

7 JULY 2008

NEW FOREST DISTRICT COUNCIL

CABINET

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Monday, 7 July 2008.

e Cllr M J Kendal (Chairman)
p Cllr B Rickman (Vice-Chairman) (In the chair)

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
D Harrison
Mrs A J Hoare
Mrs M E Lewis
Sqn Ldr B M F Pemberton

Councillors:

L R Puttock
Mrs A M Rostand
Mrs B Smith
Mrs S I Snowden
F P Vickers
J G Ward

Also In Attendance:

Mrs P White, Tenants' Representatives.

Officers Attending:

D Yates, R Jackson, J Mascall, Ms J Bateman, G Gosheron and Miss G O'Rourke and for part of the meeting G Bettle, D Brown and Ms L Croker.

15. MINUTES.

RESOLVED:

That the minutes of the meeting held on 4 June 2008, having been circulated, be signed by the Chairman as a correct record.

16. DECLARATIONS OF INTEREST.

Cllr Ms Ford declared an interest in Minute No. 19
Cllr E J Heron declared an interest in minute No. 25

17. PUBLIC PARTICIPATION.

No issues were raised during the public participation period.

18. THE SUSTAINABLE COMMUNITY STRATEGY (SCS) AND ACTION PLAN (REPORT A).

The Cabinet considered a Sustainable Community Strategy for the district that provided a focus for all Local Strategic Partnership (LSP) partners to work towards a common vision and set of improvement outcomes. They noted that the LSP had approved the Strategy and were pleased with the excellent opportunities it afforded partners to work together.

Members also noted that the LSP, whilst supporting the Action Plan had debated some transport issues raised in it and their appropriateness for the LSP. Some of the issues did involve a number of partners and it was therefore correct that those topics were reflected in the Action Plan. However, it was agreed that it would be useful for the Transport Community Action Network (CAN) to consider whether the actions fully covered the aspirations in the Strategy. In response to a question it was also reported that work was ongoing in relation to mental health issues.

RECOMMENDED:

That the Sustainable Community Strategy for New Forest District and the 2008/09 Action Plan be approved.

19. PARSONAGE BARN LANE, RINGWOOD – DISPOSAL OF LAND FOR AFFORDABLE HOUSING (REPORT B).

Cllr Ms Ford declared a personal interest as a Ringwood Town Councillor. 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 disposal of a parcel of land in Parsonage Barn Lane, Ringwood to Raglan Housing Association to enable them to develop eight affordable homes to be allocated to applicants from the Council's Homesearch Register.

In response to a question that the proposed homes would be very close to the main A31 road, members noted that any environmental issues such as air and noise pollution would be addressed in the normal way through the planning process. Additionally, it was noted that a number of other private residential dwellings had been built close by in recent years.

RESOLVED:

That, subject to the granting of planning permission, the land at Parsonage Barn Lane, Ringwood be transferred leasehold to Raglan Housing Association for nil value but subject to the reimbursement of costs relating to the purchase of the Highways land.

20. MARSH LANE DEPOT OFFICES REFURBISHMENT / IMPROVEMENTS – SUPPLEMENTARY CAPITAL BID (REPORT C).

The Cabinet considered proposals for the second phase of works to stabilise and update remaining office accommodation at Marsh Lane depot and address future storage needs.

The improvement works proposed had been drawn up following a full structural survey and addressed the concerns relating to the instability of the building. Officers were confident that the work would provide a long term solution at the site.

RECOMMENDED:

That a supplementary capital bid of £76,000 be agreed to enable the phase 2 refurbishment and stabilisation works to be undertaken to the main Building Works offices at Marsh Lane Depot.

21. EXTRA CARE AND ENHANCED CARE HOUSING (REPORT D).

The Cabinet considered proposals to develop additional extra care and enhanced care housing from within the Council's own existing sheltered housing stock.

Working in partnership with Hampshire County Council as part of the Older People's Wellbeing Strategy, a county wide approach to dealing with older people's issues was established.

The Council currently had 10 units of extra care sheltered housing based at Barfields Court in Lymington. Of the total of 539 units of sheltered accommodation within the district some would be inappropriate for conversion, and some would need excessive levels of expenditure to be converted. The proposal was therefore to designate up to 50% of the units as available for either extra care or enhanced care.

Both the Housing and the Employment, Health & Wellbeing Portfolio Holders welcomed the development. There was an increasingly steady rise in the elderly population and considerable work would be needed in the future to address their needs.

The Tenants' representative also supported the proposal which she felt would provide an excellent service for the future.

RESOLVED:

That the progressive designation of up to 50% of existing sheltered housing schemes as extra care or enhanced care housing be agreed and that officers continue to work in partnership with Hampshire County Council to increase the provision of extra care housing within the District to meet current and future needs.

22. BUDGET ARRANGEMENTS AND TIMETABLE (REPORT E).

The annual budget timetable had been reviewed in the light of changes to the senior management structure and the timing of government funding announcements.

The revised process would build upon the role of portfolios as set out in the Corporate Plan and enable review panels and committees to oversee its delivery within the annual budget process.

RESOLVED:

That the new arrangements for consideration of the Council's budget together with a revised timetable as set out in Appendix 1 to Report E to the Cabinet be agreed.

23. TREASURY MANAGEMENT SERVICE AND ACTUAL PRUDENTIAL INDICATORS 2007/08 – ANNUAL REPORT (REPORT F).

The Cabinet considered the annual treasury report that was a requirement of the Council's reporting procedures and covered the treasury activity for 2007/08. Members noted that the Council had generated an additional £370,000 from investments and had maintained good performance against benchmarks despite a year in which there had been five base interest rate changes.

The Finance & Support Portfolio holder confirmed the excellent record of achievement by the Council and expressed his thanks to the officers concerned.

RESOLVED:

That the annual report of the Treasury Management Service together with the Actual Prudential Indicators for 2007/08 be noted.

24. DELEGATIONS TO OFFICERS (REPORT G).

The Cabinet considered changes to the Council's Scheme of Delegation of Powers arising from recent changes to the senior management structure.

RESOLVED:

That, insofar as functions that are the responsibility of the Cabinet are concerned -

- (a) All existing delegations, proper officer appointments or authorities to enter to Assistant Directors/Heads of Service be amended as follows:

Previous Designation	New Designation
Head of Human Resources or Head of Personnel	Head of Human Resources
Assistant Director (Customer Services)	Head of Customer Services
Assistant Director of Resources (ICT Services)	Head of ICT

Previous Designation	New Designation
Assistant Director of Leisure Services (Service Development)	Head of Communities and Employment
Assistant Director of Leisure Services (Business Development)	Head of Leisure Services
Assistant Director (Environmental Health)	Head of Public Health & Community Safety
Assistant Director (Housing Services)	Head of Housing
Assistant Director (Commercial Services) (Business Services)	Head of Environment Services or Head of Property Services, as appropriate
Assistant Director (Commercial Services) (Operational Services)	Head of Environment Services
Head of Planning	Head of Planning & Transportation
Head of Legal & Democratic Services	Head of Legal & Democratic Services (no change)
Head of Performance & Strategic Development or Corporate Planning Co-Ordinator)	Head of Performance & Strategic Development

- (b) The amendments to the delegations, proper officer appointments or authorities to enter, as set out in Appendix 1 to these minutes, be approved;
- (c) The proposed new delegations and proper officer appointments in respect of functions carried out by Audit Services, as set out in Appendix 2 to these minutes, be approved;
- (d) The existing delegations, proper officer appointments or authorities to enter to the Head of Support Services (Community Services) be amended to “Services Manager, Communities and Employment”;
- (e) The existing delegations, proper officer appointments or authorities to enter to the Economic Development Officer be amended to “Employment and Tourism Manager”;
- (f) All references to “Corporate Management Team” be amended to “Executive Management Team”;
- (g) All reference to the Assistant Director (Financial Services) be deleted from the date on which the postholder leaves the Council’s service; and
- (h) The General Provisions relating to the Scheme of Delegation of Powers to officers be amended as shown below:
- “(f) The Chief Executive, in consultation with an Executive Director and, in the case of legislative changes, the Head of Legal and Democratic Services, may amend any of these delegations to take account of new legislation, amendments to staffing structures or job titles, or appointments.”

25. OUTSIDE BODIES.

Cllr E J Heron declared a personal interest in the appointment to the Poulner Community Management Committee. He did not consider his interest to be prejudicial. He remained at the meeting and voted.

The Cabinet considered changes to some outside body appointments.

RESOLVED:

That the following appointments to outside bodies be agreed:

- (a) Poulner Community Management Committee – Cllr J Heron
- (b) Project Integra Policy Review and Scrutiny Committee -

Representative:

Cllr Hickman

Deputy:

Cllr Weeks

26. DATES OF MEETINGS.

The Cabinet considered the dates for their future meetings.

RESOLVED:

That the following dates for Cabinet meetings in 2009/10, all Wednesdays at 10.00am unless otherwise indicated, be agreed:

- 3 June 2009
- 6 July 2009 (Monday to accommodate the annual LGA Conference week)
- 5 August 2009
- 2 September 2009
- 7 October 2009
- 4 November 2009
- 2 December 2009
- 6 January 2010
- 3 February 2010
- 3 March 2010
- 7 April 2010
- 5 May 2010

CHAIRMAN

APPENDIX 1

AMENDMENTS TO DELEGATIONS OF POWERS TO OFFICERS THAT ARE THE RESPONSIBILITY OF THE CABINET

Planning and Transportation Portfolio			
366	LG (Misc Prov) Act 1976, (s23 and 24)	Dangerous Trees	Delete Assistant Director of Leisure Services (Services Development) and add Head of Planning & Transportation
369	Various planning acts and regulations	Initiate and undertake prosecutions	Delete Assistant Director of Leisure Services (Services Development)
401	Planning (Listed Buildings and Conservation Areas) Act 1990	To offer historic building grants	Delete Assistant Director of Leisure Services (Services Development) and add Head of Planning & Transportation
Environment Portfolio			
407	Local Govt Act 2000, S15	To use discretion in the provision of supplies and services, free of charge, to encourage local voluntary effort in litter collection	Add Head of Environment Services
409	Env Prot Act 1990, s.92	To serve litter abatement notices	Add Head of Environment Services
410	Env Prot Act 1990, s.93	To serve street litter control notices	Add Head of Environment Services
411	Env Prot Act 1990, s.94	To serve street litter control notices – supplementary provisions	Add Head of Environment Services
412	LGA 2000, s.15	Various powers in connection with the price of refuse sacks	Add Head of Environment Services
413	LGA 2000, s.15	To serve or issue any notice of document and to settle claims arising from or relating to the refuse collection function of the Council	Add Head of Environment Services
414	LGA 2000, s.15	To remit charges for special collections of household waste	Add Head of Environment Services
426	LCA 1972 s.214 and Local Cemeteries Order 1977	To deal with grants of grave spaces and the approval of headstones and monuments	Amend to Head of Environment Services or Cemeteries and Amenities Manager

Environment Portfolio			
427	LGA 2000, s.15	To review, on an annual basis, the sum paid to the Fordingbridge Town Council in recognition of its maintenance of St Mary's closed churchyard	Amend to Head of Environment Services
428	LGA 2000, s.15	To authorise night time or other closures of public conveniences where circumstances indicate that such closure is warranted	Amend to Head of Environment Services or Street Scene Manager
438	Dogs (Fouling of Land) Act 1996	To serve fixed penalty notices	Add Street Scene Manager, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Grounds Maintenance Supervisor, or Grounds Maintenance Foreman, or Assistant Dog Warden, or Planning Enforcement Officer, or Assistant Housing Manager (Estates) or Neighbourhood and Tenancy Management Officers, or Contract Inspector
442	Local Govt Act 2000, s.15	To sign various DEFRA forms relating to coast protection and land drainage schemes	Amend to S.151 Officer, Accountancy Manager or Principal Service Accountants
444	LGA 2000, s.15	To serve or issue any notice or document and to settle claims arising from or relating to the sewerage functions of the Council	Add Head of Property Services
Finance and Efficiency Portfolio			
469	LGA 2000, s.15	To settle terms for transactions for freehold or leasehold acquisitions not exceeding £30,000	Amend to Head of Property Services or Valuer
470	LGA 2000, s.15	To settle leasing arrangements for the acquisition of new equipment	Amend to S.151 officer, or Accountancy Manager or Audit Manager

Finance and Efficiency Portfolio			
474	LGA 2000, s.15	To sign transfers from the Council's general account to the payments account and to sign cheques	Amend to S.151 Officer, Accountancy Manager or Audit Manager
475	LGA 200, S15	To administer the national non-domestic rate and the council tax (reference to "community charge" deleted)	Amend to Head of Customer Services
476	Various Acts and Regulations	To carry out all functions in relation to housing and council tax benefits	Amend to Head of Customer Services
478	LGA 2000, s.15 LG & Finance Act 1988, s.49	To grant or refuse applications for national non-domestic rate relief on hardship grounds; discretionary rate relieve for charity; and discretionary rate relief for non-profit-making organisations	Amend to Head of Customer Services
		To determine such applications where the circumstances are not covered by the approved policy framework	Amend to Head of Customer Services, in consultation with the Finance & Efficiency Portfolio Holder
482	LGA 2000, s.15	To determine (as landowner) proposed revisions to Hythe Marina that have no significant impact on the character of the development	Amend to Head of Property Services (or Valuer)
484	LGA 2000, s.15	To be responsible for the treasury management operations	Amend to S.151 officer who may delegate to Accountancy Manager or Audit Manager
485	LGA 2000, s.15	To settle claims against the Council in respect of building regulations	Amend reference to Director of Resources to s.151 Officer

Finance and Efficiency Portfolio			
486	LG&Housing Act 1989, Part IV LGA 2000, s.15	To make formal determinations under Part IV of the LGA & Housing Act 1989	Amend to S.151 Officer
490	Clean Neighbourhoods and Environment Act 2005 s.6	To enter into wayleave agreements	Add Head of Property Services
491	LGA 1972, s.101 LGA 2000, s.15	To issue and administer formal cautions in connection with any of the functions carried out by Audit Services	Add Robert Duncan, Senior Investigations Officer
Housing Portfolio			
506	Housing Act 1985, Part II	To set the service charge in respect of sold Council flats	Delete "in consultation with Executive Director"
525	LGA 2000, s.15	To change the financial limits applied to contractors on the standing approved list	Amend to S.151 Officer or Audit Manager
526	LGA 2000, s.15	To grant wayleaves across the Council's estates	Add Head of Property Services
527	LGA 2000, s.15	To assess rent payable to the owners of unfurnished properties let to the Council	Add Head of Property Services"
538	LGA 2000, s.15	To institute foreclosure proceedings in respect of housing advance accounts	Add Accountancy Manager or Audit Manager

APPENDIX 2

PROPOSED NEW DELEGATIONS/PROPER OFFICER PROVISIONS IN RESPECT OF FUNCTIONS THAT ARE THE RESPONSIBILITY OF THE CABINET CARRIED OUT BY AUDIT SERVICES

Finance and Efficiency Portfolio		
Social Security Administration (Fraud) Act 1997	To issue Administrative Penalties under the Act	S J Cranston – Audit Manager R Duncan – Senior Investigations Officer
Social Security Fraud Act 2001, s. 110A Social Security Administration Act 1992	Appointment as authorised officer to obtain information from financial institutions and other bodies	S J Cranston – Audit Manager
Social Security Administration Act 1992, s.109b and s.109c	Appointment as authorised officers to obtain details from employers	R Duncan – Senior Investigations Officer K Hodge – Investigations Officer Ms S Williams – Assistant Investigator Ms N Message – FOI and Fraud Assistant
Proceeds of Crime Act 2002, Parts 2 & 8	Appointment as Accredited Financial Investigator to apply for production and restraint orders at Crown Court	R Duncan – Senior Investigations Officer
Proceeds of Crime Act 2002	Appointment as Senior Appropriate Officer to authorise accredited financial investigators to apply to Crown Court for production of restraint orders	S J Cranston – Audit Manager
Anti-Terrorism, Crime & Security Act 2001, s.19	Appointment as Single Point of Contact for all purposes under s.19 of the Act Appointment as Authorised Officer to obtain information from HM Revenues & Customs	R Duncan – Senior Investigations Officer S J Cranston – Audit Manager