

10 JANUARY 1994

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on 10 January 1994.

p Cllr Mrs J K Vernon-Jackson MBE JP - Chairman
p Cllr S S Wade - Vice-Chairman

Councillors:

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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 MBE
p W E B Boothby
e E R Bowring
p Mrs D M Brooks
p D S Burdle
p R J Burnett
p J E Coles
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
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 N D M McGeorge
p Mrs M McLean
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 Lieut 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 G H Wales
p Mrs D Wilson
p Mrs P A Wyeth

Officers Attending:

P A D Hyde, N J Gibbs, D A Gurney, Mrs M Holmes, E S Johnson, I B Mackintosh, Miss J Debnam, T R Simpson and, for part of the meeting, M J Sully.

52. CHAIRMAN'S ANNOUNCEMENTS.

(a) John Bowker and Sidney Street

The Chairman advised members, with regret, of the deaths of former County Councillor John Bowker, and former District and Hordle Parish Councillor, Sidney Street.

All those present stood as a token of respect.

(b) New Year's Honours

The Chairman was pleased to announce that a number of local people had received recognition in the New Year's Honours List. Eric Hounslow, the Senior Divisional Officer for the Southampton and New Forest Division of the Hampshire Fire and Rescue Service had been awarded the Queen's Fire Service Medal for distinguished service. The Chief Fire Officer at Fawley Refinery, Barry Browning, had been awarded the MBE for services to industrial safety. The MBE had also been awarded to Lt Col Mike Reeve-Tucker of the newly formed Princess of Wales Royal regiment; Frank Wright a retired British Airways worker; Derek Thomson a leading New Forest Keeper and John Purkess, who ran the general store in Brockenhurst and was a former president of the British Independent Grocers Association.

The Chairman had sent letters of congratulation on behalf of this Council to all these people.

(c) Flooding

The Chairman advised members that over a hundred homes in this District and many outbuildings, roads and gardens had been inundated with flood water following the exceptional rainfall on 30 December 1993 and the week after. This was the fourth flood to cause damage this winter. The Council had responded to over 500 telephone calls and had delivered more than 2,500 sand bags to worried residents. Additional staff had been brought in to investigate the problems, with first priority being given to the floods which damaged homes. Reports would be taken to appropriate committees.

The Chairman thanked and commended the Council's officers, officers of the Fire Brigade and the District and Local Councillors who had all worked very hard, for long hours, over the holiday period in order to respond to the emergency. In particular, Cllrs Mjr Beeton, Simmons and Scott had all done sterling work in their local communities. She had written to everyone involved to thank them for their efforts.

Other members commended a number of senior officers for their particularly helpful response to this emergency. Members applauded all those involved.

(d) Chairman's Carol Service

The Chairman was pleased to announce that the Carol Service, held on 15 December 1993 at the St Michael and All Angels Church, Lyndhurst, had proved very successful. A collection at the end of the service had raised 91 for the Charity "Shelter".

(e) Ben Buchanan

The Chairman welcomed Ben and Joy Buchanan to the meeting for a presentation to mark Ben's retirement. Ben had served Articles with Messrs Coward Chance in London before joining this Authority as an Assistant Solicitor in July 1974. His abilities and expertise, particularly in the field of planning law, were quickly realised both inside and beyond this Authority. He was

appointed as Senior Assistant Solicitor in April 1981 and Chief Solicitor in December 1988. The Chairman spoke of the willingness with which Ben had helped the elected members, who could be sure of sound practical advice which sought a solution to their problems. She wished him every success and happiness in the future.

(f) Timing Mechanism

The Chairman drew members' attention to the automatic timing system which would be used at this meeting as an experiment. She invited members to express their views on the system following the meeting.

53. MINUTES.

Cllr Burdle advised members that Minute 37(g) should be amended to correct the spelling of Mr Kollar's name. With respect to Minute 48(a), which related to St Barbe's, Lymington, Cllr Burdle pointed out that there was no record of a reply to questions he had raised. Cllr Mrs Wilson did not believe this minute fully reflected her contention that she considered there was a question of truth as to the information given to members regarding contacts with the Red Cross.

Cllr Scott referred to Minute 37(f) and regretted that his specific reference to the role played by the Contract Services General Manager had not been included. He believed that this officer should have been included in the presentation. Cllr Miss Rickus advised members that she would convey Cllr Scott's regrets to the Contract Services General Manager, but as that officer had made the arrangements for the presentation she did not believe that any slight had been intended to, or taken by, that officer.

RESOLVED:

That the minutes of the meeting held on 8 November 1993, having been circulated, be signed by the Chairman as a correct record, subject to the amendment of Minute 37(g) to refer to Mr Joseph Kollar.

54. PLANNING COMMITTEE.

Cllr G Dawson presented the minutes of the meetings held on 10 November and 8 December 1993.

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

(a) 1994/95 Bids for Transport Capital Programme (Minute 152)

Cllr Baker expressed his concern that improvements to the A338 between Fordingbridge and Ringwood would be prejudiced by the Department of Transport cutting the County Council's Highways Capital Programme from 37.7m this year to 28.7m next. No new major transport schemes would be started next year and the Department of Transport had said that they envisaged no more than one major scheme per county in future years. Work to the A338 was essential as it was a major route to the Midlands and had a poor accident record. This Council should lobby vigorously on this matter, and in particular write to Robert Key, MP for Salisbury, who was also Parliamentary Under Secretary of State in

the Department of Transport. Cllr Vernon-Jackson shared the concern at the loss of grant to the County Council. He considered that a number of minor schemes, which could provide significant local benefit, would be lost.

Cllr Hale believed that Part ix(3) of the resolution should refer to the B3078 Station Road, Fordingbridge. Cllrs Austin, Major Elvery, Rice and Griffiths believed that the A337/Barton Court Avenue, New Milton traffic signals should be accorded higher priority in the minor schemes programme (Part iv), particularly as the Town and District Councils were making a significant contribution towards the cost.

Cllr Burdle believed that Part vi should emphasise that a roundabout on the A326, Totton Western Bypass/Calmore Link Road junction was a short term measure, not temporary.

Cllr Lovering considered that there was merit in the Government's policy to curtail public expenditure. He did not believe that the A338 was the highest priority scheme under consideration.

Cllr Miss Rickus believed that improvements to the A35/C49 Cat and Fiddle junction should refer to the installation of traffic lights.

Cllr Wales did not consider that it was appropriate for this meeting to debate matters which had been delegated to, and properly determined by, programme committees.

The Chairman advised members that these bids would be discussed thoroughly with the County Council at a forthcoming meeting.

- (b) Camping and Caravanning Policies : Coastal Towns Local Plan (Minute 153)

In answer to concerns raised by Cllr Lovering, he was advised that the proposed amendment to policy applied only to the Coastal Towns Local Plan area.

- (c) Lyndhurst Police Station, Romsey Road, Lyndhurst (Application 53115) (Minute 157)

Cllr Mrs Wyeth thanked her fellow members and the officers for the efforts they had made to oppose these proposals. She was saddened that the County Council had decided to proceed, in the face of total local opposition. Cllr Greer concurred. He had attended meetings with the County Council on this matter and had concluded that the local views were not being regarded.

Cllr Vernon-Jackson also regretted the County Council's decision to proceed, but believed they had been forced into this position through their funding from the Lord Chancellor's office being cut to promote the rationalisation of Courts.

RESOLVED:

That the minutes be received and the recommendations be adopted.

Cllr Burnett presented the minutes of the meetings held on 11 November and 25 November (two sets) 1993.

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

- (a) Hackney Carriage and Private Hire Drivers' Licences - Guidelines Relating to Convictions (Minute 56)

Cllr Rice welcomed these recommendations, which he believed vindicated members' insistence that the previous proposals should be referred back for further consideration. He felt the guidelines still fell short of the ideal, particularly as they were not necessarily being applied rigorously and people with unspent convictions were being granted a licence. The Council must take a strong line where serious convictions were involved and maintain the highest standards in the country. He welcomed proposals to seek an amendment to this legislation.

Cllr McGeorge also supported the recommendations. He advised members that Superintendent Readhead had been most helpful at the meeting. He drew members' attention to Appendix 3, the summary of principal rehabilitation periods. Any sentence of more than 30 months imprisonment could not be spent and would, therefore, have to be declared and could be taken into account. This covered all serious offences. He believed that lobbying to change the legislation to allow spent convictions to be taken into account would be a welcome addition to existing protection.

- (b) Application for Permit for Amusement with Prizes Machines - Rumbridge Street Amusement Centre, Totton (Minute 57)

Cllr Vernon-Jackson congratulated the Licensing Committee in refusing this application. He opposed any proposals which would make gambling machines available to children. Children who did not have the money to fund an addiction to gambling could commit illegal acts to try to obtain cash.

RESOLVED:

That the minutes be received and the recommendations be adopted.

56. LEISURE SERVICES COMMITTEE.

Cllr J J Dawson presented the minutes of the meeting held on 16 November 1993.

On the motion that the minutes be received:-

RESOLVED:

That the minutes be received.

57. ENVIRONMENTAL SERVICES COMMITTEE.

Cllr Mrs Vernon-Jackson presented the minutes of the meetings held on 18 November and 7 December 1993.

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

- (a) 1994/95 Bids for Transport Capital Programme (Minute 73)

Cllr Hale advised members that part ix(3) of the resolution should be amended to refer to the B3078, Station Road, Fordingbridge to be consistent with the Planning Committee.

- (b) Hythe Ferry (Minute 79)

Cllr Mrs Smith expressed the thanks of people on the Waterside for the work of this Council, the County Council and Southampton City Council to save the ferry.

In answer to questions, Cllr Mrs Vernon-Jackson advised members that Hythe and Dibden Parish Council were making a contribution towards the cost of subsidising the ferry. Although it was understood that a purchaser had been found for the ferry, negotiations between the County Council and this Council had not been concluded, and therefore the exact position for this Authority was not known.

RESOLVED:

That the minutes be received and the recommendations be adopted.

58. HOUSING COMMITTEE.

Cllr Mrs Robinson presented the minutes of the meeting held on 23 November 1993.

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

- (a) Council Mortgages (Minute 72)

Cllrs Griffiths, Mrs Wilson and Austin believed the Council should continue to offer mortgages to Council tenants who wished to buy their Council house. Older tenants, and those in non-traditional construction houses would not be able to obtain mortgages through the private sector and would be deprived the right to buy through this decision. This Council should leave the decision whether to buy to the tenants and not remove their liberty by failing to make the necessary finance available. Cllr Mrs Bannister also believed that the right to buy should apply to all tenants equally and the Council should operate a transfer policy where the tenant wished to buy, but lived in a non-traditionally constructed home.

Cllr McGeorge believed that the decision not to offer mortgages removed an option which it would not have been sensible for the tenant to pursue. The former tenant could be tied to a property which they could not mortgage to extend, nor resell. In addition, the Council's mortgage rate had to be higher than commercial values.

Cllr Vernon-Jackson supported freedom of choice. He believed that all properties should be treated equally and mortgaged through commercial channels if they qualified. This Council was only declining to be the lender.

In answer to a question from Cllr Scott, Cllr Mrs Robinson advised members that the tenants' associations had received copies of the report in advance. No adverse view had been expressed either before the meeting, or by the co-opted tenants' representative during the meeting.

RESOLVED:

That the minutes be received and the recommendations be adopted.

59. CONTRACT SERVICES COMMITTEE.

Cllr Miss Rickus presented the minutes of the meeting held on 30 November 1993.

On the motion that the minutes be received:-

RESOLVED:

That the minutes be received.

60. CENTRAL SERVICES COMMITTEE.

Cllr Wade presented the minutes of the meeting held on 7 December 1993.

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

RESOLVED:

That the minutes be received and the recommendation be adopted.

61. STRATEGIC GROWTH IN TOTTON ADVISORY COMMITTEE.

Cllr Shepherd presented the minutes of the meeting held on 7 December 1993.

On the motion that the minutes be received:-

(a) Provision of Educational Facilities in West Totton (Minute 26)

Cllr Mrs Wilson drew members' attention to the projected shortfall in primary school provision in Totton. It was expected that there would be a shortfall of secondary places in New Milton. It should be established whether this was a District-wide problem and if so, representations should be made to the County Council.

Cllr Miss Rickus believed that local people were being disadvantaged by Government policy which required that the availability of places in nearby schools should be taken into account when determining needs. Investigations for the Council's submission for unitary authority status had established there were 4,000 spare places in primary schools in the Forest. One of the first responsibilities of a new unitary authority should be to examine this problem.

Cllr Lovering cautioned that the provision in Totton appeared to be the subject of a political argument between three schools and

may not be representative of problems elsewhere in the District. Cllr Burdle believed that a shortfall was inevitable as sites originally designated for schools had been declared surplus to requirements by the County Council and sold for additional housing. He was not happy that pupils would have to be bussed to other areas.

Cllr Mrs Bannister considered that any investigation and subsequent report should include all factors, including transport costs. Travel to a more remote school might involve significant expenditure by parents, even though the education place itself was free.

Cllr Griffiths moved that a letter be sent to the County Council asking them not to sell any school land in this District, as it might prejudice a subsequent unitary authority's ability to plan their education provision properly. The amendment was seconded by Cllr Mrs Wilson. Cllr Vernon-Jackson considered that such a letter should also be sent to the Department of Education to request them to review their requirement for County Councils to sell excess land; and also to reverse the promotion of grant maintained status, which mitigated against coherent education planning.

Cllr Greer moved, and Cllr Mrs Wilson seconded a further amendment that a report on education provision in this District, based upon the information obtained for the preparation of the unitary authority bid, should be submitted either to the Education Panel, or the Policy and Resources Committee as appropriate. Such report should include other issues such as cars from Totton College overspilling into the Leisure Centre car park; and the sale of the Fernhill School site in New Milton.

RESOLVED:

- (a) That the minutes be received;
- (b) the County Council be requested not to sell any school land in this District, as it might prejudice a subsequent unitary authority's ability to plan their education provision properly; and
- (c) a report on education in the District be submitted to a meeting of the Education Panel, or Policy and Resources Committee as appropriate.

62. POLICY AND RESOURCES COMMITTEE.

Cllr Coles presented the minutes of the meeting held on 15 December 1993.

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

- (a) District Auditor's Management Letter to Members 1992/93 (Minute 72)

Some members welcomed the District Auditor's comments on the Council's budgeting and budgetary control, although there was some confusion as to whether this implied approval from Central

Government.

Cllr Scott did not accept that the budget was prudent as expenditure had increased by 24% over the last two years and he expected the County Council would be increasing their budget by 20% in 1994/95.

(b) Provisional Standard Spending Assessments (Minute 73)

Cllr McGeorge's objection to the term "customers" was noted. He did not consider that it was correct to view local residents' needs in terms relating to money.

(c) Application for Grant 1993/94 - National Council for One Parent Families (Minute 75)

Cllrs Lovering, Burdle, Greer and Austin welcomed the decision not to give a grant to the National Council for One Parent Families. They had not fulfilled the role that they had pledged and better quality information had been available through Citizens' Advice Bureaux. Cllr Mrs Robinson also regretted that this group had not fulfilled the valuable role that they had promised to a vulnerable sector of society. She agreed that no grant should be offered but reminded members that the grant given in the previous year had been on an experimental basis to assess performance.

(d) New Forest 2000 - 1993/94 Action Programme (Minute 76)

Cllr Vernon-Jackson believed this report highlighted the need to safeguard land which was allocated for industrial purposes from development for other uses such as retail stores. He hoped the Council would continue its strong opposition to the retail development of the Wellworthy site, Lymington.

(e) Hunting of Wild Animals with Dogs (Minute 77)

Cllr Rice disclosed a non-pecuniary interest in this matter. He remained in the meeting to speak but did not vote.

Cllr Rice moved that recommendation (b) should be deleted. The County Council were well aware of the role of the Martin Down Management Committee and were presently involved in the production of a Management Plan for the Downs. The amendment was seconded by Cllr Lt Col Shand.

Cllr Craig considered it entirely proper to draw the County Council's attention to their agreement with this authority for the management of the Downs.

Members discussed a policy opposing the hunting or coursing of live animals for sport. Some members questioned why hunting with one dog would not be opposed, while hunting with two would be considered cruel. The meaning of the term "wild animals" was questioned, as was the term "unnecessary suffering". It was noted that hunting could cause suffering and death both to the prey and to the hounds.

With three members voting in favour and the majority against, the amendment was lost.

(f) Gurney Dixon Centre, Pennington, Lymington (Minute 84)

Cllrs McGeorge and Rice disclosed non-pecuniary interests in this matter. They remained in the meeting but did not vote. Cllr Scott also disclosed a non-pecuniary interest.

A number of members expressed their concern at County Council proposals to dispose of the Gurney Dixon Centre. They considered it a further case of asset stripping and believed that local organisations, such as the Red Cross, should have been offered the opportunity to express an interest. Commercial marketing, to the tight timetable given, would prevent local organisations from being able to bring together a bid within the time allowed. Community needs should be established and fully discussed before the building was sold.

Cllr Wales moved that this matter be referred back for further consideration. The amendment was seconded by Cllr Mrs Wilson.

Other members recalled that this building had been held vacant, and interest invited, for a number of years. The marketing exercise was an innovative approach to elicit viable community interest. It was not believed that the building was suitable for teaching purposes. The County Council had acceded to the request to extend the deadline by which responses should be received.

With 22 members voting in favour and a greater number voting against, the amendment was lost.

RESOLVED:

That the minutes be received and the recommendations be adopted.

63. APPOINTMENT OF CLERK TO THE HOUSING BENEFIT, COMMUNITY CHARGE BENEFIT AND COUNCIL TAX BENEFIT REVIEW BOARDS.

RESOLVED:

That, with effect from 10 January 1994 until 25 July 1994, Terence Ronald Simpson be designated Clerk to the Housing Benefit, Community Charge Benefit and Council Tax Benefit Review Boards.

64. THE COUNCIL TAX BASE FOR TAX SETTING (REPORT A).

Members considered a detailed report with set out the matters which should be taken into account in approving the tax base for the Council Tax in the year 1994/95.

RESOLVED:

(a) That the calculation of the Council's tax base for the year 1994/95, as set out in the report, be approved.

(b) That pursuant to this report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amount calculated by the New Forest District Council as its Council tax base for the year 1994/95 shall be as follows, and as further detailed in !Appendix 1! to these minutes:-

PARISH/TOWN	TAX BASE
Beaulieu	451.70
Boldre	1,008.12
Bramshaw	309.56
Brockenhurst	1,627.92
Copythorne	1,161.00
Denny Lodge	158.65
Hythe and Dibden	7,005.96
East Boldre	372.29
Totton and Eling	9,203.12
Exbury and Lepe	100.12
Fawley	4,637.45
Lyndhurst	1,381.40
Marchwood	1,695.32
Minstead	337.97
Netley Marsh	796.14
Sway	1,553.35
Ashurst and Colbury	886.36
Breamore	177.92
Burley	730.02
Bransgore	1,810.56
Damerham	230.52
Ellingham, Harbridge and Ibsley	547.93
Fordingbridge	2,253.29
Hale	244.70
Martin	168.91
Ringwood	4,995.34
Rockbourne	152.34
Sopley	301.00
Whitsbury	101.21
Woodgreen	247.10
Hyde	461.01
Sandleheath	240.64
Lymington and Pennington	6,208.71
Milford-on-Sea	2,490.68
Hordle	2,135.31
New Milton	9,593.41
Whole District	65,777.03

65. SEALING OF DOCUMENTS.

RESOLVED:

That the Common Seal of the Council be affixed to any orders, deeds or documents necessary to give effect to any decision made at this meeting.

CHAIRMAN