

3 FEBRUARY 2010

NEW FOREST DISTRICT COUNCIL

CABINET

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Wednesday, 3 February 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:

- Ms L C Ford
- D Harrison
- P E Hickman
- Mrs M E Lewis
- Sqn Ldr B M F Pemberton

Councillors:

- Mrs A M Rostand
- Mrs B Smith
- Mrs S I Snowden
- F P Vickers
- Dr M N Whitehead

Also In Attendance:

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

Officers Attending:

D Yates, R Jackson, J Mascal, Ms J Bateman, C Elliott, Miss G O'Rourke, Mrs D MacLean, R Topliss and for part of the meeting E Gerry.

64. MINUTES.

RESOLVED:

That the minutes of the meeting held on 14 January 2010, having been circulated, be signed by the Chairman as a correct record.

65. DECLARATIONS OF INTEREST.

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

66. PUBLIC PARTICIPATION.

No issues were raised during the public participation period.

67. FINANCIAL REPORT – OUTTURN PROJECTION BASED ON PERFORMANCE TO DECEMBER 2009 (REPORT A).

The Cabinet considered the financial performance of the Council for the first nine months of 2009/10 and potential outturn implications on a portfolio and committee basis.

The Finance and Efficiency Portfolio Holder detailed the variances in the budget. He was pleased to report that the savings that had been achieved through the Council's ongoing savings and efficiency plan meant that the Council were currently working to a balanced budget and further savings had been identified.

In response to a question members noted that there was no single reason for the reduction in car parking income. Members noted that in relation to illegal parking, the Council's Civil Enforcement Officers would continue to enforce parking regulations rigorously.

RESOLVED:

- (a) That the revised outturn forecasts and their potential impact on the Authority's revenue, capital and Housing Revenue Account budgets, as set out in Report A to the Cabinet be noted; and
- (b) That the detailed variations as set out in Report A to the Cabinet be noted.

68. TREASURY MANAGEMENT STRATEGY (REPORT B).

The Cabinet considered the Council's proposed Prudential Indicators for 2010/11 – 2012/13 and the expected treasury operations for that period. They noted the detail of the Prudential Indicators that would provide a framework for capital expenditure decision making; the Minimum Revenue Provision Policy that set out how the Council would pay for capital assets through revenue each year; the Treasury Management Strategy Statement that set out how the Council's Treasury Service would support the capital expenditure and financing decisions over the three year period and the Investment Strategy that set out the Council's criteria for choosing investment counterparties and limiting exposure to the risk of loss.

The Finance and Efficiency Portfolio Holder said that the proposals placed the Council in a good position to respond flexibly to any issues.

RECOMMENDED:

- (a) *That the Prudential Indicators and Limits for 2010/11 to 2012/13 contained within Annex A of Report B to the Cabinet, included within which is the provision to undertake prudential borrowing of £700,000 in support of the local authority housing new build programme, be agreed;*

- (b) That the Minimum Revenue Provision (MRP) Statement contained within Annex A of Report B to the Cabinet which sets out the Council's policy on MRP be agreed;**
- (c) That the Treasury Management Strategy 2010/11 to 2012/13, and the Treasury Prudential Indicators contained within Annex B of Report B to the Cabinet be agreed;**
- (d) That the Authorised Limit Prudential Indicator be agreed;**
- (e) That the Investment Strategy 2010/11 contained in the treasury management strategy in Annex B, and the detailed criteria included in Annex B1 of Report B to the Cabinet be agreed; and**
- (f) That the revision to the Council's financial regulations at Annex B3 of Report B to the Cabinet to nominate the Corporate Overview Panel to ensure effective scrutiny of the treasury management strategy and policies be agreed.**

69. HOUSING REVENUE ACCOUNT (HRA) BUDGET AND HOUSING CAPITAL EXPENDITURE PROGRAMME 2010/11 (REPORT C).

The Cabinet considered the proposed Housing Capital Programme and Housing Revenue Account budget based on the draft Housing Revenue Account Subsidy Determination for 2010/2011.

Members noted that the Housing Review Panel had considered the detail of the proposals at their meeting on 20 January and they, together with the tenants, through the Housing, Policy and Report Focus Group, supported the recommendations.

RECOMMENDED:

- (a) That the Housing Revenue Account budget as set out in Appendix 1 of Annex A of Report C to the Cabinet be agreed;**
- (b) That from 5 April 2010, an average increase in rents of 1.1% from the average 2009/10 rent level, in accordance with rent restructuring guidelines be agreed;**
- (c) That from 5 April 2010, an increase of 5% in hostel service charges be agreed;**
- (d) That from 5 April 2010, an increase of 5% in sheltered housing service charges be agreed;**
- (e) That from 5 April 2010, an increase of 10 pence per week in garage rents (plus VAT for garages let to non-Council tenants) be agreed; and**
- (f) That a Housing Capital Programme of £9.870m as set out in Appendix 2 of Annex A of Report C to the Cabinet be agreed.**

70. THE MEDIUM TERM FINANCIAL PLAN – ANNUAL BUDGET 2010/11 (REPORT D).

The Cabinet considered the proposed Medium Term Financial Plan and annual budget for 2010/2011. The Medium Term Financial Plan was a continually evolving document that would address issues as they arose.

The Finance and Efficiency Portfolio Holder said that currently, to achieve a balanced budget, the proposal was for a 2% increase in Council Tax which would equate to an increase of £3.05 per band D property per year. There remained a serious level of financial uncertainty nationally. Whilst the Council had already achieved total sustainable savings of almost £4m, without damaging frontline services, work would need to continue on the savings and efficiency plan with a view to eliminating budget shortfalls that were currently predicted for future years.

Cllr Harrison, Leader of the Liberal Democrat Group, indicated that he would be proposing a 0% increase in Council Tax. He agreed it was important to maintain good quality services in a sustainable way but felt that many residents in the district were already struggling financially.

RECOMMENDED:

- (a) That site licence fees and service charges at Stillwater Park be increased by 1.9%;**
- (b) That a General Fund Net Budget Requirement of £23,103,780 be agreed;**
- (c) That a Band D Council Tax of £155.76 be agreed; and**
- (d) That a General Fund Capital Programme for 2010/11 of £4.925m be agreed.**

71. CONSULTATION ON DRAFT NATIONAL POLICY STATEMENT FOR PORTS (REPORT E).

The Cabinet considered a response to a consultation on a draft National Policy Statement for Ports.

The Planning Act 2008 provided for decisions on nationally significant infrastructure projects to be made by a new Infrastructure Planning Commission (IPC). National Policy Statements would be the primary consideration in all IPC decisions. Members noted that it was therefore important to comment fully on draft statements before they were finalised. The draft National Policy Statement on Ports was of particular relevance to the Council given the likely future proposals for Dibden Bay.

The Cabinet looked in detail at the four key issues for the Council in formulating its response. They agreed that the document raised serious concerns, in particular relating to the apparent redefinition of alternatives that needed to be considered, where a port development proposal would have a significant adverse impact on

internationally designated nature conservation sites. Members agreed that the National Policy Statement for Ports should have full regard to the relevant EU legislation and regulations. There was no justification for departing from the national policy position basis in the 2004 Secretary of State's decision that rejected the port development at Dibden Bay.

RESOLVED:

That a response be submitted to the Secretary of State for Transport on the draft National Policy Statement on Ports as follows:

- (i) Objecting to the over-emphasis on a market-led approach to providing (excess) additional port capacity, given that this could in some locations directly conflict with other national and international policy;
- (ii) Seeking a more locationally-specific national policy, that will result in port capacity being provided at the most appropriate locations:
 - where avoidance of damage to international designations will meet the requirements set out in EU legislation;
 - where the impacts on local communities and other interests will be minimised;
 - where it is clear that the necessary related infrastructure (rail, road etc) can be provided at least cost and with the least damaging impacts;
 - where the implications of related dredging and channel capacity issues between alternative locations have been properly considered; and
 - where wider issues have also been properly taken into account including the impact of port development at alternative locations on the Government's policy to minimise CO2 emissions.
- (iii) Strongly objecting to the apparent redefinition of relevant alternatives for consideration under the European Union legislation and regulations, as compared with the position taken by the Secretary of State in the 2004 Dibden Bay decision (see paragraphs 3.9 to 3.16 above);
- (iv) Supporting the statements that cumulative impacts can rule out a port development proposal, but seeking strengthening of the guidance on individual impacts having regard to other national policy; and
- (v) Supporting the statement that the aim of the National Policy Statement is not to consent to port developments which would previously have been refused, but urging that this statement of government policy should be included within the main National Policy Statement rather than included in the Habitats Regulations document.

72. COMMUNITY ENGAGEMENT FRAMEWORK (REPORT F).

One of the Sustainable Community Strategy flagship projects was the establishment of a common Community Engagement Framework for the New Forest District.

The Cabinet considered a draft framework developed by the Local Strategic Partnership through its Community Action Network.

The Chairman, the Policy and Resources Portfolio Holder, commended the framework to members which he felt would enable effective and efficient engagement with the community without undue bureaucracy.

RESOLVED:

That the Community Engagement Framework be agreed.

CHAIRMAN

(DEMOCRAT/CB030210/MINUTES.DOC)