

3 OCTOBER 2007

NEW FOREST DISTRICT COUNCIL

CABINET

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Wednesday, 3 October 2007.

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

Councillors:

- p G C Beck
- p Mrs J L Cleary
- p Mrs M D Holding

Councillors:

- p M H Thierry
- p C R Treleaven
- p C A Wise

In Attendance:

Councillors:

L T Dunsdon
Ms L C Ford
C J Harrison
D Harrison
Mrs A J Hoare
P E Hickman
Sqn Ldr B M F Pemberton

Councillors:

Mrs M J Robinson
Mrs B Smith
A J Swain
F P Vickers
A Weeks
P R Woods

Officers Attending:

D Yates, C Malyon, J Mascall, Ms J Bateman and Miss G O'Rourke and for part of the meeting G Ashworth, Mrs L Croker, C Elliott, N Hunt, R Millard, C Read and K Smith.

33. MINUTES.

RESOLVED:

That the minutes of the meeting held on 1 August 2007, having been circulated, be signed by the Chairman as a correct record.

34. DECLARATIONS OF INTEREST.

Cllr Mrs Robinson declared an interest in Minute Nos. 37 and 38.
Cllr Kendal declared an interest in Minute No. 43.

35. PUBLIC PARTICIPATION.

No issues were raised during the public participation period.

36. COMMUNITY STRATEGY 2008 – 2012 ‘FUTURE MATTERS’ (REPORT A).

The Cabinet considered ‘Future Matters’, the draft Sustainable Community Strategy (SCS) for 2008-2012. The document was a culmination of a significant amount of work undertaken through the Local Strategic Partnership and by the community.

The draft SCS set out suggestions for a new vision; a series of desired outcomes; ways in which the strategy would work with other plans and strategies; a series of topic based chapters setting out the local context, priorities and outcomes and six potential flagship projects.

The Employment, Health and Wellbeing Portfolio Holder said that the draft SCS was an excellent example of partnership working. She proposed, and the Cabinet supported, Option 2 detailed in the report as the Vision for the district.

In discussion the Cabinet agreed that the section in the document relating to Older People should be amended to reflect more accurately the useful contribution that post retirement people brought to society.

The Cabinet thanked Keith Smith, Head of Performance and Strategic Development for all the excellent work that had been done to produce the draft SCS.

RESOLVED:

That “Future Matters” the draft Sustainable Community Strategy for the New Forest District for 2008 – 2012, as detailed in Report A to the Cabinet, with Option 2

- **‘A thriving New Forest where people, the environment and the economy provide exceptional quality of life’**

as the Vision for the district, be agreed for the purposes of public consultation.

37. NEW FOREST DISTRICT LOCAL DEVELOPMENT FRAMEWORK – CORE STRATEGY PREFERRED OPTIONS (REPORT B).

Cllr Mrs Robinson declared a personal interest in this item as a Board member of Spectrum Housing Association. 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 the Preferred Options stage of the Core Strategy, part of the Council’s Local Development Framework. The draft document recommended a spatial strategy for the areas of the District outside the National Park for the next 20 years.

The Planning and Transportation Portfolio Holder said that the Preferred Options were a first expression of what the Council proposed for the district. The draft document would be published for a statutory six week public consultation period starting 26 October. The Portfolio Holder thanked Graham Ashworth, Planning Policy Manager and his team for the detailed and professional work that had been carried out in preparing the document.

In particular the Cabinet noted that the proposals in the document attempted to address some specific issues in the district surrounding the need to maintain the character of areas, both rural and urban, in the light of the pressure of government housing targets; the availability of local affordable housing and the proposal to consider small scale affordable housing development on green field sites to address the needs of local people.

The Tenants' Consultative Group, in commenting on the Housing Green Paper, had expressed concern at the lack of affordable housing in the district; developers' interpretation of site size thresholds and the need for community infrastructure and funding investment especially in rural and remote areas.

A number of members expressed concern that the New Forest National Park had withdrawn from working with the Council on a joint Preferred Options document. They felt that a joint document, that would have covered the entire New Forest district, would have been much more helpful. As a result they expressed the view that there were now a number of councillors, whose wards were either wholly or partly within the New Forest National Park, who would not now be able to directly represent the views of their constituents in the formation of the New Forest National Park Preferred Options document. Members felt that a working group of affected members should be formed to ensure that the views of their constituents were adequately represented. They agreed that they would bring this important point to the attention of the Council through a Notice of Motion.

RESOLVED:

- (a) That, having regard to the recommendations of Planning & Transportation Review Panel and the Planning Development Control Committee made at their meeting on 19th September 2007, the Core Strategy Preferred Options document as set out at Annex 1 to Report B to the Cabinet be approved for consultation; and
- (b) That the Planning Policy Manager, in consultation with the Planning and Transportation Portfolio Holder, be authorised to make any necessary editorial changes to the document in preparing it for publication.

38. HOUSING GREEN PAPER : HOMES FOR THE FUTURE, MORE AFFORDABLE, MORE SUSTAINABLE (REPORT C).

Cllr Mrs Robinson declared a personal interest in this item as a Board member of Spectrum Housing Association. 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 discussed in detail proposed comments on a range of proposals set out in the Government Green paper relating to housing supply in England.

The document set out an ambitious target of delivering 2 million new homes by 2016 and 3 million new homes by 2020. The Partnership of Urban South Hampshire (PUSH) sub region which covered the Waterside area of the district had agreed to deliver 80,000 new homes by 2026. Members expressed concern at a

recent comment from the Communities and Local Government Minister who suggested that the national target be increased by 20%. The South East Plan had yet to be adopted and as such the annual house building target was not finalised. The Cabinet considered the statement from the Minister was premature and unhelpful.

Planning Policy Statement 3 (PPS3) had provided rural planning authorities with powers to deliver and address the need and demand for housing in rural areas. Members agreed that the Community Land Trust model was an innovative way of delivering rural housing and in the Council's response to the Green Paper support for such schemes should be strengthened. In view of the lack of available land for housing in the district most new build was developed on 'in-fill' sites. This resulted in pressures on infrastructures such as utilities. Whilst members noted that a Community Infrastructure Fund was being established to link the provision of transport to the delivery of housing they agreed that further funding was needed to support other infrastructure pressures specifically in areas where development might be seen as piecemeal but overall had a significant impact.

The Cabinet supported the greater emphasis on family housing but expressed some concern at the target adopted by the Housing Corporation of a quarter of all social rented homes being three or more bedrooms. They felt that this percentage should be much higher to provide more affordable homes to enable young families to remain within their community. The current trend of building smaller one/two bedroom accommodation in the district's towns and villages was exacerbating the problem of families being forced to move elsewhere to find acceptable housing.

The Green Paper set milestones for achieving zero carbon in new build homes from 2016. Building Regulations would change to achieve these targets. Members noted that the Core Strategy proposed a framework that would require all private developers to build more sustainably however, they agreed that this point needed to be strengthened in the response to the Green Paper.

In considering the lack of land in the district for housing development, the Cabinet discussed other ways of providing accommodation. The Council already operated a successful empty homes policy to try and bring back into use the maximum amount of accommodation. Members agreed that new funding to replace the discontinued Temporary Social Housing Grant would help to take this work forward.

In considering their response to the Government Green Paper the Cabinet noted that the Tenants' Consultative Group whilst accepting that there were a number of new ideas in the Green Paper, did not feel that there were any actual solutions to the housing problems in the New Forest. They expressed three main concerns:-

- The site size thresholds and developers slipping through the net;
- The need for community infrastructure and funding investment especially in rural and remote areas; and
- The scale of need for affordable housing and putting into place policies that would help to facilitate more affordable housing.

The Tenants' Consultative Group were pleased to note that the Council may not have to sell HRA assets to develop new homes.

RESOLVED:

That the proposed response as set out in Report C to the Cabinet and as amended to include those issues detailed below be agreed and submitted to the Communities and Local Government Minister no later than 15th October 2007:

- In view of the fact that the South East Plan is not yet adopted by the Government and the annual house building target has yet to be finalised the recent comment from the Communities and Local Government Minister suggesting that the national target be increased by 20% is considered premature and unhelpful;
- Whilst the Community Infrastructure Fund would assist with transport funding, the majority of new housing would be sited on 'in-fill' developments and as such specific funding was needed to address resultant pressures on other infrastructures such as utilities;
- That the target of a quarter of all social rented homes to be three or more bedrooms, be raised, to meet the increasing need for more family sized accommodation;
- The Core Strategy proposes a framework that will require private developers to build more sustainably. The need for market housing to meet increasingly higher levels of the Code for Sustainable Homes should be strengthened;
- The Community Land Trust model, as a way of delivering new housing was supported and this should be strengthened in the response; and
- In relation to bringing empty properties back into use, whilst there were sufficient ways by which this could be done, new funding was needed to replace the discontinued Temporary Social Housing Grant to take this matter forward.

39. CAR PARKING STANDARDS FOR DEVELOPMENT (REPORT D).

The Cabinet considered the results of a review of car parking standards for development in the New Forest. The review was aimed at generating a policy and standards that would be more responsive to local circumstances and take advantage of the increased flexibility introduced through Planning Policy Statement 3 (PPS3). The district council was now able to set their own standards for residential development. Standards for non residential development remained a County Council function.

In particular the Cabinet discussed the environmental implications of off-street car parking provision. They strongly supported the need for the use of sustainable drainage systems in new developments and the use of permeable surfaces for parking that would reduce those risks. A forthcoming supplementary planning document would address these issues. In addition the Cabinet asked officers to consider ways to better inform and advise the public of the environmental issues that arise when changing garden land into parking provision.

RESOLVED:

- (a) That the proposed Draft Supplementary Planning Document (SPD) Provision of Car Parking Space for Residential Development as detailed in Annex B to Report D to the Cabinet be agreed for consultation in accordance with the Council's adopted Scheme of Community Involvement, with a view to considering the public response towards the end of the year and the Council formally adopting the SPD with any appropriate amendments; and
- (b) That the Head of Planning investigate options for requiring the appropriate use of sustainable drainage systems and permeable surfaces to minimise the surface water run-off from driveways and parking areas and report back to the Cabinet.

40. ABANDONED SHOPPING TROLLEYS (REPORT E).

In the light of a Notice of Motion considered by the Council in October 2006, the Cabinet considered the policy options for dealing with abandoned shopping trolleys in the district.

Members discussed the options and agreed that a wide ranging consultation with further research into the financial and practical operational issues of any proposal was the most appropriate way forward.

RESOLVED:

- (a) That a formal period of consultation be initiated, as required by Section 99 of the Environmental Protection Act 1990, regarding the possibility of applying Schedule 4 to control abandoned shopping trolleys in the New Forest District;
- (b) That further research be carried out on the financial and practical operational issues identified above, to inform the consultation process; and
- (c) That a further report be prepared detailing the outcome of the consultation and setting out proposals, as appropriate to include any proposed charging regime and associated financial implications.

41. PARTNERSHIP FOR URBAN SOUTH HAMPSHIRE (PUSH) – PROPOSED GOVERNANCE ARRANGEMENTS (REPORT F).

The Cabinet considered the establishment of formal joint arrangements with 10 other local authorities in Hampshire to replace the existing informal arrangements of PUSH.

RECOMMENDED:

- (a) ***That the establishment of joint arrangements as set out in Report F to the Cabinet, including the establishment of an Overview and Scrutiny Committee with authority to carry out overview and scrutiny functions in relation to matters delegated to the Joint Committee, be approved;***

- (b) *That a non-executive member be appointed as this Council's representative on the Overview and Scrutiny Committee, and that a second non-executive member be appointed to serve as deputy member in the absence of the appointed representative;*
- (c) *That the Chief Executive be authorised to finalise the detail of the joint arrangements in relation to the Overview and Scrutiny Committee, in consultation with the Head of Legal and Democratic Services, on the basis set out in section 5 and Appendices 1 and 2 of Report F to the Cabinet; and*
- (d) *That the Council's Constitution be amended so far as is necessary to give effect to these decisions.*

RESOLVED:

- (a) That the establishment of joint arrangements between this Council, Hampshire County Council, Southampton City Council, Portsmouth City Council, East Hampshire District Council, Eastleigh Borough Council, Fareham Borough Council, Gosport Borough Council, Havant Borough Council and Winchester City Council (together referred to as "the PUSH authorities"), based on the broad structure and functions described in section 5 and Appendices 1 and 2 of Report F to the Cabinet, be approved;
- (b) That the establishment of a Joint Committee of the PUSH authorities with delegated authority to discharge such Executive functions as are necessary to implement the PUSH business plan, subject to the business plan being approved on an annual basis by this Council, be approved;
- (c) That an Executive Member be appointed as the Council's representative on the Joint Committee, and that a second Executive member be appointed as deputy in the event that first member is unable to attend; and
- (d) That the Chief Executive be authorised to finalise the detail of the joint arrangements, in consultation with the Head of Legal and Democratic Services, the Leader of the Council and the Council's representative on the Joint Committee, on the basis set out in section 5 and Appendices 1 and 2 of Report F to the Cabinet.

42. LEISURE FUNDAMENTAL SERVICE REVIEW : HEALTH AND LEISURE CENTRES MANAGEMENT STRUCTURES (REPORT G).

The Cabinet considered the detail of a fundamental review of the procurement of the Council's health and leisure centres. They discussed in detail the preferred options for the service and the work that had been undertaken during the review.

The Leisure, Culture and Youth Portfolio Holder thanked all the employees throughout the service who had participated in the review. Members noted that it had been a particularly stressful time for staff and were pleased that the Employee side had complimented the way in which the consultation process had been carried out.

Following discussion, and taking into account the comments of the Leisure, Culture and Youth Matters Review Panel the Cabinet agreed that the delivery of the Council's Health and Leisure Centre Service should remain in-house.

RESOLVED:

That, based on the case made in the review and detailed in Report G to the Cabinet, the delivery of the Council's Health and Leisure Centre service be retained in house, with a plan for continuous improvement of the service to maintain quality whilst pursuing potential areas for savings.

43. HYTHE FERRY PARKING CLOCK SCHEME (REPORT H).

Cllr Kendal declared a personal interest as an HCC Executive Member. He did not consider his interest to be prejudicial. He indicated that he had not taken part in the decision making process in relation to NFDC Parking Clocks at HCC. He remained at the meeting, took part in the discussion and voted.

The Cabinet considered some revisions to the Hythe Ferry Clock system to enable a fairer provision of concessionary parking in conjunction with the use of the Hythe Ferry.

Some members expressed concern at the amount of displacement parking in the area and what was perceived as a complicated parking system. The Chairman pointed out that it was not possible to provide new car parks and therefore on-street parking was a way of addressing the issue.

RESOLVED:

That agreement be sought from Hampshire County Council, the Highway Authority, to amend the Concessionary Clock parking scheme for Hythe Ferry as set out in Report H to the Cabinet and that officers be authorised to take the necessary steps to amend the Off Street Parking Places Order to implement the proposed scheme.

44. FINANCIAL REPORT – FORECAST FULL YEAR AND ACTUAL FOR THE PERIOD APRIL 2007 TO AUGUST 2007 (REPORT I).

The Cabinet considered the forecast budget variations of all portfolios and committees from the approved original estimates for 2007/08.

RECOMMENDED:

That a supplementary estimate of £200,000 in respect of reduced land charges income as detailed in Appendix 4 to Report I to the Cabinet be agreed.

RESOLVED:

That, subject to the recommendation above:

- (i) The items set out in the revised General Fund budget in Appendix 1 to Report I to the Cabinet be agreed;
- (ii) The revised capital expenditure as set out in Appendix 2 to Report I to the Cabinet be agreed;
- (iii) The financial position of Commercial Services as set out in section 5 to Report I to the Cabinet be noted; and

- (iv) The actual expenditure to profiled budget positions of the General Fund, Capital Programme and Housing Revenue Account as set out in Appendices 1 to 3 to Report I to the Cabinet be agreed.

45. COUNCIL TAX ON SECOND HOMES – COUNCIL NOTICE OF MOTION (REPORT J).

Following a Notice of Motion before the Council in July 2007, the Cabinet considered the proposal to make representations to the Government to raise the upper limit of Council Tax on second homes to a level of twice the basic rate.

The Cabinet discussed the background to the Notice of Motion and agreed that it was important to find ways of bringing empty properties back into the housing stream. However, they agreed that they needed greater clarification of the problems to be tackled before coming to a view.

RESOLVED:

That the Council be informed that the Cabinet has agreed that a response to the Notice of Motion relating to increasing the upper limit of Council Tax on second homes to a level twice the basic rate be deferred to enable greater clarification of the issues to be tackled before representations, if any, can be considered.

46. 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(s) of business on the grounds that it(they) involve(s) the likely disclosure of exempt information as defined in paragraphs 1 & 3 of Part I of Schedule 12A of the Act and the public interest in maintaining the exception outweighs the public interest in disclosing it.

47. SENIOR MANAGEMENT STRUCTURE (REPORT K).

The Cabinet considered the detail of a review of the senior management structure of the Council. The Chief Executive reported that all the Directors and Heads of Service had been fully involved in the review and the Employee side had been consulted.

As a result of the review Members noted that the Director of Community Services had agreed to accept redundancy. The Cabinet placed on record their thanks to Mr N Gibbs, Director of Community Services for his 24 years of service and the enormous contribution he had made to New Forest District Council and local government in general.

In addition, but unrelated to the review, the Cabinet noted that Mr C Malyon, Director of Resources, would shortly be leaving the Council to take up employment elsewhere.

RECOMMENDED:

- (a) ***That the redundancy of the Director of Community Services on the terms set out in Report M to the Cabinet (confidential) be agreed; and***
- (b) ***That the delegations of the current Directors that are not the responsibility of the Cabinet be transferred to the Chief Executive and Executive Directors.***

RESOLVED:

That, subject to the recommendation above:

- (i) The restructuring of the senior management of the Authority as set out in Report K to the Cabinet be agreed; and
- (ii) The delegations of the current Directors that fall within the remit of the Cabinet be transferred to the Chief Executive and Executive Directors.

48. LYNDHURST CAR PARK – RENEWAL OF LEASE (REPORT L).

The Cabinet considered arrangements for the renewal of the lease of Lyndhurst car park which was owned by the Forestry Commission.

RECOMMENDED:

That additional expenditure as detailed in Report L to the Cabinet be approved with effect from 2008/09.

RESOLVED:

That, subject to the recommendation above, the Director of Resources be granted permission to agree a new lease for Lyndhurst Car Park on the terms outlined in Report L to the Cabinet and if the terms offered by the Forestry Commission vary from those set out the matter be referred to the Planning and Transportation Portfolio Holder for decision.

49. SENIOR MANAGEMENT STRUCTURE (REPORT M).

The Cabinet considered the detail of the proposal for the redundancy of the Director of Community Services.

RECOMMENDED

That the Council approves the detailed arrangements proposed in Report M for the redundancy of the Director of Community Services.

CHAIRMAN