

7 NOVEMBER 2007

NEW FOREST DISTRICT COUNCIL

CABINET

Minutes of a meeting of the Cabinet held at Town Hall, Lymington on Wednesday, 7 November 2007.

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

Councillors:

- p G C Beck
- p Mrs J L Cleary
- p E J Heron

Councillors:

- p Mrs M D Holding
- p C R Treleaven
- p C A Wise

In Attendance:

Councillors:

- Ms L C Ford
- C J Harrison
- Mrs M E Lewis
- Sqn Ldr B M F Pemberton
- A W Rice TD
- Mrs M J Robinson

Councillors:

- Mrs A M Rostand
- Mrs B Smith
- Mrs S I Snowden
- A J Swain
- F P Vickers
- J G Ward

Also In Attendance:

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

Officers Attending:

D Yates, C Malyon, J Mascall and Ms Bateman and for part of the meeting C Elliott, K Green, N Miller, G Miles and Mrs R Rutins.

50. MINUTES.

RESOLVED:

That, subject to in Minute Nos. 37 & 38, the reference to Cllr Mrs Robinson's interest reading Spectrum Housing Group and not Spectrum Housing Association, the minutes of the meeting held on 3 October 2007, having been circulated, be signed by the Chairman as a correct record.

51. CHAIRMAN'S ANNOUNCEMENTS.

The Chairman welcomed Cllr Heron to his first meeting of the Cabinet as Environment Portfolio Holder. The Chairman thanked Cllr Thierry for the work that he had undertaken during his time in that position, particularly for the new ideas he had introduced. He was well respected throughout the community and had also been Chairman of Project Integra.

The Chairman and Cabinet also thanked Mr C Malyon, Director of Resources, who was leaving the Council to take up a new challenge in the private sector. The Chairman said that Mr Malyon had always been very helpful and had provided sound advice. He had an excellent reputation with all members of the Council. Cllr Mrs Robinson, as Leader of the Liberal Democrats, also thanked Mr Malyon for his support and advice. All members wished Mr Malyon the very best of luck for the future. Mr Malyon replied thanking members for their good wishes.

52. DECLARATIONS OF INTEREST.

Cllrs Mrs Robinson and Vickers declared interests in Minute No. 59.

53. PUBLIC PARTICIPATION.

No issues were raised during the public participation period.

54. POLLING DISTRICTS AND POLLING PLACES REVIEW – DESIGNATION OF POLLING PLACES (REPORT A).

In the light of the Polling Districts and Polling Places Review currently taking place, the Cabinet considered arrangements for the designation of polling places.

RESOLVED:

That the polling places in New Forest District be designated as the whole of the polling district within which they are situated.

55. EXPENDITURE PLAN PROPOSALS AND FEES AND CHARGES (REPORT B).

The Cabinet considered their initial broad expenditure plan proposals together with proposed 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.

The Director of Resources reported that there was still a great deal of uncertainty on a number of government grants and initiatives that, once known, could have a substantial impact on the Council's resources. Currently it was only possible to estimate those effects.

The Finance and Efficiency Portfolio Holder urged all members, through the review panels, to consider the detail of the proposals and make comments back to the Cabinet in December.

Members were pleased to note that, thanks to the prudent work of the Finance and Efficiency Portfolio Holder and the Director of Resources, the Council had good reserves of capital monies. It was assumed that the Government would maintain a capping level of 5% for council tax. Further savings of approximately £500,000 were still required to achieve a council tax increase of 3%.

Members discussed the Comprehensive Spending Review and noted that any real increase in funding to deal with new obligations had been negated by the efficiency target. Whilst it was not yet known how many of the proposals would impact on the actual grant received by individual local authorities, the Area Cost Adjustment, that was intended to reflect higher pay costs in the south east, would mean that this Council received less recognition in this area than previously. The Council may then be on the grant floor and Members hoped that any ring fencing of grant funding was done before the grant floor was calculated to ensure that the Council was not penalised twice.

Members agreed some minor amendments to the proposed fees and charges for 2008/09. It was noted that, in relation to the penalty charge for dog fouling, discretion would only be applicable if Dog Control Orders were issued under the Clean Neighbourhoods and Environment Act 2005.

Members noted that Employee side comments on the proposals were still awaited.

RESOLVED:

- (a) That the expenditure plan proposals, as detailed in Report B to the Cabinet and as amended, be considered by the relevant review panels and any comments arising from them be fed back to the December Cabinet meeting; and
- (b) That further work continues in order to identify ways of reducing net expenditure with particular emphasis on savings that can be considered as 'efficiency' savings.

56. OPTIONS FOR THE INTRODUCTION OF ON-STREET PARKING CHARGES (REPORT C).

The Cabinet considered options for the introduction of On Street Parking Charges.

The Planning and Transportation Portfolio Holder said that the only practical charging option was a combined clock/ticket scheme. However, the payback period was uncertain as it was anticipated that 70% of the parking would be by existing clock users. The Portfolio Holder stressed that there needed to be full consultation with all interested parties before any decision could be made.

Members noted the comments received from the Lymington and Pennington Town Council and in particular that, if the scheme went ahead, careful consideration would need to be given to the siting of street furniture given the weekly market and the listed buildings in the town.

In considering the options local members from the Lymington area expressed concern and said that they could not support the proposals. They did not accept that the introduction of on-street parking would alleviate the parking problems in Lymington. They also felt that the addition of further street furniture in the High Street, with its many listed buildings, would be unacceptable. They were of the opinion that whilst only new off-street car parking would provide a permanent solution, more vigorous enforcement of the current waiting restrictions in Lymington High Street would help.

The Chairman reiterated that the proposals were only the start of a thorough consultation process. The objective was to deal with traffic management issues. On-Street parking charges would not be self financing but could help with increased turnover.

RESOLVED:

That the options set out in Sections 5 and 6 of Report C to the Cabinet be subject to consultation with the Highway Authority and local organisations with a view to, if agreement reached, a pilot scheme being set up in Lymington High Street.

57. HOUSING BENEFIT SANCTION OF ANTI-SOCIAL BEHAVIOUR (REPORT D).

The Cabinet considered delegations to enable officers to carry out new duties under the Social Security Benefits and Contributions Act 1992, the Housing Benefit (Loss of Benefit) (Pilot Scheme) Regulations 2007 and the Housing Benefit (Loss of Benefit) (Pilot Scheme) (Supplementary) Regulations 2007.

In supporting the scheme, Members expressed some concern that since first proposed, the scheme had been changed considerably and sanctions could now only be applied in very limited circumstances.

RESOLVED:

(a) That the report and the nature of the pilot scheme be noted and that once finalised, the details be widely distributed so that private landlords in particular understand the implications if they evict a household for antisocial behaviour; and

(b) That all the officers listed below be authorised to act as appropriate under the legislation listed in (i) – (iv) below:

Assistant Director (Environmental Health)
Tax and Benefits Manager
Assistant Director (Customer Services)
Assistant Director (Housing)
Executive Directors

(i) To determine whether warning notices in relation to anti-social behaviour should be issued;

(ii) To determine whether there has been a failure to comply with a warning notice without good cause and the implementation of a Restriction Period;

(iii) To determine if a Restriction Period should be ended/restarted;

- (iv) To determine any matter under the Social Security Benefits and Contributions Act 1992 to give full affect to the Housing Benefit (Loss of Benefit) (Pilot Scheme) Regulations 2007 and the Housing Benefit (Loss of Benefit) (Pilot Scheme) (Supplementary) Regulations 2007.

58. LEADER PROGRAMME 2008 - 2013 : ACCOUNTABLE BODY (REPORT E).

The Cabinet considered arrangements for the forthcoming bid for the next round of the LEADER funding to include the Council acting as the 'Accountable Body'.

The Programme was designed to support innovative community led rural development projects through implementing active partnerships at a local level. Over the past six years the Programme had provided 52 projects across the district covering a wide variety of topics and had brought considerable benefits to the area.

A joint expression of interest from the Council and the New Forest National Park was submitted in July 2007 to the South East England Development Agency and was favourably received. The full bid would be submitted in January 2008. However, the 'Accountable Body' needed to be decided in advance of the bids being submitted. Members discussed the appropriateness of the Council continuing to act as the 'Accountable Body' for the project now that the New Forest was a National Park. They also expressed some concern at the financial commitment this may place on the Council. They agreed that a further report should be made back to them once the full financial position was known.

RESOLVED:

That, subject to full reimbursement of costs for all Council expenses:-

- (i) the Council perform the role of Accountable Body for the purposes of the LEADER bid and subsequent operation of the programme, on the terms presented in Report E to the Cabinet and the bid being successful;
- (ii) should the bid be successful on the terms outlined, the post of LEADER Project Development Officer be added to the establishment at a scale to be agreed through the Council's job evaluation process; and
- (iii) a further report be made to the Cabinet when the full financial position in relation to the Council's commitment is known.

59. THE FUTURE OF GOLF COTTAGE & FOXHILLS COTTAGE, DIBDEN GOLF CENTRE (REPORT F).

The Cabinet considered options for the future of Golf Cottage and Foxhills Cottage, Dibden Golf Centre.

RECOMMENDED:

That Option 3 (Refurbish Foxhills Cottage/Rebuild Golf Cottage) be agreed at a cost £195,000 to be funded by a supplementary estimate of £28,000 in 2007/2008 and an Expenditure Plan bid for £167,000 in 2008/2009.

60. RISK MANAGEMENT (REPORT G).

The Cabinet considered the detail of the recent work undertaken by the Risk Management Group together with an outline of the work programme for the year ahead.

Risk Management, whilst being an essential element of the Council, had always been embedded in day to day management. However, following the Comprehensive Performance Assessment and the Use of Resources Assessment it was now a requirement that the Council develop a Strategic Risk Register. This would identify the major risks facing the Council in the medium term and enable action to be taken to mitigate any problems. The Strategic Risk Register would evolve as part of the Corporate Plan process.

Members agreed that the Council had always had sound financial practices and took their health and safety responsibilities to employees and the public very seriously. The work being undertaken would maintain good management practice without excessive bureaucracy.

Members also noted that Business Continuity Plans and Disaster Recovery Plans were in place at all sites for all services.

RESOLVED:

- (a) That the work of the Risk Management Group and revised management arrangements be noted;
- (b) That the Strategic Risk Register as detailed in Appendix 1 to Report G to the Cabinet be approved subject to further work being undertaken when the new Corporate Plan has been adopted; and
- (c) That Cabinet note the work programme shown in Appendix 2 to Report G to the Cabinet.

61. HYTHE FERRY PARKING CLOCK SCHEME DISTRICT OF NEW FOREST (OFF-STREET PARKING PLACES) (AMENDMENT) (NO. 2) ORDER 2007 (REPORT H).

Cllrs Mrs Robinson and Vickers declared personal interests in this item as members of Hythe and Dibden Parish Council. They did not consider their interests to be prejudicial. They remained at the meeting and took part in the discussion. They did not have a vote.

The Cabinet considered an objection from Hythe and Dibden Parish Council to a proposed amendment to the Hythe Ferry Parking Clock Scheme District of New Forest (Off-Street Parking Places) (Amendment) (No. 2) Order 2007.

The Planning and Transportation Portfolio Holder said that the amendment was required to address an anomaly in the current scheme that Hythe and Dibden Parish Council accepted existed. He noted that they wished for an alternative scheme to be devised but that they had not put forward any proposals.

Some local members reiterated the concerns of the Parish Council and asked that the district council work with them to produce an alternative scheme. In view of the timescales required for printing of parking clocks for 2008, the Cabinet agreed that the Portfolio Holder should consider any alternative proposals submitted to him by 30 November 2007, before coming to a final decision.

RESOLVED:

That, subject to the Portfolio Holder being satisfied by 30 November 2007, following further consultation with Hythe and Dibden Parish Council, that the scheme presently proposed cannot be improved upon, the draft District of New Forest (Off-Street Parking Places) (Amendment) (No 2) Order 2007 be confirmed.

62. OUTSIDE BODIES.

RESOLVED:

(a) Partnership for Urban South Hampshire Joint Committee

That Councillor Kendal be appointed to serve on the Partnership for Urban South Hampshire Joint Committee and Cllr Treleven be appointed as deputy.

(b) Totton College - Governor

That Mr J Mascall be appointed as the Council's representative on Totton College Board of Governors in place of Mr C Malyon.

(c) Project Integra Management Board

That Cllr Heron be appointed as the Council's representative on the Project Integra Management Board in place of Cllr Thierry and Cllr Mrs Holding be appointed as deputy in place of Cllr Mrs Ford.

(d) New Forest District Council/Test Valley Borough Council Commercial Services Joint Committee

That Cllr Heron be appointed as the Council's representative in place of Cllr Thierry.

CHAIRMAN