

## NOTICE OF MEETING

**Meeting** CABINET

**Date and Time** WEDNESDAY, 2 APRIL 2008, 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](http://www.newforest.gov.uk)

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

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## AGENDA

### **Apologies**

#### **1. Minutes**

To confirm the minutes of the meeting held on 5 March 2008 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. Annual Audit Report (Report A)**

To consider the Annual Audit Inspection letter and receive a presentation from the Auditors.

**5. The Corporate Plan – 2008/12 – Leading Our Forest Communities (Report B)**

To recommend agreement of a new Corporate Plan for the Council.

**6. Financial Report – Forecast Full Year and Actual for the period April 2007 – February 2008 (Report C)**

To approve variations and make recommendations.

**7. Management of Blackfield Neighbourhood Centre (Report D)**

To agree arrangements for the future management of this centre.

**8. Fundamental Service Review – Tourism Service Procurement Options (Report E)**

To agree arrangements for the future delivery of the Tourism Service.

**9. Community Meals (Report F)**

To recommend an increase in the Community Meals meal price.

**10. Former Royal Navy Armaments Depot, Marchwood – Completion of Flood Defences and Public Footpath (Report G)**

To agree a scheme to complete the works in this area.

**11. Delegations to Officers – Traffic Management Act 2004 – Civil Enforcement of Parking**

On 31 March 2008 the Traffic Management Act 2004 and regulations thereunder replace the Road Traffic Act 1991 as the legal basis for the civil enforcement of

parking. (The Cabinet considered the effect of the 2004 Act at its meeting on 5 December 2007 and, in particular, agreed revised amounts for penalty charges). Changes are needed to officer delegations to enable the smooth administration of enforcement under the 2004 Act. Within the Council, most processes will be the same as those under the 1991 Act, with only the source legislation needing amendment.

One new provision however is that if an independent adjudicator (the body to whom appeals against penalty charge notices can be made) does not allow an appeal because the appellant does not satisfy one of the statutory grounds he can nevertheless recommend to the Council that the notice be cancelled. Guidance is that this recommendation should be considered by an officer not located within the parking office, hence the recommendation that the fourth delegation listed below be to the Chief Executive/Equalities and Corporate Complaints Manager.

**RECOMMENDED:**

That the following delegations be approved with immediate effect:

<b>Source</b>	<b>Power Delegated</b>	<b>Delegation To</b>
Civil Enforcement of Parking Contraventions General Regulations 2007, regulations 5, 12, 19 and 21	To serve notices and certificates, to consider representations, and to take all action on behalf of the Council	Parking Manager Parking Operations Manager Parking Administrator Senior Administration Assistant (Parking) Administration Assistants (Parking)
Civil Enforcement of Parking Contraventions General Regulations 2007, regulation 22	To recover the increased penalty charge provided for in the charge certificate	Executive Director Parking Manager Parking Administrator
Civil Enforcement of Parking Contraventions Representations and Appeals Regulations 2007, Schedule paragraphs 12-15	To take all action on behalf of the Council	Executive Director Parking Manager Parking Administrator
Civil Enforcement of Parking Contraventions Representations and Appeals Regulations 2007, regulation 7(5)	To consider the recommendations of an adjudicator and decide whether to accept those recommendations	Chief Executive Equalities and Corporate Complaints Manager

To: **Councillors:**

G C Beck  
Mrs J L Cleary  
E J Heron  
Mrs M D Holding

**Councillors:**

M J Kendal (Chairman)  
B Rickman (Vice-Chairman)  
C R Treleaven  
C A Wise