

14 JANUARY 2010

NEW FOREST DISTRICT COUNCIL

CABINET

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Thursday, 14 January 2010.

- p Cllr B Rickman (Chairman)
- p Cllr E J Heron (Vice-Chairman)

Councillors:

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

Councillors:

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

In Attendance:

Councillors:

D Harrison
J A G Hutchins
Mrs M E Lewis

Councillors:

Sqn Ldr B M F Pemberton
Mrs B Smith
F P Vickers

Also In Attendance:

Mr M Akerman and Mr G Waters, Housing Policy and Report Focus Group Representatives.

Officers Attending:

D Yates, R Jackson, J Mascal, Ms J Bateman and Miss G O'Rourke and for part of the meeting Mrs M Sandhu.

54. BAD WEATHER – CHAIRMAN'S ANNOUNCEMENT.

The Chairman paid tribute to the New Forest District Council employees who had worked tirelessly to keep as many of the district's roads and footpaths as clear as possible during the recent spell of bad weather.

He thanked the dedicated crews who had been out in the snow and ice from early morning to late evening, working in partnership with Hampshire County Council who were responsible for highway safety. The crews had helped to clear the main routes to all the secondary schools and colleges in the district to make the areas safer for students taking exams. The same process had been carried out around the primary schools.

In addition, employees had worked hard to give safer access to doctors' surgeries and hospitals, cleared pathways to allow emergency services, such as ambulances, to respond to callouts and dealt with adverse situations as and when required.

The Cabinet noted that household waste collections were slowly returning to normal. In badly affected areas, arrangements had been put in place for double collections to be made as soon as possible. Crews had worked well in co-operation with Hampshire highways teams and had received a positive response from the public with most people pleased to see them. In particular members were pleased to receive the daily update bulletins on the situation from Colin Read, Head of Environment Services, which were very useful in disseminating information within their local area.

The Cabinet thanked all those involved for their commitment and dedication.

55. NEW AFFORDABLE HOUSING – CHAIRMAN/PORTFOLIO HOLDER’S ANNOUNCEMENT.

The Chairman was very pleased to announce that the Council would be building ten new affordable family houses in 2011 thanks to a successful bid for extra funding from the Homes and Communities Agency (HCA). The Council competed against other local authority applications for funding and on 11 January, 2010, its bid for £650,000 was confirmed as successful.

The Housing Portfolio Holder said that the homes, which would be built at Howards Mead in Pennington on existing garage sites, would offer high energy efficient standards, meeting Level 4 of the Code for Sustainable Homes using the latest modern technologies in building and design.

The six, two-bedroom properties, and four, three-bedroom properties, would give people on the housing waiting list an opportunity to have a quality new home at a rent they could afford, with lower energy bills and a reduced impact on the environment.

In addition to the building works the Council is committing £200,000 to schemes to improve the parking and open space in the area surrounding the site which would benefit all the residents in the area.

As part of the scheme the Council would be expecting the contractor to employ apprentices as appropriate for a large contract and use as many local skills as possible.

Work on site was due to commence around Easter 2010 with a view to being completed by Easter 2011.

56. MINUTES.

RESOLVED:

That the minutes of the meeting held on 2 December 2009, having been circulated, be signed by the Chairman as a correct record.

57. DECLARATIONS OF INTEREST.

No declarations of interest were made by members in connection with any agenda item.

58. PUBLIC PARTICIPATION.

No issues were raised during the public participation period.

59. COMPREHENSIVE AREA ASSESSMENT (REPORT A).

Mr K Patterson from the Audit Commission presented the report and commented on each specific area.

The Comprehensive Area Assessment (CAA) was a new way of assessing how well local public services, working together, were meeting the needs of the people they served. The Area Assessment covered all of Hampshire and was available to the public on a new joint website oneplace.direct.gov.uk. Overall, the position was positive for Hampshire and, in particular, NFDC were mentioned for their work on positive carbon reduction and Brand New Forest.

For the Organisational Assessment each body was assessed to find out how well public money was being used and how well services were being delivered to local people. Overall, NFDC was performing well and was above the norm for England as a whole. There were positive comments in terms of low crime rates, and successfully addressing anti-social behaviour. The Council was also effective in supporting local businesses through the recession. There were some outstanding issues in relation to the housing waiting list; disabled facilities grants and affordable housing.

Overall the Council had a very positive Organisational Assessment and was providing good value for money and performing well.

RESOLVED:

That the Comprehensive Area Assessment – Organisational Assessment be noted.

60. ANNUAL AUDIT AND INSPECTION LETTER 2008/09 (REPORT B).

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 Lee and Mr K Patterson from the Audit Commission presented the report and commented in detail on each specific area.

The Audit Commission had given an unqualified opinion on the Council's financial statements on 30 September 2009. During the audit two significant issues were identified but these had been dealt with and had not impacted on the Council's ability to fund services, or the revenue required from Council Taxpayers. The Council continued to maintain the good standards that the Audit Commission had come to expect.

The Audit Commission had also given an unqualified opinion on the Council's use of Resources Assessment (UoR). Ms Lee said that that was particularly pleasing as the new UoR assessment framework was more demanding and broader in scope than previously. Ms Lee pointed out that there were a number of areas where there was still scope for further action and went through those in detail.

Mr Patterson commented in greater detail on the UoR assessment framework and explained the scored judgement for each of the Key Lines of Enquiry. For the six of the eight Key Lines of Enquiry that the Council had been scored on in 2009 they had achieved a level 3 (out of 4) 'good' judgement in six of them, and a level 2 (out of 4) 'adequate' judgement in the remaining two.

In terms of 'Managing Finances', overall the Council had performed well and had exceeded the requirements of the Audit Commission's guidance. The Council's corporate planning and service planning was good as was the Green Audit/sustainability work that had been undertaken.

For 'Governing the Business' the Council's procurement arrangements were robust and there was a good understanding of the local market place. The overall performance management of the Council was good, although a clearer strategy was needed in terms of data quality. In terms of 'Managing Resources' the Cabinet noted that for 2009 that had been entirely focussed on workforce planning. Whilst, the Council met the minimum requirements, the Audit Commission was aware of ongoing improvement works and would be looking, in 2010, for the impact of those.

In conclusion Ms Lee said that overall, the Council continued to perform well, and compared well with other District Councils nationally. She thanked the Council for their positive and constructive approach to the process.

In response to questions, members noted that it was important that the correct indicators were used throughout the process to give useful outcome/impact measurements.

The Finance and Efficiency Portfolio Holder said that in his view the Council did operate an economic, efficient and effective service providing good value for money.

The Chief Executive thanked the Audit Commission for their constructive approach. He commented that for 2009 the assessments had been harder and he felt the Council had done well to maintain its position as a high performer. Generally the audit requirements were sensible and helpful; and the Council had responded proportionately to meet local priorities. There was no room for complacency. The funding received from the Homes and Communities Agency to build new affordable housing was an excellent example of the Council's innovation and positive response to an acknowledged area of need.

RESOLVED:

That the Annual Audit Letter for 2008/09 be noted.

61. WORKFORCE STRATEGY 2009-2012 (REPORT C).

The Cabinet considered a Workforce Strategy for 2009 – 2012. The Strategy aimed to set out the Council's approach and plans for people management. It was the framework which would provide the future direction of all Human Resource activity within the Council.

Members noted that the points raised in the UoR Assessment, discussed in the previous report to them, had been addressed in the new Strategy document.

RESOLVED:

That the Workforce Strategy 2009 – 2012 be agreed.

62. MEDIUM TERM FINANCIAL PLAN AND ANNUAL BUDGET 2010/11 – PROGRESS REPORT (REPORT D).

At their meeting on 4 November 2009 the Cabinet had agreed a budget strategy for 2010/11 within the context of the Medium Term Financial Plan. In light of that agreed strategy, Portfolio Holders had been developing their Plans and had been undertaking consultation with Committees and Review Panels on the actions and implications proposed.

The Cabinet considered the feedback to that consultation and looked at the re-assessed budget assumptions in the light of additional information.

The Finance and Efficiency Portfolio Holder pointed out that the savings achieved so far were good, particularly in the Leisure, Culture and Youth Matters Portfolio. The Leisure, Culture and Youth Matters Portfolio Holder paid particular tribute to the employees in the Leisure service.

The Chairman thanked the portfolio holders, committees and panels for their work in developing the Medium Term Financial Plan.

RESOLVED:

- (a) That, following consideration of the feedback from Committees and Review Panels to the proposals set out within Portfolio Plans, the changed budget assumptions as set out in Report D to the Cabinet be noted; and
- (b) That Portfolio Holders be asked to continue their work with Heads of Services to identify where further areas of saving can be achieved, particularly in light of the potential financial position from 2011/12 onwards.

63. SCHEME OF DELEGATIONS – FOOD SAFETY LEGISLATION.

Following a review, the Cabinet considered updates to the Officers' Scheme of Delegations in relation to Food Safety Officers in Environmental Health. An additional update relating to the power to issue simple cautions was circulated at the meeting.

RESOLVED:

That the following changes, in relation to the delegated authorisations to Food Safety Officers in Environmental Health, in the Officers' Scheme of Delegations, be agreed:

- (1) Delete the reference to the repealed legislation Products of Animal Origin (Third Country Imports) (England) (No 4) Regulations 2004 and replace with the following:

Source	Power Delegated	Delegated To
The Products of Animal Origin (Third Country Imports) (England) Regulations 2006 The Products of Animal Origin (Third Country Imports) (England) Amendment Regulations 2007,2008,2009	Powers of entry including applying for entry warrant. The inspection and sampling of any product. Powers in relation to documents including their examination and seizure. The service of notice to deal with non conforming products. To instruct the redispach or destruction of consignments and products illegally brought in to the country. To take charge of and destroy products dangerous to animal or public health by service of notice.	Environmental Health Manager (Commercial), or Senior Environmental Health Officers, or Environmental Health Officers or Environmental Health Technicians

- (2) Make the following additions:

Source	Power Delegated	Delegated To
The Official Feed & Food Controls (England) Regulations 2007 (as amended)	Power of entry, investigation and sampling. The service of notice to require detention, destruction, special treatment, re-dispatch and other appropriate measures of non compliant food.	Environmental Health Manager (Commercial), or Senior Environmental Health Officers, or Environmental Health Officers.
The Products of Animal Origin (Import and Export) Regulations 1996 The Products of Animal Origin (Import and Export) (Amendment) (England) Regulations 2001	To inspect and sample products, the inspection of premises and examination of documents. To be accompanied by a representative of the European Commission. Power to deal with consignments illegally imported and posing a risk to health. The service of notice to destroy, re-export, or move food to a border inspection post.	Environmental Health Manager (Commercial), or Senior Environmental Health Officers, or Environmental Health Officers.
The Meat (Enhanced Enforcement Powers) (England) Regulations 2000	The application of enforcement powers to premises other than slaughterhouses in relation to regulations controlling the production of meat.	Environmental Health Manager (Commercial), or Senior Environmental Health Officers, or Environmental Health Officers.

Source	Power Delegated	Delegated To
The Transmissible Spongiform Encephalopathy (England) Regulations 2002	The appointment of inspectors with powers of entry, inspection sampling and seizure. The service of notices restricting movement or the destruction of parts or whole animal body. The service of notices for the cleansing of premises, vehicles and containers.	Environmental Health Manager (Commercial), or Senior Environmental Health Officers, or Environmental Health Officers.
Emergency Control Regulations issued under Section 2 (2) of the European Communities Act 1972	Powers to impose special conditions and restrictions in relation to certain non compliant foods	Environmental Health Manager (Commercial), or Senior Environmental Health Officers, or Environmental Health Officers.
The Food Hygiene (England) Regulations 2006, Regulations (EC) 852/2004, 853/2004 and 854/2004	Power to issue Simple Cautions	Head of Public Health and Community Safety, or Environmental Health Manager, in consultation with the Head of Legal and Democratic Services

CHAIRMAN

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