of efficiency targets.

Members discussed a number of other issues including the difficulty in funding provision for new homes, and the consequent impact this would have on the homeless, since the income from 'Right to Buy' had ceased. In the light of possible capping of council tax it might be that the only way to fund such statutory functions would be to reduce other services.

**RESOLVED:**

- (a) That the items contained in the Expenditure Plan proposals as detailed in the Appendices to report B to the Cabinet be noted;
- (b) That the Expenditure Plan proposals be considered by the relevant review panels and any comments arising from them be fed back to the December Cabinet meeting; and
- (c) That further work continues in order to identify ways of reducing net expenditure.

**72. FREEDOM OF INFORMATION ACT – ACCESS TO INFORMATION POLICY (REPORT C).**

The Cabinet considered an Access to Information Policy for the Council together with delegations in support of the Freedom of Information Act 2000. The Act established a right for any person on making a request to a public authority, to have access to information held by that authority.

Members noted that the Act provided for separate Fee Regulations to be made and these were due to be laid before Parliament shortly. It was likely that a minimum cost would be set below which information would have to be supplied free. Reimbursement of costs to local authorities would be through the Revenue Support Grant.

It was agreed that appropriate retention and destruction guidelines for information held by members were also required.

**RECOMMENDED:**

- (a) ***That the policy for handling requests for information, attached as an appendix to report C to the Cabinet, be approved;***
- (b) ***That the Assistant Director of Resources (Financial Services) be authorised to amend the policy from time to time, and to decide the fees for dealing with requests for information in consultation with the Portfolio for Finance and Support when the fee regulations become available;***
- (c) ***That the Chief Executive and the Head of Legal and Democratic Services be authorised to determine appeals against decisions made to refuse requests for information under the Act;***
- (d) ***That Heads of Services be authorised to make decisions to grant or refuse requests for information under the Act; and***
- (e) ***That the Head of Legal & Democratic Services in consultation with the political group leaders devise appropriate retention and destruction guidelines for information held by Councillors that may be subject to disclosure under the Freedom of Information Act.***

**73. SMOKING POLICY – DIBDEN GOLF CENTRE (REPORT D(i)).**

The Cabinet considered a report evaluating the effects, on employees and income, of a smoking ban at Dibden Golf Centre. After discussion members agreed an amendment to one of the options proposed in the report. Arrangements would be made to ensure that smoking was only allowed to take place in one specifically designated area and that access to the non smoking area would not be through the smoking area.

**RECOMMENDED:**

- (a) ***That smoking by employees be banned in line with the proposed policy;***
- (b) ***That the Council complies with category 3 of the ‘Breathe Inn’ standard that it promotes to the wider community; and***
- (c) ***That smoking by customers only be allowed in a specifically designated smoking lounge with the ban becoming fully effective by October 2005 once the Council’s current booking commitments have expired.***

**74. SMOKING POLICY – NFDC PREMISES.**

The Cabinet considered the adoption of a policy of no smoking on Council premises.

The Health and Social Inclusion Portfolio Holder said that the Industrial Relations Committee had also considered the proposal and had supported the introduction of a smoking ban applied across the whole Council.

Following discussion members agreed that further consideration should be given to the advantages and disadvantages of providing a shelter in the grounds of NFDC premises to accommodate smokers. Members also said that there was a public perception issue and it was confirmed that the no smoking policy would also apply to all employees undertaking their normal duties outside of NFDC premises when in view of the public.

**RECOMMENDED:**

***That the policy attached at Appendix 1 to report D(ii) to the Cabinet be adopted.***

**75. RECOMMENDATIONS FROM CRIME AND DISORDER REVIEW PANEL (REPORT E).**

Cllr Mrs Robinson declared a personal interest in this matter as a member of Hythe and Dibden Parish Council. She did not consider her interest to be prejudicial. She remained at the meeting and took part in the discussion. She did not have a vote.

The Cabinet considered recommendations from the Crime and Disorder Review Panel in relation to the Community Wardens project.

The Crime and Disorder Portfolio Holder acknowledged the meticulous research and work that the Review Panel had carried out. He said that it demonstrated how a dedicated cross party group could operate and should be an example of the way the Council should work in the future.

He said that since the Cabinet first asked the Review Panel to look at the options, events had moved on. HCC had now introduced a Community Safety Officer scheme. The Police were also considering introducing their own scheme. This together with the difficult financial climate that the Council again found itself in meant that the situation needed to be reviewed.

The Portfolio Holder said that it was the Council's wish to work closely with partners and he did not feel it would be in the Council's best interest to continue to look at providing a wholly separate Community Warden service. He said that it would be more constructive to use the Council's funds to secure additional services from

HCC and the Police. These services could be negotiated to serve the Council's strategic objectives in "Heart of the Forest" not just those in the County Safety Strategy. The Crime and Disorder Review Panel should then carry out a six-month review before the Council decided on the future of their own Community Warden Scheme.

The Chairman of the Crime and Disorder Panel said that the project group had worked hard in bringing forward the proposals as requested by the Cabinet. He was of the view that NFDC should proceed with a pilot project and that a bid for funding should be made as part of the expenditure plan proposals.

The Cabinet joined the Crime and Disorder Portfolio Holder in praising the Review Panel for the work they had carried out. The Chairman said that originally the Council had looked to use a proportion of the funding raised by HCC and the Police from Council Tax on second homes to fund NFDC's Community Warden Scheme. Those bodies were now providing their own schemes and he agreed it would not be sensible at this time to provide yet another different scheme. It would be better to see what advantages could be gained for the District by partnering with HCC and the Police.

**RESOLVED:**

- (a) That the comments of the Crime and Disorder Panel in relation to the role and functions of community wardens and the recommended options for the way forward be noted and considered in due course as part of the expenditure plan process; and
- (b) That officers continue discussions with Hampshire County Council with a view to considering what added value NFDC could bring to the County Council's proposals in order to provide a unified service within the district.

**76. 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.

**77. DIBDEN GOLF CENTRE – EXTENSION OF PROFESSIONAL SERVICES (REPORT F).**

The Cabinet considered the options available to the Council in respect of the professional services contract at Dibden Golf Centre that expired on 31 December 2004.

**RESOLVED:**

- (a) That discussions be entered into, in accordance with Standing Orders, with the Professionals at Dibden Golf Centre with a view to negotiating an extension of the contract for professional services at Dibden Golf Centre; and
- (b) That the negotiations include the length of the extension to any contract; the level of investment by any professionals; additional duties that could be performed by the professionals and the payment by the Council.

CHAIRMAN

(DEMOCRAT/CB031104/MINUTES.DOC)