

**2 MAY 2012**

**NEW FOREST DISTRICT COUNCIL**

**CABINET**

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Wednesday, 2 May 2012.

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

**Councillors:**

- p Mrs D M Brooks
- p Mrs J L Cleary

**Councillors:**

- p F P Vickers
- p C A Wise

**In Attendance:**

**Councillors:**

- p Mrs D E Andrews
- p G C Beck
- p Mrs S Bennison
- p S Clarke
- p Ms L C Ford
- p A T Glass
- p C J Harrison
- p Mrs A J Hoare

**Councillors:**

- p Mrs M E Lewis
- p L R Puttock
- p A W Rice TD
- p Miss A Sevier
- p Mrs C Ward
- p R A Wappet
- p P R Woods
- p Mrs P A Wyeth

**Also In Attendance:**

Mr M Ackerman, Housing Policy and Report Focus Group Representatives.

**Officers Attending:**

D Yates, R Jackson, J Mascal, D Brown, D Brunton, Miss J Debnam, Miss G O'Rourke and Mrs R Rutins

**83. MINUTES.**

**RESOLVED:**

That the minutes of the meeting held on 4 April 2012 be signed by the Chairman as a correct record.

**84. DECLARATIONS OF INTEREST.**

Cllrs E J Heron, Rickman, Rice and Wyeth declared personal interests in respect of Minute 87 as members of the New Forest National Park Authority. In each case they concluded that such interest was not prejudicial and remained in the meeting for the consideration and voting.

**85. PUBLIC PARTICIPATION.**

No issues were raised during the public participation period.

**86. SENIOR MANAGEMENT REVIEW – PHASE 2 (REPORT A).**

The Cabinet was advised that a further review of the senior management structure had established that, while the basic structure of Chief Executive, 2 Executive Directors and a team of Heads of Service was still sound, and allowed the Council to remain pro-active and responsive to move forwards in the current challenging times, there was scope to combine the Leisure, Communities and Employment Services under 1 Head of Service. The reduction in the number of Heads of Service from 11 to 10 would result in further savings, in the order of £75,000 per annum. It was noted that over £1 million had been removed from the cost of the Council's senior management over the last decade.

The Cabinet commended the work undertaken by the Head of Leisure Services, Bob Millard, who would be leaving the Council as a result of this latest change.

**RESOLVED:**

That the management restructuring set out in Report A to the Cabinet be supported.

**87. GOVERNANCE OF NATIONAL PARK AUTHORITIES (REPORT B).**

Following previous consultations on proposed changes to the governance of English national parks the Government had published, for a statutory 12 week consultation period, a number of changes to primary legislation, to give effect to the latest proposals. The questions posed in the consultation, together with the proposed responses, were set out in Appendix 1 to Report B to the Cabinet.

Members considered that the proposed arrangements should seek to address the currently poor flow of information between individual town and parish councils and the Park Authority.

In addition, Members considered the proposal, not included in the current consultation, for pilot elections for some members of the Park Authority to be held here in the New Forest and also in the Peak District. The arrangements for these pilot elections would be dealt with by subsequent statutory instruments, which in turn would have to be preceded by their own statutory consultations later in the year. This could create serious practical problems if the national park elections were combined, as expected, with the local elections on 2 May 2013. There was a considerable amount of work that would need to be done, after the statutory instruments had been made, such as modifications to the electoral management software to run the election. The major issue was that the national park boundary was not coterminous with the current polling districts and electoral boundaries.

**RESOLVED:**

- (a) That the suggested responses, set out in Appendix 1 to Report B to the Cabinet, as amended by the inclusion of the following additional wording in the response to Question 10:

“Should these boundaries not coincide with the established electoral boundaries then it should be made clear, before any election, which Park positions are to be responsible for which parishes so that people may vote for whoever may be responsible for their particular parish”

be forwarded to DEFRA as the Council's response to the consultation on changes to National Park governance dated March 2012; and

- (b) That DEFRA be urged to expedite the remaining stages for changes to National Park governance so as to ensure that adequate preparations may be made for the proposed pilot elections to the New Forest and Peak District National Park Authorities in May 2013.

Action: Rosemary Rutins

**88. THE USE OF DEVELOPER CONTRIBUTIONS (REPORT C).**

Members considered the recommendations of the task and finish working group which was established by the Community Overview and Scrutiny Panel to develop a new procedure to ensure that developer contributions were used effectively and within any time limitations that applied to their use. The proposed procedure was set out as Appendix 1 to Report C to the Cabinet. Members congratulated the task and finish working group on the recommendations that they had produced.

Town and parish councils, who were affected by the proposals, had been consulted and Members were advised orally of the representations received to date. No objections had been received but there had been a request that the period for the submission of responses should be extended.

**RESOLVED:**

- (a) That the period for the submission of representations by local councils be extended to the end of May; and
- (b) That the guidance, as set out as Appendix 1 to Report C to the Cabinet, be approved, in principle, with the Portfolio Holder authorised to make such amendments as he deems appropriate to take account of any further representations received, for implementation and inclusion within the 2013/14 budget.

Action: Dean Brunton

**89. HOUSING REVENUE ACCOUNT 2012/13 BUDGET MONITORING UPDATE (REPORT D).**

Further to minute 72 (7 March 2012 refers) Members were advised of the actual cost of the borrowing necessary following the changes to the Housing Revenue Account Subsidy System brought about by the Localism Act. The profile of loans that had been taken out with the Public Works Load Board was the same as had been set out in the Appendix to the report considered by the Cabinet in March, however the interest rates on 28 March, the only day special discounted rates were available, increased by, on average, 0.125%, giving rise to an increase in interest costs of £178,000 in 2012/13. The total interest costs would therefore be £4.460 million in 2012/13.

The Cabinet was advised that the project board established to implement the investment in social housing had considered the cost of delivering the proposed programme, both possible external costs and additional resources within the Housing, Property and Legal services. The cost of delivery had been estimated as £150,000 in 2012/13. This meant that £6 million would be available to spend on the new affordable housing strategy.

**RESOLVED:**

That the revised allocation of available resources, as set out in Section 5 to Report D to the Cabinet be noted.

**90. POLICE AND CRIME PANEL FOR HAMPSHIRE POLICE AREA (REPORT E).**

The Cabinet was advised that the Police Reform and Social Responsibility Act 2012, in addition to establishing directly elected Police and Crime Commissioners, imposed a requirement on the local authorities in each policing area to establish a Police and Crime Panel. The duties, powers, membership requirements and proposed operating arrangements for the Panel were set out in the report. The proposed arrangements for the Hampshire policing area had been the subject of discussion and agreement through HIOWLGA and also with the 14 other constituent authorities (Hampshire County Council, the other 10 Districts and the unitary authorities for Southampton, Portsmouth and the Isle of Wight). The proposed Agreement, to secure the operation of the Panel, was attached as an Appendix to Report E to the Cabinet. It was proposed that each constituent authority should approve the arrangements and appoint their representatives at their Annual Meetings in May, to allow the constitution of the Panel in June 2012, in advance of the election of the Police and Crime Commissioner in November 2012.

Although the Regulations and Guidance on the establishment of Police and Crime Panels was yet to be published, advice from the Home Office indicated that these would be unlikely to give rise to the need for any fundamental change to the proposed arrangements for Hampshire.

Members welcomed the establishment of the Panel, which would allow the needs of New Forest communities to be represented directly through to the Panel to the Police and Crime Commissioner.

**RECOMMENDED:**

*That it be recommended to the Council on 14 May 2012 that:*

- (a) The recommended terms on which the Police and Crime Panel is established be endorsed;*
- (b) Subject to 21.3, the Panel Arrangements in Appendix 1 to this report be approved;*
- (c) The Chief Executive be authorised to agree any further minor amendments to the Panel Arrangements necessary to ensure statutory compliance, once the Home Secretary's regulations and guidance have been published;*
- (d) A member be appointed as the Council's Appointed Member to the Panel; and*
- (e) A member be identified to act as "Deputy Member" and, where the Appointed Member is temporarily unable to attend a Panel meeting or otherwise undertake Panel business, the Chief Executive be authorised to give notice of temporary change of membership for a period of up to 28 days, to enable the Deputy Member to deputise in the Appointed Member's absence.*

**91. DELEGATION OF POWERS TO OFFICERS.****RESOLVED:**

That the following powers be delegated to the officers shown:

<b>SOURCE</b>	<b>POWER DELEGATED</b>	<b>DELEGATION TO</b>
Local Government Act 1972 s.101 and s.222 Local Government Act 2000 s.14	To institute and conduct legal proceedings in the County Court on behalf of the Council in respect of possession claims arising out of rent arrears.	Housing Income Recovery Manager or Senior Income Recovery Officer or Income Recovery Officers, in consultation with the Housing Income Recovery Manager or the Senior Income Recovery Officer.
Local Government Act 1972 s.101 and s.222 Local Government Act 2000 s.14	To institute and conduct legal proceedings in the County Court on behalf of the Council in respect of debt recovery claims.	Taxation and Benefits Manager or Income Section Manager or Senior Revenues Assistant

CHAIRMAN