

5 APRIL 2006

NEW FOREST DISTRICT COUNCIL

CABINET

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Wednesday, 5 April 2006.

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

Councillors:

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

Councillors:

e Mrs M D Holding
p M H Thierry

In Attendance:

Councillors:

K F Ault
Mrs J L Cleary
G F Dart
F R Harrison
Mrs M Humber
R J Neath
B M F Pemberton

Councillors:

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

Also In Attendance:

Mrs P White, Tenants' Representatives.

Officers Attending:

D Yates, N Gibbs, C Malyon, J Mascall, Ms J Bateman and Miss G O'Rourke and for part of the meeting M Devine, C Elliott, R. Payne and N Williamson.

124. MINUTES.

RESOLVED:

That, subject to Minute No. 117 - 4th paragraph being amended to read "The Cabinet noted that the Clerk to Marchwood Parish Council expressed the view that the Parish Council supported the recommendations contained in the report" the minutes of the meeting held on 1 March 2006, having been circulated, be signed by the Chairman as a correct record.

125. DECLARATIONS OF INTEREST.

Cllrs F R Harrison, Humber and Robinson declared interests in Minute 130
Cllr Thierry declared and interest in Minute 132

126. PUBLIC PARTICIPATION.

No issues were raised during the public participation period.

127. ANTI FRAUD RELATED POLICIES (REPORT A).

The Cabinet considered a number of anti fraud related policies that had been reviewed and updated in accordance with the agreed action plan under the Code of Practice for Corporate Governance for 2004/05. Whilst the basis of the policies remained the same they had been updated to give greater focus on employee related and front line services.

Members also noted employee side comments that were circulated at the meeting. In relation to the issue of maintaining confidentiality in terms of reporting by email on 'Whistle Blowing', members agreed that there were a number of other reporting methods that employees could use if they had concern over email. However, it was agreed that officers would pursue this point further with employee side. In relation to a comment in the document relating to false or malicious allegations (paragraph 6.3 of Appendix B of Report A to the Cabinet refers), members agreed to change the wording to read that "...the making of such allegations by an employee of the Council *may* be regarded as a disciplinary issue".

RECOMMENDED:

- (a) That the Anti-Fraud and Corruption Policy as detailed in Appendix A to report A to the Cabinet be approved;**
- (b) That the Whistle Blowing at Work Policy as detailed in Appendix B to report A to the Cabinet, and as amended, be approved; and**
- (c) That the Prosecution Policy – Council Tax and Housing Benefit Fraud as detailed in Appendix C to report A to the Cabinet be approved.**

128. CONSULTANT'S REPORT ON ECONOMIC DEVELOPMENT (REPORT B).

The Cabinet considered a report commissioned from Roger Tym and Partners to review and revise the current Economic Development Strategy for the district.

Members expressed some concern at the quality of the document. They felt that the document lacked a general cross cutting theme and that there were a number of issues such as supporting a growing older population that had not been addressed. Some members suggested that a shorter more focussed document would have been more helpful.

Members noted that the document was intended to give an opportunity for consultation and discussion with key partners. The document and the outcome of the consultation would then inform the final Economic Development Strategy that would address the issues of concern that were being raised.

RESOLVED:

- (a) That the report submitted by Roger Tym and Partners be approved as the basis for consultation; and
- (b) That a proposed Economic Development Strategy be developed in line with the consultation process outlined in section 3.1 of the report.

129. CHILDREN AND YOUNG PEOPLE PLAN : CONSULTATION RESPONSE (REPORT C).

Under the Children Act 2004, HCC had a duty to produce a Children and Young People Plan and district councils had a duty to co-operate. The Cabinet considered a response to a consultation on a draft Plan produced by HCC . The Plan covered all services for all children provided by all agencies across the whole county.

Members discussed a number of points and, in particular, agreed the importance of the provision of appropriate health care for children and young people. It was agreed that this would be reflected in the Council's response to the consultation. Members also agreed that the composition of the group proposed to support the work of the Portfolio Holder should be expanded to include other members with a specific interest in the subject. It was suggested that if there were particular issues that members felt should be addressed in the consultation then they should approach officers direct.

RESOLVED:

- (a) That the proposed response to the Children and Young People Plan as detailed in Appendix 2 to report C to the Cabinet be approved subject to the inclusion of an appropriate reference to health care; and
- (b) That the creation of a group to support the work of the lead Portfolio Holder on Children and Young People as detailed in report C to the Cabinet and to include on the group other members with a specific interest in the matter, be approved.

130. SUPPLEMENTARY PLANNING DOCUMENT ON HOUSING DESIGN, DENSITY AND CHARACTER (REPORT D).

Cllr Robinson declared a personal interest in this item as a Board Member of Spinnaker Housing Group, a consultee in the process. 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.

Cllr F R Harrison declared a personal interest in this item as a member of Totton and Eling Town Council. He did not consider his interest to be prejudicial. He remained at the meeting and took part in the discussion. He did not have a vote.

Cllr Humber declared a personal interest in this item as a member of Lymington and Pennington Town 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.

In accordance with the Council's Local Development Scheme 2005, the Cabinet considered a Supplementary Planning Document (SPD) relating to the housing design and density policies of the NFDC District Local Plan First Alteration.

The document had been prepared following full consultation with the Economy and Planning Review Panel and was intended to give developers a process to follow to justify higher densities through design. Members expressed some concern in the light of a decision by the Planning Inspectorate that had given little weight to the guidance in the document. Members noted that the document at that stage had not been finalised. There would, however, always be an element of judgement made on quality issues.

Members noted that the ongoing issue of space allocation for car parking continued to be pursued with HCC and it was hoped that a more reasonable interpretation of highway standards could be reached in the future.

RESOLVED:

- (a) That the comments received on the draft Supplementary Planning Document 'Housing Design, Density and Character' be noted, and the responses to the comments set out in Section 7 and in Appendix B of report D to the Cabinet be agreed;
- (b) That the Supplementary Planning Document – Housing Design, Density and Character as set out in Appendix C to report D to the Cabinet be adopted; and
- (c) That the Director of Community Services be authorised to make any necessary detailed editing or clarification changes in preparing the Supplementary Planning Document for publication.

131. COMMERCIAL SERVICES SERVICE PLAN 2006/07 (REPORT E).

The Cabinet considered the 2006/07 Service Plan for the Commercial Services Directorate. The Environment Portfolio Holder said it was important to recognise the unique partnership between NFDC and TVBC, which was of immense benefit to both authorities.

RESOLVED:

That the 2006/07 Service Plan for the Commercial Services Directorate as set out in Appendix 1 to report E to the Cabinet be approved.

132. PROCUREMENT (REPORT F).

Cllr Thierry declared a personal and prejudicial interest in this item as a supplier of goods and services to the Council. He left the meeting during consideration of this item.

The Corporate Overview Panel had commissioned two major reviews during 2005. The first covered a number of issues around the delivery of the capital programme following concerns over the amount of slippage that was occurring each year. A number of challenges had also been made by contractors, used by the Council, that had resulted in litigation.

The second review, whilst related to the first, focussed on the Council's overarching approach to procurement.

Cllr Ward, Chairman of the Corporate Overview Panel and a member of the Procurement Project Board, in presenting the reports, thanked members and officers for their excellent work, in this complex area, in producing the new and revised documents.

Members agreed some minor textual amendments to the documents.

The Cabinet noted that there would be a number of ways in which local businesses would be appraised of the new arrangements. In particular the local business partnership would be approached with a view to them disseminating information to their members. Guidelines would also be introduced to ensure that there was a fair rotation of work between all contactors used by the Council.

The new arrangements would enable improved performance that would be monitored through the Corporate Overview Panel.

Through the review process a number of training issues had been identified. Whilst greater freedoms and flexibilities were being recommended those had to be in conjunction with refreshed accountabilities and responsibilities.

Members noted that work on the Procurement Strategy was ongoing and would be subject to wide consultation. The Strategy would set out a framework that would assist the Council to deliver the key corporate objectives within the Corporate Plan.

RECOMMENDED

- (a) *That subject to the following words “the latter may include economic, social and environmental considerations” being added to clause 8.3.2 after the word “quality”, the new Contract Standing Orders and the amendments to the Financial Regulations and the delegations attached to the Contract Standing Orders, in so far as they relate solely to Council functions, be agreed;*
- (b) *That subject to the addition of a further bullet point at paragraph 8.1.4 to read: “economic, social and environmental considerations”, the Contract Standing Order User Guide and the Desk Guide to Purchasing be agreed; and*
- (c) *That a supplementary estimate of £50,000 (on a rolling basis) to enable design and preparatory work to be undertaken on schemes in the year prior to their commencements be agreed.*

RESOLVED:

- (a) That, subject to (a) above, the delegations attached to the Contract Standing Orders in so far as they relate solely to executive functions be agreed;
- (b) That the Summary Project Management Guide be noted; and
- (c) That the work to date on the Procurement Strategy be noted.

133. MEALS ON WHEELS (REPORT G).

The Cabinet considered a proposal to increase the New Forest District Council Meals price by 10p to £2.80 for 2006/07. Hampshire County Council had already set the county price meal at £2.80.

RECOMMENDATION:

That the price for meals on wheels be set at £2.80 for 2006/2007.

134. COMMUNITY STRATEGY ACTION PLAN 2006/07 (REPORT H).

Each year an action plan was developed and delivered by each of the Community Action Networks (CANS) for each topic chapter of the Community Strategy. The Cabinet considered the action plan for 2006/07 together with additional comments circulated at the meeting.

Members were pleased to note the progress of the action plan and the increasing cross cutting nature of the work. Individual portfolio holders and review panels were asked to consider their own specific areas of work and bring forward any actions they would wish to see progressed in 2006/07 and beyond.

RESOLVED:

- (a) That, with the addition of further comments circulated at the Cabinet meeting, the Community Strategy Action Plan for 2006/07 be approved; and
- (b) That Portfolio Holders and Review Panels consider any potential actions they may wish to progress during 2007/08 and beyond.

135. HOUSING PLANNED MAINTENANCE AND IMPROVEMENT PROGRAMME 2006/2007 (REPORT I).

The Cabinet considered the proposed allocations of work for the planned maintenance and improvement programmes.

The Housing Portfolio Holder said that he appreciated there was a balance needed between the need to meet the requirements of the Decent Homes Standard and the expectations of the residents with regard to environmental improvements on estates.

Mrs White, Tenants' Representative, said that the tenants were aware of the need to meet the Decent Homes Standard and would not wish the replacement of kitchens or bathrooms to be delayed in order to undertake environmental improvements.

Members noted that a survey of properties was being undertaken that would detail the actual kitchen and bathroom works that were required. The survey would be completed later in the year and, at that point, it would be clear how much funding was needed to meet the requirements of the Decent Homes Standard and how much might be available for environmental improvement work.

RESOLVED:

- (a) That the proposals for planned maintenance, cyclical maintenance and improvement work listed in Appendix 1 to Report I to the Cabinet be approved; and
- (b) That the proposals for extending two kitchen modernisation contracts with East Dorset Housing Association detailed in paragraph 4.11 of Report I to the Cabinet be agreed.

136. PROPOSED MERGER OF POLICY & STRATEGY AND FINANCE & SUPPORT PORTFOLIOS (REPORT J).

Following the resignation of Cllr Wise from his position as Finance and Support Portfolio Holder, the Cabinet considered the merger of the work of that portfolio with the Policy and Strategy Portfolio with both areas of work being covered by the Leader of the Council.

RECOMMENDED:

That the Finance & Support and Policy & Strategy Portfolios be merged into one Portfolio.

137. DELEGATED AUTHORITIES TO GRANT OR ENTER INTO WAYLEAVE AGREEMENTS.

RESOLVED:

That delegated authority be granted to the Council's Directors and the Council's Valuer to enter into Wayleave Agreements on behalf of the Council, subject to the Head of Legal and Democratic Services being satisfied as to the content of the agreement.

138. NFDC/TEST VALLEY COMMERCIAL SERVICES JOINT COMMITTEE.

RESOLVED:

That Cllr Beck be appointed to fill the vacancy on the NFDC/TVBC Commercial Services Joint Committee.

139. OUTSIDE BODIES.

RESOLVED:

That appointments to the vacancies on the Solent Forum and the South East Employers' Organisation be deferred.

CHAIRMAN

(DEMOCRAT/CB050406/MINUTES.DOC)