

2 FEBRUARY 2005

NEW FOREST DISTRICT COUNCIL

CABINET

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Wednesday, 2 February 2005

e Cllr M J Kendal (Chairman)
p Cllr B Rickman (Vice-Chairman in the Chair)

Councillors:

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

Councillors:

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

In Attendance:

Councillors:

C Baker
C Harrison
F R Harrison
Mrs M Humber
Mrs B M Maynard
R J Neath

Councillors:

B M F Pemberton
Mrs M J Robinson
N E Scott
J Ward
P R Woods

Also In Attendance:

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

Officers Attending:

D Yates, N Gibbs, J Mascall, Ms J Bateman, K Green, Mrs P Higgins and Miss G O'Rourke and for part of the meeting N Cross, M Devine and Ms J Hawker.

104. MINUTES.

RESOLVED:

That the minutes of the meeting held on 5 January 2005, having been circulated, be signed by the Vice-Chairman as a correct record.

105. DECLARATIONS OF INTEREST.

Cllrs F R Harrison declared an interest in Minute 113
Cllrs Mrs Holding, Mrs Maynard and Mrs Robinson declared interests in Minute 120

106. PUBLIC PARTICIPATION.

No issues were raised during the public participation period.

107. HOUSING STOCK OPTIONS REVIEW (REPORT A).

The Cabinet considered the outcome of the Housing Stock Options Review.

The Housing Portfolio Holder thanked the members of the review group for their hard work in undertaking this project. In particular he thanked the tenants for their input. He said that the review had been a Government requirement as part of the Decent Homes Standard initiative.

He said that he agreed with the outcome of the review that the Council should retain its housing stock. The tenants were firmly of the view that this was the best option. If the stock were transferred, the Council would not get the full value and once done, a major asset would be gone forever.

He confirmed that there would be some changes needed to the Housing Service in order to fund the costs of meeting the Decent Homes Standard. This could only be achieved through a mixture of savings and scaling down the current levels of maintenance. He acknowledged the tenants' concern over the need to continue to carry out environmental enhancements and agreed that if funding was available, this would be done.

Mrs White, Tenants' Representative, also thanked officers and members for their help during the review. She said she was disappointed with the low level of response from tenants themselves. She understood the budget constraints on the Council but was happy that the tenants were being kept fully informed. She agreed with the recommendations of the review.

Members noted that the Stock Options Review had been a costly exercise but there had been no option but to complete it. However, the stock condition survey that had been carried out as part of the review now gave the Council a clear picture to enable accurate planning for future spending.

The Leader of the Liberal Democrat Group said that she also supported the outcome of the review. She had been part of the review group and was satisfied that the process had been a robust one and that all the options had been investigated. The tenants had been given all the information that was necessary in order for them to come to a view.

The Housing Portfolio Holder paid tribute to the work done by Mr N Cross, Assistant Director of Housing (Strategic Services) on this particular project and in general for all his hard work and help during his time at New Forest. All members and the Tenants' Representatives wished him well in his retirement.

RESOLVED:

- (a) That the work undertaken on the Housing Stock Options Review be approved; and

- (b) That the housing stock be retained in the ownership of New Forest District Council.

108. HOUSING REVENUE ACCOUNT ESTIMATES 2005/06 (REPORT B).

The Cabinet considered the updated Housing Revenue Account estimates with the details of the most recent variations.

RECOMMENDED:

- (a) *That an increase of 3.63% (average) in rents for Council dwellings, in line with the rent restructuring guidelines be approved; and*
- (b) *That the updated budget set out in Appendix 1 to Report B to the Cabinet be approved.*

109. GENERAL FUND REVENUE BUDGET AND CAPITAL PROGRAMME 2005/06 (REPORT C).

The Cabinet considered the draft General Fund Revenue and capital budgets for the financial year 2005/06. Members noted that the final grant settlement had been reduced by £11,000. It was agreed that the Capital Financing provision should be reduced by that amount in order to balance the budget.

The Finance and Support Portfolio Holder said the budget did not take account of any additional expenditure or savings that might occur as a result of the National Park. In terms of the Licensing Act 2003, expenditure had been incurred but due to the delay in the Government implementing the legislation there had been no corresponding income from fees.

The Finance and Support Portfolio Holder thanked officers for all their hard work on the budget and said that he was pleased at the efforts made to reduce the increase in the Council Tax to 4.79%.

RECOMMENDED:

- (a) *That, taking into account the reduction in grant settlement of £11,000, the General Fund budget for 2005/06 be set at £19.444m;*
- (b) *That the Council tax be agreed at £137.21 for a Band D property for 2005/06;*
- (c) *That site licence fees and service charges at Stillwater Park be increased by 3.0%; and*
- (d) *That the Capital Programme for 2005/06 be agreed as £13.483m.*

RESOLVED:

- (a) That the comments of the Review Panels outlined within this report be noted; and
- (b) That the additional expenditure plan items listed in Section 5 of report C to the Cabinet be agreed.

110. TREASURY MANAGEMENT STRATEGY 2005/06 (REPORT D).

The Cabinet considered a strategy for the treasury function of the Council for 2005/06. Members noted the detail of the financing of the Capital expenditure for 2005/06 and the borrowing and investment of funds.

RECOMMENDED:

- (a) *That the prudential indicators as detailed in appendix 1 to Report D to the Cabinet be adopted; and*
- (b) *That the treasury management strategy be approved and the treasury prudential indicators as detailed in appendix 2 to Report D to the Cabinet be adopted.*

111. FUNDING OF ACQUISITION OF CAPITAL EQUIPMENT (REPORT E).

Members considered a policy to use borrowing rather than leasing to acquire capital assets.

The Finance and Support Portfolio Holder supported the proposal and said that 'borrowing' could mean funding from within the Council's own resources which would save the Council money.

RESOLVED:

That a policy of using borrowing rather than leases to acquire capital assets be approved.

112. DELEGATIONS FOR THE PURPOSE OF THE LICENSING ACT (REPORT F).

The Cabinet considered the delegation of powers to enable specific officers to enter premises and make representations on licensing applications under the Licensing Act 2003.

Some members expressed regret over the implementation of this legislation generally and were of the view that extended licensing hours would have an adverse effect on health and policing in the New Forest.

RECOMMENDED:

That the Head of Development Control, Area Planning Officers and Principal Planning Officer (Projects and Enforcement) be authorised to carry out the Council's function as a responsible authority under section 13(4)(d) of the Licensing Act 2003.

RESOLVED:

- (a) That the Environmental Health Manager (Environmental Protection) be authorised to carry out the Council's function as a responsible authority under section 13(4)(e) of the Licensing Act 2003; and
- (b) That the Environmental Health Managers (Commercial) and (Environmental Protection), Senior Environmental Health Officers, and Environmental Health Officers, be authorised persons for the purposes of sections 13(2)(d) and 69(2)(d) of the Licensing Act 2003.

113. ELING TIDE MILL – LONG TERM ARRANGEMENTS (REPORT G).

The Cabinet noted the current position at Eling Tide Mill and considered a framework for future arrangements for the Mill and surrounding area.

The Leisure Portfolio Holder supported the proposals and thanked the Assistant Director of Leisure Services (Service Development) for his hard work in developing the proposals. He also said that members of the Cabinet had visited the Mill and this had been useful in coming to a view.

A local member said that the co-operation with the Town Council was important and had been welcomed.

RESOLVED:

- (a) That arrangements be made to secure external funding to replace the sea gates;
- (b) That a project management structure be put in place to investigate and make recommendations on securing the most effective long term future for the Eling Tide Mill, with the intention to benefit the Eling Quay area as a whole in heritage, leisure and recreational terms;
- (c) That the project management structure be determined by the Portfolio Holder for Leisure; and

- (d) That the Chairman of the Eling Tide Mill Trust Company be appointed by the Leisure Portfolio Holder and that he be authorised at his discretion to withdraw such appointment at any time.

114. FINANCIAL REPORT – FORECAST FULL YEAR AND ACTUAL FOR THE PERIOD APRIL 2004 TO DECEMBER 2004 (REPORT H).

The Cabinet considered the forecast budget variations of all portfolios and committees from the approved original estimates for 2004/05.

RECOMMENDED:

That a supplementary estimate in the sum of £50,000 be approved for Land Charges.

RESOLVED:

- (a) That the items set out in the revised General Fund budget as detailed in Appendix 1 to Report H to the Cabinet be approved;
 - (b) That the revised capital expenditure as detailed in Appendix 2 to Report H to the Cabinet be approved;
 - (c) That the revised Housing Revenue Account as detailed in Appendix 3 to Report H to the Cabinet be approved;
 - (d) That the financial position of Commercial Services as detailed in Appendix 4 to Report H to the Cabinet be noted; and
 - (e) That the actual expenditure to profiled budget positions of the General Fund, Capital Programme and Housing Revenue Account as detailed in Appendices 1 to 3 to Report H to the Cabinet be noted.
- 115. LYNDHURST FLOOD RELIEF SCHEME – SUPPLEMENTARY ESTIMATE (REPORT I).**

The Cabinet considered a supplementary estimate of £31,500 for the Lyndhurst Flood Relief Scheme and noted the current position on the 2004/05 land drainage capital works.

RECOMMENDED:

That a supplementary estimate in the sum of £31,500 for the Lyndhurst Flood Relief Scheme be approved and it be noted that £5,500 of this has been funded by Hampshire County Council, and it is likely that the remaining £26,000 will be grant-aided at 45% by DEFRA.

RESOLVED:

That the net underspend of £12,000 on the remaining schemes outlined in Report I to the Cabinet be approved.

116. COMMUNITY SAFETY OPERATIONAL GROUP.

RESOLVED:

That Cllr Penwarden be appointed to serve on the Community Safety Operational Group in place of Cllr Austin.

117. DELEGATION OF POWERS TO OFFICERS.

Members considered changes to the delegation of powers to officers to reflect a recent change in the establishment in the Housing directorate.

RESOLVED:

That the Scheme of Delegation to Officers, insofar as the functions are the responsibility of the Cabinet, be amended by deleting all references to Assistant Director (Landlord Services) and Assistant Director (Strategic Services) and replacing them with Assistant Director (Housing Services) throughout the Scheme of Delegations and Proper Officer Appointments.

118. FREEDOM OF INFORMATION ACT 2000 – PUBLICATION SCHEME.

Members noted that from time to time the Publication Scheme would require amending and updating and an officer delegation would be the most expedient way of dealing with such changes.

RECOMMENDED:

That the Assistant Director of Resources (Financial Services) be given delegated authority to amend the Council's Publication Scheme made under Section 19 of the Freedom of Information Act 2000.

119. 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 8 & 9, of Part I of Schedule 12A of the Act.

120. LAND AT CHALLENGER WAY, DIBDEN (REPORT J).

Cllrs Mrs Holding and Mrs Maynard declared personal interests as members of New Forest Age Concern. Neither member considered their interest to be prejudicial. They remained at the meeting, took part in the discussion and voted. Cllr Mrs Maynard did not have a vote.

Cllr Mrs Robinson declared a personal interest as a Board member of the Medina Housing Association (affiliated to the Western Challenge Housing Association). She did not consider her interest to be prejudicial. She remained at the meeting, she did not have a vote.

The Cabinet noted the progress of negotiations for the future use of land at Challenger Way and considered terms of disposal.

RESOLVED:

- (a) That officers be authorised to agree terms of the lease (subject to the approval of the Housing and Finance & Support Portfolio Holders) to Hampshire County Council for the development on part of the site for the provision of a day care centre for the elderly;
- (b) That officers be authorised to show preferred status to Western Challenge Housing Association for grant of access rights to enable them to make another attempt to acquire the Orchard Site to maximise the provision of affordable housing;
- (c) That if those negotiations should fail, officers be authorised to complete a disposal for access to the present owners of The Orchard Site; and
- (d) That the receipt from the disposal of the access rights be added to the Council's Social Housing Grant budget to assist in the provision of affordable housing in the District, with priority given to the use of that receipt to subsidise the provision of affordable housing by Western Challenge Housing Association on the Orchard site (subject to satisfactory details being approved by the Portfolio Holders for Housing and Finance and Support).

121. NEW PUBLIC CONVENIENCE, HURST ROAD, MILFORD-ON-SEA (REPORT K).

In accordance with Standing Orders as to Contracts the Cabinet received details of a decision taken by the Director of Commercial Services, in consultation with the Environment Portfolio Holder to accept a tender other than the lowest.

RESOLVED:

That the decisions, set out in Report K to the Cabinet, made by the Director of Commercial Services in accordance with clause 3.1.2 of the Standing Orders as to Contracts be noted.

CHAIRMAN

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