

2 FEBRUARY 2011

NEW FOREST DISTRICT COUNCIL

CABINET

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Wednesday, 2 February 2011.

- 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:

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

In Attendance:

Councillors:

Mrs A J Hoare
Mrs P Jackman
Mrs M E Lewis
Sqn Ldr B M F Pemberton
L R Puttock
A W Rice TD
Mrs M J Robinson
Mrs A M Rostand

Councillors:

Mrs B Smith
Mrs S I Snowden
F P Vickers
R A Wappet
J G Ward
Dr M N Whitehead
P R Woods

Also In Attendance:

Mr M Ackerman and Mrs A Murphy, 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 D Brown, C Elliott, Ms P Lewis and N Williamson.

53. MINUTES.

RESOLVED:

That the minutes of the meeting held on 5 January 2011, be signed by the Chairman as a correct record.

54. DECLARATIONS OF INTEREST.

Cllr Beck declared personal interests in Minute Nos. 57 and 64.

Cllr E Heron declared personal interests in Minutes Nos. 57 and 62.

Cllrs Mrs Holding, Rickman, Wappet and Dr Whitehead all declared a personal interest in Minute No. 57.

55. PUBLIC PARTICIPATION.

No issues were raised during the public participation period.

56. LYMINGTON LOCAL DISTINCTIVENESS SUPPLEMENTARY PLANNING DOCUMENT (SPD) – ADOPTION (REPORT A).

The Cabinet considered the adoption of the Lymington Local Distinctiveness Supplementary Planning Document.

The Planning and Transportation Portfolio Holder said that originally the emphasis of the national planning policy had been to accommodate new development within existing built-up areas and to minimise the need to release 'green field' land for development. The resulting developments had led to local concerns in many areas, including Lymington, about adverse effects on local character and distinctiveness. The publication of Planning Policy Statement 3 early in 2007 had been helpful in giving the Council the ability to become far more robust in resisting inappropriate development and defending decisions at appeal.

To fully achieve its aim of conserving and enhancing local character, the Council had recognised a need for revised planning policies in statutory development plan documents (the adopted Core Strategy), backed up by related Supplementary Planning Documents giving detailed specific local guidance. The 'local distinctiveness' design guidance work was initiated in response to this need.

The Portfolio Holder said that the Lymington Local Distinctiveness SPD was an excellent combination of the professional expertise of the Council's planning design team working with local people to achieve a document that was adapted to suit everybody.

A number of members commended the work that had been undertaken and it was noted that the New Milton Local Distinctiveness SPD that had been adopted previously, was proving very helpful in dealing with planning applications and appeals. Work would start shortly on a corresponding SPD for Ringwood.

RESOLVED:

That, having regard to the views of the Planning and Transportation Review Panel, the Lymington Local Distinctiveness Supplementary Planning Document, as set out in Appendices B and C (as revised)) of Report A to the Cabinet be adopted as part of the Local Development Framework for New Forest District (outside the National Park).

Action: Neil Williamson

57. GOVERNANCE ARRANGEMENTS FOR NATIONAL PARKS AND THE BROADS (REPORT B).

Cllr Beck declared a personal interest as the Chairman of the Association of Local Councils in the New Forest District. He did not consider his interest to be prejudicial. He remained at the meeting, took part in the discussion and voted.

Cllr Edward Heron declared a personal interest as a Hampshire County Council appointed member on the New Forest National Park Authority. He did not consider his interest to be prejudicial. He remained at the meeting, took part in the discussion and voted.

Cllrs Mrs Holding declared a personal interest as a Council appointed member on the New Forest National Park Authority. She did not consider her interest to be prejudicial. She remained at the meeting, took part in the discussion and voted.

Cllr Rickman declared a personal interest as a Council appointed member on the New Forest National Park Authority and as a member of Sway Parish Council. He did not consider his interest to be prejudicial. He remained at the meeting, took part in the discussion and voted.

Cllrs Dr Whitehead and Wappett declared personal interests as members of Fordingbridge and Fawley Parish Councils respectively. They did not consider their interests to be prejudicial. They remained at the meeting. They did not have a vote.

As part of the Government's commitment to review the governance arrangements of National Parks to increase local accountability, Defra had issued a consultation paper detailing a number of specific points on which the Council had been invited to comment. The main issue raised related to whether a National Park Authority should be directly elected.

The Chairman said that he had always been in favour of a directly elected New Forest National Park Authority which would make them more accountable.

A number of other members spoke in support of a directly elected body which would give legitimacy to decision making; increased accountability and links with the local community.

Members confirmed the proposed response to the consultation as set out in Report B to them.

RESOLVED:

That the comments as set out in Section 4 of Report B to the Cabinet be confirmed for submission to Defra as the Council's response to the consultation on governance arrangements for National Parks and the Broads.

Action: Dave Yates

58. FINANCIAL REPORT – OUTTURN PROJECTION BASED ON PERFORMANCE TO DECEMBER 2010 (REPORT C).

The Cabinet considered the Council's financial performance for the first nine months of 2010/11 and the potential outturn implications on a portfolio and committee basis.

The Finance and Efficiency Portfolio Holder said that the Council was in a good position and there was a net improvement of £650,000 for the General Fund for this period. There were no other particular issues to raise other than in relation to Concessionary Travel where the potential increase in costs was still unknown.

In answer to a question, members noted that in replacing the boilers at Applemore Health and Leisure Centre consideration had been given to other more carbon efficient alternatives. However, it was considered that a replacement boiler was the most efficient supplement to the current solar panels and combined heat and power system. In line with Council policy consideration was being given to the use of a photo voltaic system on the flat roof of the centre and the possibility of taking up the Government's 'feed in' tariff arrangements.

The Environment Portfolio Holder said that, as with all proposals, the Council considered the green agenda/carbon saving measures both for their own benefits and for the financial savings that they could bring.

RESOLVED:

- (a) That the revised outturn forecasts and their potential impact on the authority's revenue and capital budgets be noted;
- (b) That the updated Housing Revenue Account budget be noted; and
- (c) That the detailed variations reported in Appendices 1 and 2 to Report C to the Cabinet be noted.

Action: Alfons Michel

59. TREASURY MANAGEMENT STRATEGY (REPORT D).

The Cabinet considered the Council's proposed Prudential Indicators for 2011/12 – 2013/14 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 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 Council currently had no debt and had no plans to undertake any borrowing. The Council regularly reviewed the position in order to maximise interest income whilst balancing that against the security of the investment. The Council was in a very prudent position for the future.

RECOMMENDED:

- (a) *That the Prudential Indicators and Limits for 2011/12 to 2013/14 contained within Annex A of Report D to the Cabinet, including the Authorised Limit Prudential Indicator be agreed;*
- (b) *That the Minimum Revenue Provision (MRP) Statement, contained within Annex A of Report D to the Cabinet, which sets out the Council's policy on MRP be approved;*
- (c) *That the Treasury Management Strategy 2011/12 to 2013/14, and the treasury Prudential Indicators contained within Annex B to Report D to the Cabinet be agreed; and*
- (d) *That the Investment Strategy 2011/12 contained in the Treasury Management Strategy and the detailed criteria as set out in Annex B and Annex B1 respectively of Report D to the Cabinet be agreed.*

Action: Jan Hawker

60. HOUSING REVENUE ACCOUNT BUDGET AND HOUSING CAPITAL EXPENDITURE PROGRAMME 2011/12 (REPORT E).

The Cabinet considered a proposed Housing Revenue Account budget and Housing Capital Programme for 2011/12.

The Housing Portfolio Holder said that in the current time of economic uncertainty she was very pleased to put forward a budget that meant that the Council could maintain its housing services at current levels and ensure a comprehensive maintenance programme including major refurbishment works to the North Milton Estate.

However, in order to do this the council house rents would have to be raised by an average of 6.2%. The proposed rent increase was as a result of the Government's rent convergence proposals whereby the aim was to eventually equalise the rents across the whole of the social housing sector. If the Council did not raise rents it would be penalised by having to pay more in subsidy to the Government which would leave no alternative but to cut services. To put the rent increase into context the Portfolio Holder cited the average rent costs across other housing sectors and from those figures she said that council house rents still offered tremendous value for money.

The overall budget proposal actually showed the HRA to be in deficit by approximately £200,000 for 2011/12 after paying nearly £13m in subsidy back to the Government. However, at March 2012 estimates indicated that there remained a healthy balance of over £3.5m in reserves. This would enable the future funding requirement for the North Milton Estate in 2012/13 to be met.

The Deputy Leader of the Opposition said that the current HRA subsidy system was only likely to remain for one more year. A 6.2% increase in rents would have a big impact on tenants and she asked what the impact of a reduced increase would have on the HRA.

Members noted that the HRA was under review. A paper entitled "Implementing self-financing for Council housing" had been published by the Government on 1 February 2011. That paper would need to be evaluated and the impact upon the Council understood before the implications could be clearly established. A further report would be provided to the Cabinet once those implications were fully understood. However, in the current year if the Council did not increase its rent as detailed, a higher subsidy payment would need to be made. The Tenant Representatives understood the difficult position that the Council was in and, in the circumstances, supported the proposed rent increase.

RECOMMENDED:

- (a) That the HRA budget as set out in Annex B of Report E to the Cabinet be agreed;**
- (b) That from 4 April 2011, an average increase in rents of 6.2% from the average 2010/11 rent level, in accordance with rent restructuring guidelines be agreed;**
- (c) That from 4 April 2011, an increase of 6.2% in hostel service charges be agreed;**
- (d) That from 4 April 2011, an increase of 4% in sheltered housing service charges be agreed;**
- (e) That from 4 April 2011, an increase of 50 pence per week in garage rents (plus VAT for garages let to non-Council tenants) be agreed; and**
- (f) That a 2011/12 Housing Capital Programme of £7.828m as set out in Appendix 2 of Annex A of Report E to the Cabinet be agreed.**

Action: Dave Brown/Alfons Michel

61. THE MEDIUM TERM FINANCIAL PLAN – ANNUAL BUDGET 2011/12 (REPORT F).

The Cabinet considered the proposed Medium Term Financial Plan and annual budget for 2011/2012.

Members noted that the final Government Grant settlement figure had only been received two days previously and as a result updated appendices (Ai) and (Aii) were circulated at the meeting together with the remaining outstanding comments from review panels.

The Finance and Efficiency Portfolio Holder said that he had attended all review panels in January. He was pleased that all members generally recognised the need to reduce the Council's level of expenditure and no major changes to the proposals had been suggested by committees or panels.

He said that the proposed annual budget had been reached without reductions in service; with no widespread major price increase; with no increase in council tax and without recourse to a major number of redundancies. He was grateful to employees for their responses to the employee suggestion scheme, many of which had been acted upon.

The Portfolio Holder said that the Council was in a good position to respond to the difficult circumstances because work had started in advance of the current climate and was ongoing. He thanked members and employees for their contribution to achieving the major reductions in expenditure.

The Chairman also thanked review panels and committees for their work.

Members noted that, as a result of the final grant settlement, the Council would receive an additional £58,000 in 2011/12 but for 2012/13 the amount would be reduced by £84,000. This meant that there was a general fund net budget requirement of £20,403,984 for 2011/12. Members also noted that the capital requirement for Perkins Youth Hall (Partnership/Community projects) had reduced to £10,000 and the final budget amount would be reduced accordingly.

The Deputy Leader of the Opposition said that the service provided by local government was very valuable. She commented that review panels and committees had not had the opportunity to consider the Council's capital programme and this needed to be looked at carefully in the future.

RECOMMENDED:

- (a) That site licence fees and service charges at Stillwater Park be increased by 4.6%, in line with retail price index inflation;**
- (b) That a General Fund Net Budget Requirement of £20,403,984 be agreed;**
- (c) That a Band D Council Tax of £155.76 be agreed; and**
- (d) That a General Fund Capital Programme for 2011/12 of £8.506m be agreed.**

Action: Bob Jackson

62. STRATEGIC REVIEW OF THE SHELTERED HOUSING SERVICE (REPORT G).

Cllr Edward Heron declared a personal interest as a Hampshire County Councillor. He did not consider his interest to be prejudicial. He remained at the meeting, took part in the discussion and voted.

The Cabinet considered an update on the progress of the Council's review of the sheltered housing service.

The Housing Portfolio Holder said that for the last two years the Council had been working with Hampshire County Council to ensure that the district's sheltered housing accommodation and support service was fit for purpose and would meet the changing older person's agenda of individual need. It was very important that the Council met the requirements of HCC since over 80% of the funding for the service came from the Supporting People grant administered by HCC.

Members noted that the work of identifying changes to the Council's existing sheltered housing schemes was now virtually complete and as a result a number of schemes had been re-categorised as general needs accommodation (over 45 years). 10 other schemes would be retained, under a new name, yet to be decided, for over 65's with a support need. Also from 2012 the Council would have three "extra care" housing schemes.

The Portfolio Holder said that the next phase of the changes to the support service was now underway and from 2012, the Council would launch the new older person's service which would focus on the needs of individuals and would help older people to maintain their independence. The Council would also provide services to older people in the community who currently might be disadvantaged because they did not live in designated sheltered housing.

Members were pleased to note that officers had visited every sheltered scheme to explain the changes to tenants. Whilst there had understandably been some initial concern, once the new service had been explained the vast majority of residents seemed to be very happy with the proposals.

There was still an area of uncertainty regarding the future funding of older person's services from 2012 throughout Hampshire but the Portfolio Holder said that she was confident that the Council would work through those issues with HCC to ensure the appropriate level of funding and support for older people in the district in the future.

A number of members supported the proposals which they felt would provide a better service with more choice and enhanced care. The expectations of older people were changing and these proposals would respond to that.

The Deputy Leader of the Opposition said that whilst she agreed the need to develop the service to support changing expectations, she felt that there were residents who had made a choice to move to a sheltered scheme with an on site manager who would now be disadvantaged. The Portfolio Holder said that every effort would be made to meet the needs of individuals.

RESOLVED:

That the review process be supported and the arrangements underway to achieve the changes be noted.

Action: Pauline Lewis

63. PARTNERSHIP FOR URBAN SOUTH HAMPSHIRE (PUSH) – CHANGES TO CONSTITUTIONAL ARRANGEMENTS (REPORT H).

In the light of a proposal for a revised constitution for the Partnership for Urban South Hampshire (PUSH), the Cabinet considered whether the New Forest should continue to be a member of PUSH with regard to joint executive functions and to recommend whether the Council should continue to be involved at all.

The Deputy Leader, the Council appointed representative on the PUSH Joint Committee, commented that partnership working was key to delivery of the Council's objectives. However, new partnerships such as the Local Enterprise

Partnerships were forming and it was important for the Council to move forward into new areas. Whilst PUSH had been vital in the past in matters such as the Regional Spatial Strategy work, the Council's involvement with them was becoming less relevant.

The Deputy Leader proposed that the Council did not sign up to the new PUSH constitution and therefore ceased to continue to be a member.

The Deputy Leader of the Opposition Group felt that it was unwise to dismiss the impact of PUSH too early and that there were major issues in the east of the district that could still be relevant to PUSH.

Cllr Vickers the Council appointed representative to the PUSH Overview and Scrutiny Committee said that he had attended every meeting and he felt that the Council being a PUSH member was becoming less and less relevant to the district.

Members noted that the PUSH committee documents were public and open to everybody.

RECOMMENDED:

- (a) *That, in so far as it relates to the Council function, the Council cease to be a member of the Partnership for Urban South Hampshire, but in doing so agree the importance of working with the emerging Local Enterprise Partnerships for the area in the future; and***
- (b) *That the Council's Constitution be amended in so far as it is necessary to give effect to this decision.***

RESOLVED:

That in so far as it relates to the Executive function, the Council cease to be a member of the Partnership for Urban South Hampshire but in doing so agree the importance of working with the emerging Local Enterprise Partnerships for the area in the future.

Action: Dave Yates/Jane Bateman

64. GENERAL PURPOSES AND LICENSING COMMITTEE – PROPOSED AMENDMENT TO TERMS OF REFERENCE (REPORT I).

Cllr Beck declared a personal interest as a member of the General Purposes and Licensing Committee. He did not consider his interest to be prejudicial. He remained at the meeting and voted.

The Cabinet considered a proposed amendment to the General Purposes and Licensing Committee's terms of reference. The amendment would widen the Committee's remit to include consideration of other matters that were not currently the responsibility of the Executive or other committees.

RECOMMENDED:

That the General Purposes and Licensing Committee's terms of reference be amended by the addition of:

"To consider and make recommendations to the Council on any other matters not specifically set out in this Committee's, or any other Committee's, terms of reference that are not a function or responsibility of the Executive".

Action: Rosemary Rutins

CHAIRMAN