

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 27th July 1992.

p Cllr. J.E. Coles - Chairman
p Cllr. Mrs. J.K. Vernon-Jackson, MBE JP - Vice-Chairman

Councillors:

p Mrs. N.E. Alldridge
p K.E Austin
p Mrs. O.A.M. Badland
p S. Bailey
p P.A. Baker
p Mrs. P.D. Baker
p Mrs. M.J. Bannister
p Major C. Beeton
p W.E.B. Boothby
p E.R. Bowring
p D.S. Burdle
p R.J. Burnett
p Mrs. D.M. Brooks
p Miss S.A. Cooke
p D.E. Cracknell
p J.G. Craig
p W.F. Croydon
p B.A. Cullers
p G. Dawson
p J.J. Dawson
p Miss P.A. Drake
p B.C. Earwicker
p Major S.S. Elvery
p Mrs. L.K. Errington
p L.P. Gibbs
p W.J. Greer
p A.J.C. Griffiths
p R.C.H. Hale

Councillors:

p F.R. Harrison
p Mrs. Y.P. Holloway
p Mrs. A.M. Howe
p J.M. Hoy
p J.A.G. Hutchins, JP
p J. Lovering
p J. Maynard
p Mrs. M. McLean
p N.D.M. McGeorge
p Miss G.E. Meaden
p R.F. Orton
p P.G. Pearce-Smith
p C.G. Ramsden
p A.W. Rice, TD
p Miss G.M. Rickus, CBE
p Mrs. M.J. Robinson
p D.N. Scott
p Lt. Col. M.J. Shand
p S.A. Shepherd
p A.J. Simmons
p Mrs. B. Smith
p Mrs. L.P. Snashall
p G. Spikins
p R.G. Vernon-Jackson
p S.S. Wade
p G.H. Wales
p Mrs. D. Wilson
p Mrs. P.A. Wyeth

Apologies:

for absence were received from Cllrs. G. Dawson, Miss Meaden and Mrs. Wilson.

Officers Attending:

P.A.D. Hyde, N.J. Gibbs, D.A. Gurney, Mrs. M. Holmes, E.S. Johnson, I.B. Mackintosh, B. Buchanan and Miss J. Debnam.

18. MINUTES.

RESOLVED:

That the minutes of the meeting held on 18th May 1992, having been circulated, be signed by the Chairman as a correct record.

19. MEMBERSHIP.

The Returning Officer formally reported that on 11th June 1992, Benjamin Charles Earwicker was elected to represent the Milton Ward, and had signed his declaration of acceptance of office.

The Chairman welcomed Cllr. Earwicker to his first meeting of the Council.

20. QUEEN'S BIRTHDAY HONOURS.

The Chairman was pleased to announce that Mr. Roley Stafford of Lymington had been awarded an O.B.E. for his work for the disabled. Mr. Edward Pearn, who was Hampshire Fire Brigade's Assistant Chief Fire Officer, had been awarded the Queen's Fire Service Medal for loyal service and dedication to duty. The Chairman congratulated them on their awards.

21. CHAIRMAN'S ANNOUNCEMENTS.

(a) Councillor Mrs. Vernon-Jackson

The Chairman welcomed the Vice-Chairman back to her first meeting following her recent operation. Cllr. Mrs. Vernon-Jackson thanked her fellow Members and Officers for their messages and best wishes during her period of convalescence.

(b) Mr. George Dickinson

The Chairman was sad to report the recent death of Mr. George Dickinson, a former Rating Officer who had served the New Forest Rural District Council for over 40 years.

All those present stood in silence as a token of respect.

(c) Councillor Mrs. Holloway

The Chairman was delighted to announce that Cllr. Mrs. Yvonne Holloway had been selected to represent Great Britain in a number of events at the Paralympics to be held in Barcelona during September of this year. All those present wished her every success in her events.

22. CENTRAL SERVICES COMMITTEE.

Cllr. Wade presented the minutes of the meetings held on 18th May and 29th June 1992.

On the motion that the minutes be received and the recommendations be adopted:-

(a) Public Relations (Minute 11)

Cllr. Greer did not consider that the publication of a news bulletin or undertaking a market research study could be justified until the Council had established the direction it would be taking in the future. He also considered that there should be a single public relations function in the authority which co-ordinated all such activities and publications. This view was supported by Cllr. Mjr Elvery.

Cllr. Mrs. Errington considered that the public relations function also needed to be co-ordinated with other bodies to prevent multiple publications on topics, such as the coast. She also doubted the value of producing a publication when the recipients were unable to alter any of the matters which they did not like.

Cllr. Mrs. Wyeth did not consider that a market research study could be justified in a period of severe financial restraint. Cllr. Austin considered that accommodation for the homeless should take priority in the budgets.

Cllr. Lovering believed it was each individual Councillor's duty to find out their constituents' views and a market survey should be superfluous. Cllr. Cullers suggested that better information would be obtained at less cost through distributing a questionnaire with the Council Tax bills, thereby canvassing all the local electorate. Cllr. Rice considered the proposals to be a wanton waste of money as the Government would disregard any expenditure on public relations exercises of this kind.

Cllr. R.G. Vernon-Jackson advised Members that all public relations functions were being brought under the control of the Public Relations Working Party. The publication of a news bulletin had cross party support. There was a need to tell local people what was being done and why. The Working Party had questioned the cost of carrying out this study, but had been satisfied that the expenditure was essential to provide statistically valid information which could be used in support of the Council's case at any Public Inquiry into unitary authority status.

Cllr. Orton concurred with this view. He commended the report which had been submitted to the Working Party on this matter. The implications of the Citizens' Charter were being considered by all the political parties and it must be recognised that government was being brought closer to the people. The news bulletin and survey were natural progressions from previous commitments. He quoted from guidance issued by the A.D.C. regarding the use of

independent consultants to provide information which would be acceptable to the Commission reviewing local government structure.

Cllr. Mrs. Robinson was also concerned about duplication of effort, but considered the proposed research was essential to provide reliable statistical information.

Cllr. Burdle expressed his concern at the proposed expenditure which he considered unnecessary. He recalled the publication of New Forest 2000 when the only criticism had been of the expense of producing a leaflet for each household in the District. He supported the application for unitary authority status, but did not consider that this expenditure could be justified. He moved that the minute be referred back for further consideration. The amendment was duly seconded.

Cllr. McGeorge advised Members that surveys which relied on the voluntary return of a questionnaire by post had been proved to be statistically unreliable. There was always a bias in favour of complainants. The Commission reviewing local government structure would only accept professionally prepared surveys and would disregard in-house studies. The survey was not cheap, but was essential in the work for unitary authority status.

Cllr. Mrs. Bannister cautioned that the publications for tenants, some of which contained statutory information, should be excluded from the overall review of materials produced by the Council.

In replying to the debate, Cllr. Wade advised that the co-ordination of the public relations function was essential if the Authority wished to be professional in its approach. The review would be carried out over the coming months. For the overall benefit of the Council, he commended both the publication of the news bulletin and the market research survey.

With 17 Members voting in favour and 32 voting against, the amendment was lost.

(b) National Non-Domestic Rate - Applications for Remission on Grounds of Hardship (Minute 17)

Cllr. Austin suggested that the continuing recession was caused by a lack confidence which meant that people were saving rather than buying items for which they had the necessary money. He urged that people should start to buy the goods they required and, wherever possible to buy goods of British manufacture.

Cllr. Griffiths questioned whether 6,000 would be sufficient to help local shopkeepers whose businesses were in trouble. He considered the Council should make more than a token gesture. These businesses would form the basis for growth in the local economy in the future.

Cllr. Pearce-Smith suggested that local small businesses should apply to have their rates reduced. Property values had fallen since the boom days when the rates were set.

Cllr. Mrs. Robinson agreed with the need to support local businesses but reminded Members that this scheme was designed specifically to aid shops which were vital to local communities, such as village general stores. Cllr. Cullers confirmed this view and suggested that the difficulties being experienced by local businesses were symptomatic of a national problem which required action by central government.

Cllr. Wade advised that this Authority only funded 25% of the remission granted, the rest being provided by the Government. The criteria would be kept under review to ensure that a balanced decision was taken on the future of the scheme. The experience of other local authorities suggested the eligible demand was low, with a neighbouring authority having received only one application.

(c) Voluntary Redundancies (Minute 19)

In answer to a question from Cllr. Major Beeton, Members were advised that a report setting out net savings as a result of voluntary redundancies would be available on Thursday, 30th July 1992.

RESOLVED:

That the minutes be received and the recommendations be adopted.

23. CONTRACT SERVICES COMMITTEE.

Cllr. Miss Rickus presented the minutes of the meetings held on 18th May and 30th June 1992.

On the motion that the minutes be received:-

(a) Term Contract for Housing Maintenance 1992/93
(Minute 7)

Cllr. Craig referred to the decision to ask Cllr. Scott to leave the meeting and regretted that the minute did not reflect that two Members had strongly objected to the motion to exclude him. He felt that this was a discourteous action,

based on groundless fears. He considered that no Member should be asked to leave a meeting without a good, clearly stated reason and he strongly criticised the Committee's actions.

Cllr. Greer did not think that it was right for a Member to have to leave the meeting because another felt intimidated by their presence. This involved a question of principle. He asked under which Standing Order Cllr. Scott had been asked to leave and was advised by the Chairman that there was no Standing Order applicable. He considered this was a regrettable incident which should not be repeated.

Cllr. Burdle could not recall any previous instance when a Councillor had been asked to leave a meeting. No proper explanation had been given in this case and the only valid reason would have been on the grounds of bad behaviour. He considered the implication of intimidation set a dangerous precedent for the future.

Cllr. Austin emphasised that Cllr. Scott had behaved faultlessly throughout the meeting.

Cllr. Cullers suggested that Cllr. Scott should have insisted on his right to remain in the meeting. He did, however, recognise that the Council now separated the client and contractor functions and that Members could not serve on both the Housing and Contract Services Committees. Cllr. Scott was a Member of the Housing Committee.

Cllr. Scott considered it had been an unfortunate incident. He had asked for the reasons for his exclusion, which had not been given. He had left as he did not wish to be objectionable and he did understand the difference in responsibilities between the client and contractor sides. He had expected an apology afterwards.

In a reply, Cllr. Miss Rickus concurred with the points raised by Cllr. Craig and hoped that there would be no recurrence of this type of incident. She expressed her regret if Cllr. Scott had felt offended, but had not thought it had been that kind of situation. She regretted the need for Cllr. Scott to have been asked to leave and hoped it need not happen again in the future.

RESOLVED:

That the minutes be received.

24. EMERGENCIES COMMITTEE.

Cllr. Lt. Col. Shand presented the minutes of the meetings held on 18th May and 6th July 1992.

On the motion that the minutes be received:-

RESOLVED:

That the minutes be received.

25. ENVIRONMENTAL SERVICES COMMITTEE.

Cllr. Hoy presented the minutes of the meetings held on 18th May and 4th June 1992.

On the motion that the minutes be received and the recommendations be adopted:-

- (a) Importation of Waste from Western Australia
(Minute 13)

While welcoming proposals to meet the Australian High Commissioner, Cllr. R.G. Vernon-Jackson considered that the Membership suggested did not adequately reflect the political balance of the Council. He moved that the minute be referred back for further consideration. The amendment was seconded by Cllr. Cullers.

Cllr. Mrs. Bannister considered that, as the Council was unanimous in its opposition to the importation of toxic waste, the political persuasion of the Councillors meeting the High Commissioner was irrelevant. This view was supported by Cllr. Hoy.

With 26 Members voting in favour and 25 voting against, the amendment was carried.

- (b) Street Lighting to the Totton Western Bypass
Between Colbury and Netley Marsh, Totton
(Minute 16)

Cllr. J.J. Dawson expressed his satisfaction at the Committee's request for street lighting on this stretch of the Totton Western Bypass.

- (c) E.C. Frontier Control 1992 Single Market - Rabies Control (Minute 18)

Cllr. Pearce-Smith expressed his concern that customs controls were being relaxed. He referred to a recent incident where a yacht with animals on board had been berthed in the Beaulieu River for 36 hours before the Harbour Master had noticed and asked them to leave.

- (d) Pest Control Service (Minute 19)

Cllr. R.G. Vernon-Jackson considered that the wasp removal service for the elderly should be provided free of charge. He moved that this minute be referred back for further

consideration. The amendment was seconded by Cllr. Cullers.

Cllr. Mrs. Errington drew Members' attention to the discretion available to officers to waive the charges. She did not feel it was appropriate to provide a free service to all pensioners, some of whom were able to pay a reasonable charge. Cllr. Lovering also considered that the discretion allowed to officers should permit the charges to be waived in cases of hardship.

Cllrs. Boothby, Griffiths and J.J. Dawson each referred to instances in their Wards where the charge had not been waived in cases of financial hardship. This was an important service as wasps could be both inconvenient and dangerous.

Cllr. Mrs. Bannister gave notice of a further amendment, for the service to be available free of charge to all those who satisfied the criteria for concessionary travel tokens. Cllr. Mrs. Robinson indicated her willingness to second this further amendment. She suggested that the Council had a corporate responsibility to help the elderly and frail remain in their homes. The further amendment was withdrawn on the assurance that matters raised in the present debate would be included in the report to Committee, should the item be referred back for further consideration. Cllr. Mrs. Holloway suggested that families on Income Support or Disability Allowance were equally in need of help of this kind. Wasps were dangerous to young children.

Cllr. Hoy advised Members that the Committee had been assured that cases of hardship were rare and he did not see the value of considering the matter further.

With 31 Members voting in favour and fewer voting against, the amendment was carried.

(e) Dog Control - The Way Forward (Minute 22)

Cllr. Lovering referred to the financial difficulties being experienced by the R.S.P.C.A. kennels at Ashley Heath and questioned whether this Council used their services. If so a contribution should be made to their funds.

He was advised that the Council did use the Ashley Heath kennels.

(f) Red Meat Slaughtering Facilities in the New Forest (Minute 25)

Cllr. Rice strongly supported the Committee's decision with respect to red meat slaughtering

facilities in the New Forest but referred also to the cruelty inflicted on animals who were exported live to the continent. He moved, as an amendment, that the following paragraph be added to the resolution:-

"(e) That this Council, while congratulating the Prime Minister on his appointment to the Presidency of the European Economic Community, nevertheless urge him most strongly to exert his influence to secure amendments to E.E.C. legislation to alleviate the suffering of animals in transport to, and on, the continent, including a reduction in the currently permissible, but unacceptable, hours of transport, with all the resultant stress, misery and frequent cruelty involved".

The amendment was seconded by Cllr. Cullers, who questioned the right of European states, who practised institutionalised, and public cruelty, to impose detailed regulations on the operation of slaughterhouses. The Forest had a history of managing its affairs well. He also referred to the lack of firm information, even at ministerial level, on the operation of the new regulations.

Cllr. McGeorge, in supporting the amendment, referred to a recent conversation between Cllr. Rice and a representative of the Commission which implied that individual governments were responsible for the implementation of the new regulations. He considered that pressure should be exerted on the Ministry of Agriculture Fisheries and Food (MAFF) to resolve this matter. He also supported a ban on hunting in the New Forest.

Cllr. J.J. Dawson considered that a derogation should be sought for the operation of the slaughterhouse at Hordle and concurred with the view that pressure should be exerted on MAFF. He also cautioned, however, that cruelty to animals was not confined to the continent as the intensive husbandry systems used in this country were inherently cruel. This was an issue which demanded public attention. This view was supported by Cllr. Boothby.

Cllr. Mrs. Alldridge considered that the provision of adequate slaughtering facilities was essential to the well-being of commoning. She feared the reintroduction of farmyard slaughtering and urged that pressure continue to be exerted on the local M.P.'s and M.E.P. to secure a short term derogation, and also financial support from the E.C. to provide adequate slaughtering facilities for the future.

Cllr. Lovering welcomed the attention now being given to the live export of all animals.

Cllr. R.G. Vernon-Jackson supported the need for financial assistance to provide adequate slaughtering facilities at Hordle. He referred to a mobile slaughterhouse now available which met the new requirements, but was very expensive. He also reminded Members that the new slaughtering regulations would improve the standard of slaughtering throughout the E.C., bringing long term benefits for animal welfare.

Cllr. Cullers promoted the concept of animals being slaughtered as close to their normal living place as possible.

In closing, Cllr. Rice confirmed the need to work closely with M.A.F.F. to provide adequate slaughtering facilities, but cautioned that slaughtering of animals should not be confused with their handling beforehand.

Cllr. Hoy advised that discussions were continuing with the M.P.'s and M.E.P. on this matter and strongly supported the proposed amendment.

The amendment was unanimously agreed.

- (g) Wellands Road, Lyndhurst - Provision of Public Car Parking Facilities (Minute 26)

Cllr. Earwicker asked that plain English should be used in the minutes.

- (h) Coast Protection - Hurst Spit Stabilisation - Resources of Shingle (Minute 29)

Cllr. Pearce-Smith welcomed proposals to replenish the gravel at Hurst Spit with marine aggregate. He suggested extraction should take place from the shingle bank which dried at low water and had been implicated in a number of boating deaths. He trusted, however, that this extraction would not set a precedent for commercial gravel extraction off the coastline.

- (i) Recycling Plans (Minute 32)

Cllr. Burdle supported recycling but questioned whether the Council was adopting the right approach. None of the rubbish collected from households was recycled and people had to make an effort to take recyclable materials to the mini recycling centres.

Cllr. Mrs. Smith believed that the next stage would be the establishment of a collection system

but this would require funding from central government to set up the necessary infrastructure. The success of the present "bring" system demonstrated the willingness of people to participate in recycling schemes. Cllr. R.G. Vernon-Jackson welcomed the success of the mini recycling centres and hoped that further centres would be set up in Lymington.

Cllr. Cullers suggested that it would cost 5m to establish a system of separation at source in the District, which would require government funding during the present financial restraint. He did not feel that the target of 25% recycling by the year 2000 was adequate. A target of 93% was being achieved in some European towns.

Cllr. Mrs. Alldridge considered that recycling was vital. The present "bring" system was very successful with the centres being heavily used. The use of recycling was promoted by advertisements on all refuse collection vehicles. She also believed that government funds were essential to the introduction of a collection system.

Cllr. Hoy reminded Members that the potential income from recycled materials was tied to market forces, with some materials running at a loss. He also advised Members that an ordinary refuse vehicle was used as backup to the specialist service for collection from recycling centres, in view of the high demand.

Cllr. Burdle suggested that there was a national campaign to ensure a charge was levied for the removal of waste paper.

- (j) Age Concern, Totton - Application for Funding for Proposed Luncheon Club at West Totton (Minute 34)

Cllr. Mrs. Bannister expressed thanks on behalf of Age Concern for this Council's decision to fund half of the cost of a luncheon club for West Totton. She was saddened that the County Council were failing to meet their obligations to fund this service. The document "Care in the Community" suggested that services of this nature, to help the elderly stay in their homes, should be provided. However the County Council were failing to meet this obligation, and in addition were not adequately funding meals-on-wheels. There was now a waiting list on the Waterside. Cllr. Mrs. Howe, Cullers and Greer shared this concern.

Cllr. Maynard was critical of the County Council's expenditure on Social Services which was significantly below both the Government's guidelines, and the average of local authorities

in their family.

At the suggestion of Cllr. R.G. Vernon-Jackson it was agreed that the Chairman should write to the County Council to express concern on this matter, with a copy of the letter being sent to the Director of Social Services and Director of Age Concern.

Cllr. Hoy advised Members that the Committee had been concerned at the lack of the funding by the County Council and had consequently agreed a virement in order to help.

(k) Public Participation Periods (Minute 37)

In answer to a question from Cllr. Wade, Members were advised that a report on the operation of public participation periods would be brought to the relevant Committees in the November/December cycle of meetings.

RESOLVED:

- (a) That the minutes be received and that the recommendations be adopted subject to the reference back of minutes 13 and 19 and the addition of the following paragraph to the resolution of Minute 25

"(e) That this Council, while congratulating the Prime Minister on his appointment to the Presidency of the European Economic Community, nevertheless urge him most strongly to exert his influence to secure amendments to E.E.C. legislation to alleviate the suffering of animals in transport to, and on, the continent, including a reduction in the currently permissible, but unacceptable, hours of transport, with all the result at stress, misery and frequent cruelty involved".

- (b) That the Chairman write to the County Council to express concern on the lack of funding for a luncheon club at West Totton and for meals-on-wheels in the District.

26. HOUSING COMMITTEE.

Cllr. Mrs. Bannister presented the minutes of the meetings held on 18th May and 23rd June 1992.

On the motion that the minutes be received and the recommendations be adopted:-

- (a) Social Housing Schemes 1992/93 (Minute 19)

Cllr. R.G. Vernon-Jackson considered that the

lack of housing for local needs in Lymington was now serious and hoped that every effort would continue to be made to provide affordable housing for young families.

Cllr. Mrs. Bannister referred to delays in negotiations with the Town Council which had put back a social housing scheme to be built at Efford Way, Pennington.

- (b) Rural Housing Special Programme 1992/93
(Minute 20)

Cllr. McGeorge welcomed the co-operation afforded by parish councils in the promotion of social housing schemes and suggested that, where they did not support any scheme, local councils should suggest alternative sites in their parish. Cllr. Burdle considered that there was a need for better consultation with the parish council in the early stages of any such scheme.

Cllr. Mrs. Bannister reminded Members that each scheme needed to be well advanced before an application could be made for credit approval or a housing association grant. In accordance with Government advice, this Authority provided its own land holdings at minimal cost. Should a parish council wish to promote alternative schemes, the cost of land would be a significant additional factor. As the cost rose, she believed the term "affordable" became less applicable to the rents which had to be paid. Cllr. Mrs. Bannister referred to the support which a number of parish councils had given to social housing schemes in their areas and believed that the problems now being experienced on several schemes were exceptions.

Cllr. Lovering suggested the initiative should be taken by the Planning Committee to identify sites which were likely to gain approval for social housing schemes.

Cllr. Wales regretted any implication that Lymington and Pennington Town Council had been obstructive in progressing the social housing scheme at Efford Way. The Town Council had totally supported the philosophy behind the provision of local housing. Cllr. Mrs. Bannister emphasised that the delay had been caused by slow and prolonged negotiations and expressed her regret if any offence had been caused by an implication of obstruction by the Town Council.

- (c) Homelessness - Temporary Accommodation (Minute 21)

Cllr. Mrs. P.D. Baker welcomed the increasing availability of hostel vacancies on the eastern side of the District and hoped that there would

be greater investment in schemes for the west, particularly Ringwood.

Cllr. Griffiths confirmed provision of hostel facilities in the east had been made easier through the Council's land ownership in that area. There was a lack of suitable land in the Council's ownership in the west but funds would be directed towards this area in the future.

(d) Under Occupation of Council Houses (Minute 22)

Cllr. Greer welcomed measures to reduce the under occupation of Council houses.

(e) Traffic Calming Measures for Council Estates (Minute 23)

Cllr. Rice welcomed proposals to install traffic calming measures on the Owlsfield and Davis Fields Estates.

Cllr. Earwicker considered that the problems on the Owlsfield Estate had been caused by the County Council making this a through route instead of a cul-de-sac as originally proposed. He suggested they should be asked for a financial contribution towards the cost of the traffic calming measures.

Cllr. Mrs. Holloway cautioned that some traffic calming measures were viewed as a driving challenge by some irresponsible drivers and hoped that these would be adequate to obviate such ambitions. Cllr. Mrs. Robinson advised Members that the provision of traffic calming measures was the responsibility of the County Council and indeed the County would be carrying out the work on this Council's behalf. She considered that the Council should undertake a comprehensive review of the need for traffic calming measures on all housing estates, including private estates.

Cllr. Wade commended the 20 m.p.h. speed limit imposed on estate roads in some northern towns.

Cllr. Mrs. Bannister did not consider it was fair to blame the County Council for the problems being experienced on the Owlsfield Estate. She cautioned that there may be problems carrying out work on the Davis Field Estate as the roads had already been adopted.

(f) Housing Maintenance - Comparison Survey (Minute 24)

In answer to a question from Cllr. Lovering, Cllr. Mrs. Bannister undertook to send him a copy of the report comparing this Authority's

performance in housing maintenance with that of Sedgemore and Chichester District Councils.

(g) Joint Meeting with Planning Committee (Minute 30)

Cllr. Mrs. Wyeth referred to the later decision of the Planning Committee to defer this meeting until the 5th October. She considered a majority view should be taken as to which was the most convenient date.

Cllr. Mrs. Robinson considered that the joint meeting was needed urgently and the date in October would be too late.

Cllr. Miss Cooke reminded Members that the Planning Committee had agreed to a further meeting after it had been pointed out that August was normally kept free of meetings of main committees.

Cllr. Burdle believed it had always been accepted that there would be a recess during August, and this convention should only be changed if it was the majority view of the Members.

On a show of hands of the Members of the Housing and Planning Committees present it was agreed that the meeting should be rearranged for the afternoon of 18th August 1992.

(h) Term Contract for Housing Maintenance (Minute 35)

Cllr. Griffiths was disturbed by the detailed press reports which had appeared on this confidential matter; and also by the manner in which the report had been submitted to Committee and the decision reached. This was a complex issue involving sums in excess of 1m. He considered the report had only given the options which officers wished Members to follow, and there had been insufficient time to evaluate the detailed information which had been given. He believed the client and contractor functions had become confused and it was wrong for the Housing Committee to have taken a decision. The matter should have been referred to the Policy and Resources Committee. Two contracts had been retained by the use of a hidden subsidy and he questioned whether this would continue in future years. He disputed the need for two contracts to be retained as bench marks in the assessment of other contracts as he believed this was contrary to the ethos and rules of compulsory competitive tendering. He expressed his belief in open government and suggested this decision had been taken in private to the detriment of rent-payers. He was concerned that Councillors would be surcharged should the Council be found guilty of maladministration. He moved that this

matter be referred back for further consideration, as his only means of registering a protest, even though the contracts had already been let.

Cllr. Rice seconded the amendment and asked which Member had been present when the tenders had been opened. Members were advised that Standing Orders with respect to contracts had now been changed and it was not necessary for a Member to be present when tenders were opened.

Cllr. Maynard could see no benefit in referring this matter back for further consideration and suggested it would be more constructive to review Standing Orders to create a clearer demarcation between the client and contractor functions. He also reminded Members that profits by New Forest Contract Services were paid into the general funds, to the financial advantage of rent-payers.

Cllr. Greer also questioned whether Councillors could be liable to surcharge on this matter, and which Councillors would be caught.

Cllr. Mrs. Bannister advised Members that the Housing Committee had been reassured that the action they had taken was both proper and legal, and there was no question of them being liable to surcharge. Members would not have risked such a possibility. She expressed her disquiet that copies of the confidential report had been given to the press and discussions would be held on the means of avoiding such breaches of confidentiality in future. She also advised Members that the tenants preferred to remain with known contractors, and the tenants' association had expressed no adverse comment when this matter had been discussed at a recent liaison meeting. Indeed, it was the areas which had lost the Direct Labour Organisation which were expressing disquiet at the change. She did not consider the tenants had suffered any financial disbenefit as the maintenance costs were lower than in previous years. In addition, the corporate cost to the Council arising from redundancy payments could not be ignored. She reassured Members that the tenders had been opened properly, in accordance with Standing Orders and the documents were available for inspection by councillors. The contracts had now been let. She considered the most constructive course of action would be for the Policy and Resources Committee to consider the effects on the Council of compulsory competitive tendering and to determine policy on the relationship between Contract Services and other committees. She re-emphasised that the decision had been taken from the best of motives, and quite properly within the terms of the relevant legislation.

Cllr. Cullers also considered that the cost of staff redundancies could not be ignored, and the payment of Direct Labour Organisation trading surplus to general funds should also be taken into account.

Cllr. Scott deplored the decision, and the undue haste with which it had been taken. He also questioned the legal advice which had been given. The Director of Finance and Administration confirmed that there was no question that Members might be liable to surcharge in respect of this matter. Members were also advised that they were present as elected Members of the Council, exercising their corporate functions, and all were as entitled to vote on this matter, if they wished to do so, as to abstain.

Cllr. Griffiths requested that the amendment be dealt with by way of recorded vote and, in accordance with Standing Order 19, more than 15 other Members signified their support by rising in their places. The vote was recorded as following:-

For	Against	Abstain
K E Austin	P A Baker	Mrs N E Alldridge
Mrs O A M Badland	Mrs P D Baker	Mrs D M Brooks
S Bailey	Mrs M J Bannister	Miss S A Cooke
Major C Beeton MBE	W E B Boothby	J G Craig
D S Burdle	E R Bowring	J A G Hutchins
Miss P A Drake	R J Burnett	JP
Major S S Elvery	J E Coles	Miss G M Rickus
Mrs L K Errington	D E Cracknell	CBE
W J Greer	W F Croydon	R G Vernon-Jackson
A J C Griffiths	B A Cullers	Mrs P A Wyeth
J M Hoy	J J Dawson	
J J Lovering	B C Earwicker	
R F Orton	L P Gibbs	
C G Ramsden	R C H Hale	
A W Rice TD	F R Harrison	
D N Scott	Mrs Y P Holloway	
A J Simmons	Mrs A M Howe	
G Spikins	J Maynard	
	Mrs M McLean	
	N D M McGeorge	
	P G Pearce-Smith	
	Mrs M J Robinson	
	Lieut Col M J Shand	
	S A Shepherd	
	Mrs B Smith	
	Mrs L P Snashall	
For	Against	Abstain

Mrs J K Vernon-Jackson,
MBE, JP
S S Wade

With 18 Members voting in favour of the amendment, 28 voting against and 8 abstentions, the amendment was lost.

RESOLVED:

That the minutes be received and the recommendations be adopted.

27. ADJOURNMENT AND RESUMPTION OF MEETING.

The Council adjourned for lunch at 12.40 p.m. and resumed at 13.30 p.m. with the following Members present:-

Cllr. J.E. Coles - Chairman

Cllr. Mrs. J.K. Vernon-Jackson, MBE JP - Vice-Chairman

Councillors:

Mrs. N.E. Alldridge
K.E Austin
Mrs. O.A.M. Badland
S. Bailey
P.A. Baker
Mrs. P.D. Baker
Mrs. M.J. Bannister
Major C. Beeton, MBE
E.R. Bowring
Mrs. D.M. Brooks
D.S. Burdle
R.J. Burnett
Miss S.A. Cooke
D.E. Cracknell
J.G. Craig
W.F. Croydon
B.A. Cullers
J.J. Dawson
B.C. Earwicker
L.P. Gibbs
W.J. Greer
R.C.H. Hale
F.R. Harrison

Councillors:

Mrs. Y.P. Holloway
Mrs. A.M. Howe
J.M. Hoy
J.A.G. Hutchins, JP
J. Lovering
J. Maynard
N.D.M. McGeorge
Mrs. M. McLean
P.G. Pearce-Smith
C.G. Ramsden
A.W. Rice, TD
Mrs. M.J. Robinson
D.N. Scott
Lieut. Col. M.J. Shand
S.A. Shepherd
A.J. Simmons
Mrs. B. Smith
Mrs. L.P. Snashall
G. Spikins
R.G. Vernon-Jackson
S.S. Wade
Mrs. P.A. Wyeth

Apologies

for absence were received from Cllrs. Boothby, G. Dawson, Major Elvery, Mrs. Errington, Griffiths, Miss Meaden, Orton, Miss Rickus, CBE, Wales, Mrs. Wilson.

Officers Attending:

P.A.D. Hyde, N.J. Gibbs, D.A. Gurney, Mrs. M. Holmes,

E.S. Johnson, I.B. Mackintosh, B. Buchanan and Miss J. Debnam.

28. LEISURE SERVICES COMMITTEE.

Cllr. J.J. Dawson presented the minutes of the meetings held on 18th May and 16th June 1992. He moved their adoption subject to the amendment of the annexure attached to the minutes of the meeting held on 16th June 1992 by the charge for swimming aids at Totton Recreation Centre being reduced to 30 pence.

On the motion that the minutes be received:-

- (a) Representatives on Recreation Centre Consultative Committees

In answer to a question from Cllr. Scott, Members were advised that appointments of representatives to serve on the Recreation Centre Consultative Committee were made under the auspices of the Policy and Resources Committee.

RESOLVED:

That the minutes be received, subject to the amendment of the Annex to reduce the charge for swimming aids at Totton Recreation Centre to 30 pence.

29. LICENSING COMMITTEE.

Cllr. Burnett presented the minutes of the meetings held on 18th May, 28th May and 3rd June 1992 subject to the amendment of resolution (d) of Minute 7 by the deletion of the words "...shares the Housing Committee's concerns regarding housing for the homeless ..." and their substitution with the words "...acknowledges their importance in the provision of low cost accommodation ...".

The amendment was unanimously agreed.

On the motion that the minutes be received:-

- (a) Application for Hackney Carriage Licence (Minute 14)

Cllr. Greer did not accept that there was no significant unmet demand for the services of taxis in the Brockenhurst area. He accepted that there were two taxi firms operating from the Station but there was a need for provision in the Village Centre.

- (b) Application for Public Entertainment Licence - Highlander Rock Cafe, Jones Lane, Hythe (Minute 17)

The Chairman of the Council expressed his concern at the low number of Members who had attended

this meeting. It had been a long meeting, by the end of which there had been difficulty in maintaining the quorum. He reminded Members that there was considerable expense involved for applicants in preparing and presenting their case at quasi-judicial hearings of this type and he urged them to allow sufficient time to attend the entire meeting.

Cllr. J.J. Dawson advised Members that he had had to forego prior engagements to enable him to maintain the quorum at this meeting. He believed that this had been an extraordinary case of unexpected complexity.

RESOLVED:

That the minutes be received subject to the amendment of minute 7(d) by the deletion of the words "...shares the Housing Committee's concern regarding housing for the homeless ..." and their substitution with the words "...acknowledges their importance in the provision of low cost accommodation ...".

30. PLANNING COMMITTEE.

Cllr. Miss Cooke presented the minutes of the meetings held on 13th May, 18th May, 10th June and 8th July 1992.

On the motion that the minutes be received:-

(a) Publicity for Planning Applications (Minute 18)

Cllr. Mrs. Bannister did not consider that the newspapers quoted in the minute provided adequate coverage for people in the centre of Totton, and considered that the Forest and Waterside Observer should be included. She moved that the matter be referred back for further consideration. The amendment was seconded by Cllr. Harrison who advised Members that it had always been recognised that this would be a flexible system which would need to be adjusted in the light of experience.

Cllr. Miss Cooke agreed that the matter would be the subject of further consideration.

(b) Adjacent Brook Corner, Brook Hill, Bramshaw (Application 49769) (Minute 25)

Cllr. Ramsden advised Members that this application had been neither suspended nor withdrawn and the applicants had subsequently requested that it be brought forward to the August meeting of the Committee for determination. He reported that local residents were protesting that other sites had not been considered for the provision of affordable housing in the parish.

Cllr. Mrs. Bannister reminded Members that the site was already owned by the Housing Association and there were therefore no land acquisitions. The finance available for the scheme made no provision for the acquisition of land.

- (c) Swan Inn Public House, Bournemouth Road, Lyndhurst - Single Storey Addition, Internal Alterations and Demolition of Existing Garage (Applications 48153 and 48203LB (Minute 32))

Cllr. Rice expressed his surprise that the County Surveyor was not interested in acquiring land to widen the road slightly in the vicinity of the Swan Inn. He suggested this authority should acquire the land in the hope that the County Surveyor would change his view. He was advised that this was not possible.

- (d) Development at Holbury Manor and Land Off Lime Kiln Lane, Holbury (Minute 39)

Cllr. Pearce-Smith expressed his concern at the difficulty of enforcing agreements for the provision of properly laid out public open space in association with residential development. He suggested that a bond to back the provision and laying out of the open space should be made a prerequisite of development. Cllr. Miss Cooke advised him that it was not open to the Council to impose such a prerequisite.

In answer to a question from Cllr. J.J. Dawson, Members were advised that full use would be made of the breach of condition notices and other provisions contained in the Planning and Compensation Act 1991, which had recently come into force.

- (e) Planning Applications for Committee Decision (Minute 48)

Cllr. Miss Cooke drew Members' attention to the paragraph relating to application 49885 (Boltons Bench Inn, Southampton Road, Lyndhurst - illuminated pole mounted inn sign and illuminated sign fixed to wall). This minute reflected the advice given to the Planning Committee at the meeting. It was now clear that the advice was mistaken and, with the applicant having paid the full statutory planning application fee, the application could have been determined. The Head of Development Control (East) had apologised unreservedly for the error which had arisen innocently and in good faith. The application would be reconsidered at the next meeting of the Committee on 12th August 1992 and no legal proceedings would be instigated, as suggested in resolution (d), until the whole matter had been

determined on the correct basis.

At the suggestion of Cllr. Rice it was agreed that the minutes of the meeting would be annotated for future reference to make it plain that an error had been made.

RESOLVED:

That the minutes be received, subject to the annotation of minute 48 to make it clear that an error had been made on the advice about the payment of the statutory planning application fee in respect of application 49885.

31. STRATEGIC GROWTH IN TOTTON ADVISORY COMMITTEE.

Cllr. Harrison presented the minutes of the meeting held on 9th June 1992.

On the motion that the minutes be received.

RESOLVED:

That the minutes be received.

32. POLICY AND RESOURCES COMMITTEE.

Cllr. Maynard presented the minutes of the meetings held on 18th May and 7th July 1992.

On the motion that the minutes be received and the recommendations be adopted:-

(a) Final Accounts 1991/92 (Minute 9)

Cllr. Simmons recalled that, during the debate on this matter, Members had discussed the depletion of reserves to maintain expenditure. He considered that the minute should have more fully reflected their concerns.

(b) Financial Recommendations of Committees (Minute 11)

Cllr. Maynard advised Members that the tenders for the construction of a Community Centre at West Totton had been substantially in excess of the estimated cost. Following negotiations, during which the specification had been amended, the lowest tender had been reduced to 133,500, which was 22,500 greater than the estimate.

In answer to questions, Cllr. Maynard advised Members that the original estimate had been prepared by the architect. There were sufficient funds available from developers' contributions to make up the shortfall, without prejudicing other commitments, such as Bartley Park.

Cllr. Maynard moved as an amendment, it was seconded and agreed that the supplementary capital estimate for the construction of an extension to the West Totton Community Centre be increased to 133,500.

- (c) Review of the Minister of Agriculture, Fisheries and Foods Mandate (Minute 18)

Cllr. Lieut. Col. Shand considered that the representations to be made to the Forestry Commission in respect of the Minister's Mandate should include the Council's opposition to hunting by hounds in the Forest. He moved as an amendment that "In recognition of the concern of residents of the New Forest regarding the practice of deer hunting by hounds, this Council urges the Forestry Commission to prohibit such activity on land under their control with immediate effect".

The amendment was seconded by Cllr. Mrs. Robinson.

Cllr. Lovering reminded Members that the Forestry Commission had no authority to ban hunting on Crown lands while it remained a lawful pursuit. Cllrs. Pearce-Smith and Maynard noted, however, that other lawful pursuits such as youth groups carrying out map reading exercises, had been prohibited by the Forestry Commission.

With 27 Members voting in favour and 3 voting against, the amendment was carried.

- (d) Membership of Committees (Minute 19)

Various Members noted inaccuracies in the list of Membership of Committees.

In answer to a question from Cllr. Scott, Members were reminded that appointments to serve on the Recreation Centre Consultative Committees were made for four year periods, under the auspices of the Policy and Resources Committee.

- (e) Outside Bodies (Minute 23)

Cllr. R.G. Vernon-Jackson was disappointed that a full list of the appointments to outside bodies, divided by the Committees whom it was proposed would appoint them in future, had not been produced. He considered it inevitable that such a list would be subject to adjustment. He also considered that recommendation (d) on page 16 of the minutes should make it clear that appointments would be open to all Members of the Council, who would be advised in writing of all vacancies as they occurred. Cllr. Maynard advised that a list was available on request.

Cllr. Mrs. J.K. Vernon-Jackson considered that the Lymington Harbour Commissioners and the Crime Prevention Working Party were widely based, exercising corporate roles. She moved as an amendment that these appointments be made by the Policy and Resources Committee. The amendment was seconded by Cllr. Miss Cooke and accepted.

RESOLVED:

(a) That the minutes be received and the recommendations be adopted subject to:-

(i) The supplementary capital estimate for the construction of an extension to the West Totton Community Centre, as set out in minute 11, being increased from 111,000 to 133,500;

(ii) The inclusion of the following paragraph in the resolution to minute 18:

"In recognition of the concern of residents of the New Forest regarding the practice of deer hunting by hounds, this Council urges the Forestry Commission to prohibit such activity on land under their control with immediate effect"; and

(iii) The appointment of Members as Lymington Harbour Commissioners and to the Crime Prevention Working Party being made by the Policy and Resources Committee.

(b) That the membership of committees, as set out in Annex I to these minutes, be confirmed.

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33. MANAGEMENT STRUCTURE (REPORT A).

RESOLVED:

That, with effect on 1st July 1992, the powers delegated to, and the proper officers functions undertaken by, the Director of Health and Housing be delegated to or undertaken by the Director of Community Services.

34. SEALING OF DOCUMENTS.

RESOLVED:

That the Common Seal of the Council be affixed to any Order, Deed or Documents necessary to give effect to any decision made at this meeting.

CHAIRMAN