

NOTICE OF MEETING

Meeting	CABINET
Date and Time	WEDNESDAY, 3 SEPTEMBER 2014, AT 10.00 A.M.*
Place	COUNCIL CHAMBER, APPLETREE COURT, LYNDHURST
Telephone enquiries to:	Lyndhurst (023) 8028 5000 Direct Line (023) 8028 5588 – ask for Jan Debnam E-mail: jan.debnam@nfdc.gov.uk

PUBLIC PARTICIPATION:

***Members of the public may speak in accordance with the Council's public participation scheme:**

- (a) immediately before the meeting starts, on items within the Cabinet's terms of reference which are not on the public agenda; and/or**
 - (b) on individual items on the public agenda, when the Chairman calls that item.**
- Speeches may not exceed three minutes. Anyone wishing to speak should contact the name and number shown above.**

Dave Yates
Chief Executive

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www.newforest.gov.uk

This Agenda is also available on audio tape, in Braille, large print and digital format

AGENDA

APOLOGIES

1. MINUTES

To confirm the minutes of the meeting held on 6 August 2014 as a correct record.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. PUBLIC PARTICIPATION

To note any issues raised during the public participation period.

4. RECORDING OF MEETINGS (REPORT A)

To consider options for the recording of Council meetings

5. NEW FOREST DISTRICT COUNCIL WASTE MANAGEMENT STRATEGY 2013-2016 (REPORT B)

To consider an updated waste management strategy and to recommend its adoption.

6. DEPOTS REVIEW PROPOSAL (REPORT C)

To delegate authority to the officers to acquire land at which to base a Council depot, and to authorise a budget of £50,000 to progress a scheme.

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

To be advised of key variations within the budgets and the potential implications for the outturn on budgets, on a Portfolio and Committee basis.

8. DELEGATION OF POWERS TO OFFICERS

Section 157 of the Housing Act 1985 allows for the conveyance of a property sold under the right to buy in areas designated as rural by the Secretary of State (rural areas) to contain a covenant that applies a restriction in the event of the property being sold.

The options are either:

- that the landlord can require that the property can only be resold to someone who has lived or worked locally for the last 3 years ('a local person');
- or
- that the property has to be offered back to the landlord if the owner wishes to sell.

As present, all properties sold under the right to buy have the requirement that the property has to be offered back to the landlord if the owner wishes to sell (first refusal), but this is time-limited to ten years from the date the property was first sold under the right to buy. The covenant suggested above would apply, in perpetuity, to the current and any subsequent owners.

It is proposed to retain the covenant in respect of first refusal for all properties sold under right to buy, but to remove any time limit where those properties are within rural areas. In coming to this recommendation, consideration was given to limiting future sales to 'a local person', but such a covenant could depress the resale value of the property and so impact upon the present value. This could reduce the capital receipt payable to the council when the property is first sold.

Current delegation Hsg & Com 29 would allow the existing covenant to be amended as proposed, however as a consequence, delegation Hsg & Com 32 requires a minor amendment to facilitate this change and maintain existing delegated powers

RECOMMENDED

That in paragraph (i) of delegation Hsg & Com 32 the reference to “10 year” be deleted, as follows:

Source	Power delegated	Delegated to
Housing Act 1985 Part V	To decide on all offers to re-convey properties to the Council:- (i) Where the owners are required to offer the property under a 40 year pre-emption covenant or where the owners are having difficulty selling privately and there is a clear need for the property, the price to be paid for each property to be no more than the current market value with vacant possession as assessed by the Valuer.	Head of Housing and Customer Services, or Strategic Housing Services Manager, or Performance and Asset Manager

To: **Councillors:**

Mrs D M Brooks
Mrs J L Cleary
E J Heron (Vice-Chairman)

Councillors:

B Rickman (Chairman)
F P Vickers
C A Wise

(CB030914)