

2 APRIL 2008

NEW FOREST DISTRICT COUNCIL

CABINET

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Wednesday, 2 April 2008.

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
e C A Wise

In Attendance:

Councillors:

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

Councillors:

Mrs M J Robinson
Mrs A M Rostand
A E J Shotter
Mrs B Smith
A J Swain
F P Vickers

Also In Attendance:

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

Officers Attending:

D Yates, R Jackson, J Mascal, Ms J Bateman and Miss G O'Rourke; and for part of the meeting D Brown, M Devine, C Elliott and D Groom.

99. MINUTES.

RESOLVED:

That the minutes of the meeting held on 5 March 2008, having been circulated, be signed by the Chairman as a correct record.

100. DECLARATIONS OF INTEREST.

Cllrs D Harrison, Mrs Hoare and Shotter declared interests in Minute No 108.

Cllr Mrs Robinson declared an interest in Minute No 105.

Cllr Kendal declared an interest in Minute No. 102.

101. PUBLIC PARTICIPATION.

No issues were raised during the public participation period.

102. ANNUAL AUDIT REPORT (REPORT A).

Cllr Kendal declared a personal interest as Environment Portfolio Holder at Hampshire County Council. He did not consider his interest to be prejudicial. He remained at the meeting, took part in the discussion and voted.

The Cabinet considered the Annual Audit and Inspection letter that summarised the work undertaken by the Audit Commission and the District Auditor for the preceding year.

Ms K Handy, Mr M Bowers and Ms H Molteno from the Audit Commission presented the report and commented in detail on each specific area.

In 2006/07 the Council made good progress in implementing its corporate improvement plan, with the majority of key objectives and milestones being achieved. Improvement planning was being implemented well and the Council had robust plans for improving further. The Council continued to demonstrate improvement through the effective delivery of its annual Performance Plan: 'Performance Matters'. The overall conclusion from the Audit Commission was that once again the Council was performing well against its own priorities and in comparison to other Councils.

There were four areas raised in the Inspection Letter where the Audit Commission felt that the Council should improve namely:-

- To reduce the time spent by homeless households in temporary accommodation through implementation of the Council's action plan;
- To keep under review the plans to achieve local and national recycling targets;
- To address the slippage and under spend against the capital budget. Having implemented the new capital programme processes and procedures, the Council should ensure that the planned improvements are realised; and
- To develop its corporate risks register, incorporate significant partnership risks in the risk register, and provide risk management training and guidance to appropriate staff.

In terms of Financial Management and Use of Resources, for the financial year 2006/07 the report concluded that the Council had prepared its final accounts on a timely basis and the Audit Commission had provided an unqualified opinion on the Council's financial statements and commented that this was a commendable achievement by the Council. The Council met all the statutory deadlines for the approval of the accounts and the statements were well presented and supported by comprehensive working papers.

An unqualified Value for Money Conclusion was also issued. This conclusion was based upon 12 criteria set by the Audit Commission and placed reliance upon the Use of Resources Assessment. The Council met each of the criteria and had appropriate arrangements in place to secure value for money in its use of resources in 2006/07.

A third Use of Resources Assessment was carried out. The scoring was undertaken against five key themes with 1 being the lowest score and 4 being the highest. NFDC scored a 3 overall and a 3 for each of the five themes. The results were an important component of the Comprehensive Performance Assessment framework and the Council's achievement was commendable as the process continued to get tougher each year.

Members were mindful of the fact that the Annual Inspection letter was a snapshot of the position at a particular point in time and that the matters that had been raised for improvement were already being acted upon. In particular, members discussed the unique problems of shortage of land in the New Forest to enable the provision of sufficient affordable housing and in terms of recycling the need to balance residents' wishes with Government targets.

Overall, the Audit Commission were pleased with the direction of travel of the Council and that it was clear that the Council were continually improving.

RESOLVED:

That the Annual Audit Letter for 2006/07 be noted.

103. THE CORPORATE PLAN – 2008/12 – LEADING OUR FOREST COMMUNITIES (REPORT B).

The Cabinet considered the Council's Corporate Plan for 2008/12 – Leading Our Forest Communities. The Plan set out how the council would continue to engage with the people of the area to shape the future of the New Forest District.

In noting the proposed vision in the plan and the ways in which that vision would be delivered, members agreed some minor wording amendments to simplify and clarify the text. Consultation on the document would continue until the Council meeting on 21 April 2008.

The Chairman said that the new plan, whilst retaining the vision and values of the previous corporate plan, built on key themes and corporate aims. The title of the new plan reflected the fact that whilst many organisations had a valuable role to play in the New Forest, it was the democratically elected council that had a responsibility to provide leadership.

The Leader of the Opposition said that the plan was well laid out and easy to understand however she did feel that the vision statement would be difficult to deliver. Cllr Robinson said that she would have liked to have seen a profile of environmental sustainability throughout the document rather than just within the environment portfolio. She also commented on the wording in relation to affordable housing and suggested that the council were increasing access to it, rather than directly providing it.

In response to other comments the Cabinet noted that whilst the trend of providing all documents via electronic means was increasing, it was important that the Corporate Plan was widely distributed in hard copy in a reasonably presented way and this was now possible at much lower costs than had previously been the case.

Members noted that the Leisure Review Panel had recently considered liaison arrangements with town and parish councils. A report would be made to Cabinet in the near future on this matter and the broader issue of general links with town and parish councils.

Other issues that were discussed related to the issue of high value employment in the district which would be considered as part of the economic strategy; the Nottingham Declaration that would taken into account as part of the Council's green audit and the need to ensure that environmental considerations were fully taken into account in the democratic decision making process.

RECOMMENDED:

That, subject to minor wording amendments the Corporate Plan as detailed in Report B to the Cabinet be approved.

104. FINANCIAL REPORT – FORECAST FULL YEAR AND ACTUAL FOR THE PERIOD APRIL 2007 – FEBRUARY 2008 (REPORT C).

The Cabinet considered the forecast budget variations of all portfolios and committees from the approved original estimates. In discussing the detail members particularly noted additional income of £117,000 from interest earnings; £117,000 slippage in the coastal protection maintenance budget and approximately £100,000 reduction in revenue charges as a result of savings and rephasings of ICT capital expenditure. The forecast outturn for the year end at service level was currently above budget and the overall favourable position was being supported by items outside the direct control of the Council. This included interest rate movements and additional Government grant notified to the Council after the budget had been set.

RECOMMENDED:

- (a) That £117,000 be transferred from General Fund surpluses to revenue reserves in respect of planned coast protection maintenance delayed until 2008/09 due to outstanding planning approval (Appendix 7 & 3f of Appendix 1 to Report C to the Cabinet refer);***
- (b) That revenue budget provision of £60k be approved in place of the current capital estimate, to reflect the change in financing of Members ICT provision, following the option to move away from Council owned asset provision; and***
- (c) That £447,000 be transferred from General Fund surpluses to the Capital Programme Reserve, in accordance with the approved financial strategy;***

RESOLVED:

- (a) That the items set out in the revised General Fund budget in Appendix 1 to Report C to the Cabinet be noted and the transfer of £25,000 to revenue reserves in respect of planned street scene revenue expenditure delayed to 2008/09 on A31 litter clearance be agreed (Item 3c of Appendix 1 to Report C to the Cabinet refers);
- (b) That the revised capital expenditure as set out in Appendix 2 to Report C to the Cabinet be noted and the proposed rephasings of capital expenditure be agreed;
- (c) That the revised Housing Revenue Account expenditure as set out in Appendix 3 to Report C to the Cabinet be noted; and
- (d) That 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 of Report C to the Cabinet be noted.

105. MANAGEMENT OF BLACKFIELD NEIGHBOURHOOD CENTRE (REPORT D).

Cllr Mrs Robinson declared a personal interest as a Board Member of Spectrum Housing Group, a parent company for the housing association which supports Blackfield Neighbourhood Centre. 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 arrangements for a longer term management agreement for the use of Blackfield Neighbourhood Centre by Totton College.

Both the Housing and the Employment, Health and Wellbeing Portfolio Holders supported the proposals for this vitally important local resource in an area of high social need.

RESOLVED:

That the proposals for leasing Blackfield Neighbourhood Centre to Totton College for a term of 6 years be agreed with provision for a "break" clause after 3 years.

106. FUNDAMENTAL SERVICE REVIEW – TOURISM SERVICE PROCUREMENT OPTIONS (REPORT E).

The Cabinet considered arrangements for the future direction of the Tourism service that would place greater emphasis on partnership working and a closer alignment with other management and economic activities,

The Employment, Health and Wellbeing Portfolio Holder fully supported the recommendations for the future direction of the Tourism service and the need to consider further the role of the visitor information centres.

The Employee side also welcomed the options to be developed.

RESOLVED:

That the direction of the Tourism Service procurement be agreed as detailed in Report E to the Cabinet to specifically include:

- (i) The creation of a single post to manage both the Tourism Service and the Economic Development Unit;
- (ii) The examination of the future provision of information services in Ringwood, along with consideration of the future of Council assets in the Town Centre; and
- (iii) The adoption of the Partnership Agreement between the Council's Tourism Service and the New Forest National Park Authority identifying the Underlying Principles for Joint Working.

107. COMMUNITY MEALS (REPORT F).

The Cabinet considered a proposal to set the price for community meals at £3.00 for 2008/09. Members also noted that HCC were conducting a review of the community meals service. Officers had been invited to join a steering group and formal consultation would take place as part of the review.

RECOMMENDED:

That the price for community meals for 2008/09 be set at £3.00

RESOLVED:

That the proposal by HCC to review the Community Meals Service be noted and the district council's initial comments on the options outlined in section 5 of Report F to the Cabinet be agreed.

108. FORMER ROYAL NAVY ARMAMENTS DEPOT, MARCHWOOD – COMPLETION OF FLOOD DEFENCES AND PUBLIC FOOTPATH (REPORT G).

Cllrs Mrs Hoare and Shotter both declared personal interests as members of Marchwood 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.

Cllr D Harrison declared a personal interest as a County Councillor for Totton South and Marchwood. 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.

The Planning and Transportation Portfolio Holder commented that he supported the recommendations contained in the report which would be of benefit to both Marchwood Yacht Club and the wider community.

Mr Farthing, a member of the public addressed the Cabinet. Mr Farthing clarified that whilst he had been a member of Marchwood Yacht Club since 1970 his views were his own and he did not speak on behalf of the club. Mr Farthing expressed concern over information that the yacht club had considered in relation to drainage contract work that he had been involved with. He said that the information contained in the report to the Cabinet was different from that which the yacht club had considered and he was concerned that the yacht club's decision may have been based on wrong information. He pointed out that the drainage work that he had been involved with had had all relevant planning permissions and the agreement of the developer.

Mrs Cowen, Vice-Commodore of Marchwood Yacht Club addressed the Cabinet. Mrs Cowen said that she was speaking on behalf of the members of the yacht club. The club had worked closely with the district council and with Marchwood Parish Council and she confirmed that, at an extraordinary general meeting of the club, the members had voted to support the proposed flood defences and footpath scheme. She said that the scheme would not only protect the yacht club and its listed buildings but would also benefit the community as a whole.

Local members also spoke in support of the proposed scheme and complimented officers for the work they had undertaken with both the yacht club and the parish council to bring this scheme to fruition.

Members noted that whilst there could never be a guarantee against flooding, the proposed scheme would provide a long term solution for the area. It would also solve the problem of bypass flooding through sewerage systems that the current interim arrangements did not. Members noted that final legal arrangements had to be concluded with the yacht club as a matter of urgency to fulfill contractual agreements.

RESOLVED:

That, subject to the Head of Planning and the Head of Legal and Democratic Services being satisfied as to the final agreement of the details of the scheme, the terms of the lease and right of way being reached with Marchwood Yacht Club, and subject to those arrangements not resulting in the scheme costing more than the finance available through developers' contributions, the scheme to complete the flood defences and public footpath at the former Royal Navy Armaments Depot, Marchwood be approved.

109. DELEGATIONS TO OFFICERS – TRAFFIC MANAGEMENT ACT 2004 – CIVIL ENFORCEMENT OF PARKING.

Following the replacement of the Road Traffic Act 1991 by the Traffic Management Act 2004 as the legal basis for the civil enforcement of parking the Cabinet agreed changes to officer delegations.

RESOLVED:

That the following delegations be approved with immediate effect:

Source	Power Delegated	Delegation To
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

CHAIRMAN

(DEMOCRAT/CB020408/MINUTES.DOC)