

4 JUNE 2014

**NEW FOREST DISTRICT COUNCIL**

**CABINET**

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Wednesday, 4 June 2014.

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:**

Mrs D E Andrews  
G C Beck  
Mrs S V Beeton  
Mrs S Bennison  
S Clarke  
A T Glass  
C J Harrison  
Ms L C Ford  
M R Harris

**Councillors:**

Mrs A J Hoare  
Mrs P Jackman  
Mrs M E Lewis  
J Penwarden  
L S Puttock  
A W Rice  
W S Rippon-Swaine  
Mrs C Ward  
P R Woods

**Officers Attending:**

D Yates, R Jackson, J Mascall, S Cook, Miss J Debnam, C Elliott, Mrs L Evans, Mrs D Miller, Miss G O'Rourke, C Read and Mrs K Williams.

**Also In Attendance:**

Ms Frost, Mr Gibbons, Mr Holdsworth (New Forest Beach Hut Owners' Association), Mrs Iles, Mr Matson, Mr Simpson and Mr Watson – Public Participants.

**1. MINUTES.**

**RESOLVED:**

That the minutes of the meeting held on 2 April 2014 be signed by the Chairman as a correct record.

**2. DECLARATIONS OF INTEREST.**

Cllr Rostand – minute 4.

**3. PUBLIC PARTICIPATION.**

No issues were raised during the public participation period.

**4. BEACH HUTS AT MILFORD ON SEA (WESTOVER) (REPORT A)**

Cllr Rostand disclosed a disclosable pecuniary interest on the grounds that she owned a beach hut at Milford on Sea. She had received a dispensation to speak from the Proper Officer of the Council and accordingly addressed the meeting. She did not have a vote.

The Cabinet was addressed by Ms Frost, Mr Gibbons, Mr Holdsworth (New Forest Beach Hut Owners' Association), Mrs Iles, Mr Matson, Mr Simpson and Mr Watson. There was unanimity of view amongst those speaking that beach huts were part of the historic character of Milford on Sea and that those that had been lost should be replaced. The beach huts had been present before the flats whose occupiers objected to the replacement of the huts, and the speakers did not feel that their viewpoint was justified. While the Beach Hut Owner's Association did not object to the proposed course of action set out in the report, the other speakers considered that the option of allowing individuals to repair their huts should not be discounted because many of the huts had sustained little or no damage and could be brought back into use very readily, for the current season. It should be possible to arrange for the co-ordinated repair of groups of huts, at the individuals' own expense. The speakers did not agree that the older terraces of huts were more unfit for purpose than they had been before the winter storms, and considered that these huts should be retained. They emphasised their determination to resist demolition of the huts and to seek compensation for their loss should the Council pursue this course of action.

The views of the Parish Council had been circulated separately prior to the meeting. They considered that other options to those being recommended in the report should not be discounted at this stage.

The Cabinet was advised that inspection and surveys of the structure of the terraced concrete beach huts at Milford on Sea, following the severe storm on 14 February 2014, had established that there were significant grounds for concern about the safety and stability of those huts that remained. The presence of asbestos in the structures made essential repair and maintenance work more problematic. Members were advised of the action taken to secure the area to protect public safety. The safety of all users of the promenade area and beach remained of primary concern in the subsequent actions that had been taken.

A number of potential options for the future treatment of the beach huts and promenade had been identified and examined in detail by a working group established by the Portfolio Holder. There had been extensive consultations, including with the Beach Hut Owners' Association, Milford on Sea Parish Council, and ward councillors; and all individuals affected had been contacted by letter. The report concluded that two options – to allow the repair of individual huts; and to defer action until long term coastal protections works had been completed – should be discounted. As the decision on the remaining options would affect the wider community, further discussions should be held with Milford on Sea Parish Council, the New Forest Beach Hut Owners' Association and individuals affected to inform a further report to the meeting of the Cabinet in August.

It was emphasised that, although a preferred option was being identified at this stage to allow resources to be directed most effectively, no decisions were being taken and that research and consultations would continue with interested parties. There was no hidden agenda for the future development of the sea front area, the only objective being to secure a fair resolution for all parties involved.

The Cabinet noted the views expressed at the meeting that insufficient consideration had been given to the condition of individual beach huts and agreed that further survey work of individual huts should be commissioned to establish whether groups of them could be repaired and retained. It was important however that this should not delay the implementation of a final solution, and work on the preferred option should continue in the meantime. In order to provide a degree of certainty that huts could be replaced, it was agreed that, provided the survey work did not identify any structural defects that would require a hut to be removed immediately for safety reasons, no hut should be demolished until planning consent was in place for its replacement.

**RESOLVED:**

- (a) That the options to allow the repair of individual huts or to defer any action until long term coastal protection works are completed be discounted for the reasons explained in Report A to the Cabinet;
- (b) That it be agreed that the preferred way ahead is that which is set out in paragraph 3.6 of Report A to the Cabinet, that is to demolish the remaining huts and allow beach hut owners to replace them;
- (c) That following consultation with Milford Parish Council and the New Forest Beach Hut Owners' Association a further report be brought to the Cabinet in August 2014 detailing the way ahead;
- (d) That the Council commission further survey work to take account of the individual condition of each beach hut but, in the meantime, the Council continue to progress the research and consultations on the preferred option; and
- (d) That provided the surveys of individual huts do not reveal any structural problems that require their immediate removal, no huts be demolished until planning consent has been obtained for their replacement.

Action: Colin Read

**5. MITIGATION STRATEGY FOR EUROPEAN SITES – ADOPTION OF SUPPLEMENTARY PLANNING DOCUMENT (REPORT B)**

Supplementary Planning Guidance had been prepared to give detailed guidance for the implementation of Policy DM3 of the Local Plan Part 2. This policy dealt with mitigation of the impacts of development on the European Nature Conservation Sites. The policy responded to the requirements of the Conservation of Habitats and Species Regulations 2010.

A steering group, including the relevant statutory agencies, had helped to develop the policy and draft mitigation strategy, which had then been subject to public consultation. The responses to that consultation were summarised in Appendix 3 to Report B to the Cabinet, and the manner in which those issues had been addressed in the final Strategy document was set out in Appendix 4 to the report. The Cabinet was advised that further comments had also now been received from members of the steering group.

**RESOLVED:**

- (a) That the Mitigation Strategy document be subject to final editing by the Policy Planning Manager, in consultation with the Planning and Transportation Portfolio Holder, to include taking account any final comments from consultees on the Steering Group; and
- (b) That the Mitigation Strategy for European Sites, as set out in Appendix 1 to Report A to the Cabinet and subject to such further editing changes as may be necessary, be adopted as a Supplementary Planning Document.

Action: Louise Evans

**6. ANNUAL PERFORMANCE AND PROVISIONAL BUDGET OVERTURN REPORT 2013/14 (REPORT C)**

The Cabinet considered the Annual Performance Report which reviewed the Council's performance during 2013/14 against The Delivery Plan of Corporate Aims. The Delivery Plan, which compared performance against the key activity milestones, also included updates and new key activities for 2013/14 and 2014/15, and was attached as Appendix A to the report.

A more accessible format, suitable for a variety of communications formats, had been chosen to represent the Council's achievements over the last year, with the use of graphics to demonstrate the key points. The achievements were grouped under the key headings of "Delivering where it counts"; "Keeping people safe"; "Weathering the storm"; "Doing our bit for the environment"; "Making waves"; "Laying building blocks for the future"; and "Keeping it personal".

The Council's performance had to be seen within the context of continuing financial austerity. Council tax had remained unchanged for the fourth year, while government grant had reduced further. This year, through achieving further savings and improving income, the provisional overrun figure of £18.217 million was £939,000 below the original budget. The Council had nonetheless continued to provide and enhance its services to the local community.

The Cabinet was advised of the provisional out turn figures, and variations, on the General Fund, Housing Revenue Account and Capital Programme for 2013/14. Delays in the implementation of the capital programme were of some concern, with projects amounting to £4.71 million having been rephased into future years.

It was agreed that, in order to assist town and parish councils to understand the Council's activities, the Annual Performance Report should be submitted to the next meeting of the New Forest Association of Local Councils.

Action: Bob Jackson

**RESOLVED:**

- (a) That the performance and achievements as set out within the Annual Report be noted;
- (b) That the provisional General Fund outturn position be noted;
- (c) That the provisional outturn position of the Capital Programme be noted; and
- (d) That the provisional outturn position of the Housing Revenue Account be noted.

Action: Bob Jackson

**7. FINANCIAL MONITORING REPORT – FORECAST OUTTURN (BASED ON PERFORMANCE TO MAY 2014) (REPORT D)**

Members received financial performance information for the first 2 months of the financial year, which highlighted the variations against budgets that had been identified to date. In addition further, continuing, variations would be identified from the 2013/14 outturn savings and brought forwards into this year's budget.

A number of projects had been rephased into 2014/15, affecting this year's budget. Further information on the rephased projects, together with reports on other variations, were set out in sections 3 and 4 of the report. It was however confidently anticipated that the budgets would be achieved by the end of the financial year.

The winter storms continued to have a significant impact on budgets. The Council was still reclaiming money from government to cover part of the cost of the Council's response. In addition, additional budgetary provision was requested to allow the repair of the Hordle Cliff Path and to respond to the projected loss of income from beach hut licence fees.

**RECOMMENDED:**

- (a) *That the Council be requested to approve budget variations of £81,000 for Hordle Cliff pathway repairs and £74,000 for the loss of beach hut income;*

**RESOLVED:**

- (b) That the additional funding of £134,000 that has been approved for the Applemore Health and Leisure Centre fabric and business development project, and has already been reported to the Council, be noted;
- (c) That additional funding of £62,000 be approved for the Secure Wireless Network and Web Content Management ICT systems; and
- (d) That the revised outturn forecasts of the General Fund (para 3.2 of Report D to the Cabinet), Capital (para 4.1) and Housing Revenue Account (para 5.1) be noted.

Action: Bob Jackson and Kevin Green

## 8. DELEGATION OF POWERS TO OFFICERS

**RESOLVED:**

That the following delegated powers be updated to read as shown below:

<b>Reference</b>	<b>Source</b>	<b>Power Delegated</b>	<b>Delegation to</b>
Hsg & Com 47 (Old ref 526)	Housing Grants, Construction and Regeneration Act 1996 Part 1	All the powers under Part 1 of the Act (Grants for renewal of private sector housing) Subject to review of individual applications by the Appeals Committee if an applicant is aggrieved by a decision	Head of Housing and Customer Services, or Strategic Housing Services Manager, or Housing Grants and Improvements Manager
Env 25 (Old ref 411)	Environmental Protection Act 1990 s.149	To discharge the functions imposed or conferred by Section 149 of the Act	Head of Public Health and Community Safety

Action: Jan Debnam

CHAIRMAN