

NOTICE OF MEETING

Meeting CABINET

Date and Time WEDNESDAY, 1 MARCH 2006, AT 10.00 A.M.*

Place COUNCIL CHAMBER, APPLETREE COURT, LYNDHURST

Telephone enquiries to: Lyndhurst (023) 8028 5000
(Direct Line 8028 5461) Jane Bateman
E-mail: jane.bateman@nfdc.gov.uk

PUBLIC PARTICIPATION:

*Members of the public may speak in accordance with the Council's public participation scheme:

- (a) immediately before the meeting starts, on items within the Cabinet's terms of reference which are not on the public agenda; and/or
 - (b) on individual items on the public agenda, when the Chairman calls that item.
- Speeches may not exceed three minutes. Anyone wishing to speak should contact the name and number shown above.

Refreshments will be available in the Members' Lounge from 9.30 a.m.

Dave Yates
Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA
www.newforest.gov.uk

This Agenda is also available on audio tape, in Braille, large print and digital format

AGENDA

Apologies

1. Minutes

To confirm the minutes of the meeting held on 1 February 2006 as a correct record.

2. Declarations of Interest

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. Public Participation

To note any issues raised during the public participation period.

4. Mandatory Licensing of Houses in Multiple Occupation –Delegated Authority to Sign and Issue Licences and Setting the Licence Fee (Report A)

To agree delegations and recommend a licence fee.

5. Review of Public Conveniences (Report B)

To agree revisions to the Capital Programme and decommissioning proposals.

6. Review of the Cemeteries Service (Report C)

To agree revised Cemetery Regulations and a Memorial Mason Registration Scheme.

7. Project Integra Annual Business Plan 2006-2011/Joint Municipal Waste Management Strategy (Report D)

To recommend endorsement of the Joint Municipal Waste Management Strategy and approval of the Annual Business Plan 2006-2011.

8. Marchwood Community Facility (Report E)

To consider future arrangements for this facility.

9. New Forest Primary Care Trust/Hampshire Strategic Health Authority/Ambulance Trust - Consultation (Report F)

To consider the consultation documents and agree a response.

10. Council's Key Targets (Report G)

To consider the assessment of performance and agree 2006/07 Key Targets for the Council's Performance Plan.

11. The Council's Improvement Plan (Report H)

To note progress and identify issues in relation to the Improvement Plan.

12. Local Strategic Partnerships (LSP's) – Shaping Their Future – A Consultation Paper (Report I)

To consider comments and agree a response.

13. Suspension of Standing Orders

On the 21 November 2005, the Director of Resources agreed to suspend Standing Orders to make an urgent payment of £20,000 to settle a claim made by a former employee.

The Director of Resources authorised the payment with the agreement of the Chief Executive, the Monitoring Officer and Head of Human Resources, following consultation with the Leader and the Portfolio Holder for Finance and Support.

In line with the Council's financial regulations, the matter has to be subsequently reported to Council.

The settlement avoided a long and protracted employment tribunal hearing. Counsel advised the Council that the offer to settle the case was reasonable in all the circumstances. If the matter had proceeded to Tribunal, the Council could have incurred a far greater sum, and potential damage to the Council's reputation.

The sum to settle the matter was taken from financial reserves.

The circumstances surrounding this case were complex and unusual. However, there are some general learning points which have been taken on board, resulting in minor changes to the Council's employment practices.

RECOMMENDED:

That the Council be recommended to note the position.

For Further Information Contact:

Chris Malyon
Director of Resources
Tel (023) 8028 5701
E-mail Chris.malyon@nfdc.gov.uk

Jayne Griffiths
Head of Human Resources
Tel (023) 8028 5482
E-mail jayne.griffiths@nfdc.gov.uk

14. Delegation of Powers to Officers

On 14 January 2006 (minute 94 refers) the Cabinet delegated a number of powers to the officers under the Food Hygiene (England) Regulations 2005. These Regulations had been issued very late compared to their implementation date, and the Government subsequently decided to re-issue the Regulations as The Food Hygiene (England) Regulations 2006. The content of the Regulations is entirely unchanged. Cabinet is therefore requested to amend the date of the Regulations under which the powers have been delegated.

In addition, on 2 November 2005 (minute 64 refers) Cabinet authorised delegations under the Housing Act 1996 and Demoted Tenancies (Review of Decisions) (England) Regulations 2004, relating to demoted tenancies. Various powers were delegated to the Housing Estates Manger. Following recent reorganisation, this post no longer exists. Cabinet is therefore requested to amend the delegation to grant power to the Housing Manger.

RECOMMENDED:

- (a) ***That the powers delegated under the Food Hygiene (England) Regulations 2005 be now delegated under The Food Hygiene (England) Regulations 2006; and***
- (b) ***That the powers delegated to the Housing Estates Manager under the Housing Act 1996 and Demoted Tenancies (Review of Decisions) (England) Regulations 2004, relating to demoted tenancies, be now delegated to the Housing Manager.***

To: **Councillors:**

G C Beck
P C Greenfield
J D Heron
Mrs M D Holding

Councillors:

M J Kendal (Chairman)
B Rickman (Vice-Chairman)
M H Thierry
C A Wise

(DEMOCRAT/MEETINGS/CB010306/AGENDA)