

24 APRIL 1995

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 24 April 1995.

p Cllr Mrs J K Vernon-Jackson MBE JP - Chairman  
p Cllr S S Wade - 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 E R Bowring  
p Mrs D M Brooks  
p D S Burdle  
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  
e B D Dash  
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 D Harrison  
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, T R Simpson and Miss J Debnam.

86. MINUTES.

RESOLVED:

That the minutes of the meeting held on 27 February 1995, having been circulated, be signed by the Chairman as a correct record.

87. CHAIRMAN'S ANNOUNCEMENTS.

(a) Filming by the BBC

The Chairman welcomed the BBC to the meeting. They were working on a programme on the forthcoming elections for the BBC South Today programme and were featuring Cllr Bannister as a member who was not seeking re-election.

(b) Roger Penny

The Chairman reminded members that, at their last meeting, it had been suggested that a suitable road in the area should be named after Roger Penny, the former Area Surveyor who died in February. The Chairman was pleased to advise members that following consultation with local councillors, members of Environmental Services Committee and the relevant Parish Councils, it had been agreed to name the B3078 from the outskirts of Brook to the outskirts of Godshill as "Roger Penny Way". A naming ceremony would be arranged in due course.

(c) In-House Management Development Programme

The Chairman congratulated eleven members of staff who had achieved a National Vocational Qualification in Management at Level IV as part of the first stage of an in-house management development programme. Nine of the staff had also gained a University Certificate in Management at the same time. In addition, the management development programme had required internal assessment and this was undertaken by eight managers who had also achieved a nationally recognised assessor's qualification.

All those involved in the programme had worked very hard to make it a success and the University Verifier had commented that it had been a remarkable achievement for the students to gain both an NBQ and a University Certificate in Management at the same time.

All those present applauded the members of staff, students and assessors, who were present at the meeting.

(d) Moira Holmes - President of the Society of Chief Personnel Officers in Local Government (SOCPO)

The Chairman was pleased to advise members that Moira Holmes, the Director of Personnel and Management Development, had been elected to the presidency of SOCPO. She was only the second woman president in the Society's history. On behalf of all the Council, the Chairman congratulated Mrs Holmes and assured her of members' support during her year of office. All

those present applauded her achievement.

(e) Retiring Members

The Chairman thanked all members of the Council for their hard work over the last four years and presented councillors who were not seeking re-election with a certificate in recognition of their service.

88. CONTRACT SERVICES COMMITTEE.

Cllr Rickus presented the minutes of the meetings held on 27 February and 31 March 1995.

On the motion that the minutes be received:-

(a) Engineering Section - Highway Works (Minute 32)

Cllr Scott deplored the losses made on highway works contracts. He did not accept that there had been a full investigation of the causes of the loss, of the actions which should have been taken nor of the actions necessary to prevent a recurrence of the loss. He moved that the matter be referred back for further consideration. The motion was seconded by Cllr Cullers.

A number of members expressed disquiet at the scale of the losses, which they believed were larger than the net sum of 150,000 quoted in the minute. They believed that the loss had been avoidable and also that the District Auditor had issued a warning about the highway contracts some time previously. Some of these members believed that the Chairman of the Committee should accept personal responsibility for the mistakes which had been made. Members sought clarification as to the scale of the loss and the contracts on which it had been incurred, the action taken to investigate what had happened and to prevent a recurrence, and whether the matter was being pursued through criminal investigation and the relationship between the loss and proposed redundancies. Members also sought reassurance that no additional action should have been taken.

Other members, while regretting the loss, set it within the context of the profits made by Contract Services over the past four years. They pointed out that this was a corporate authority and responsibility for any errors lay with the Contract Services Committee and with the Council as a whole, not with the Chairman of the Committee. At each of its meetings the Contract Services Committee received a report on the latest position with respect to the Direct Service Organisation business. All members of the Committee should have been aware of what was happening. This regular reporting also obviated the need to refer this matter back, as the Committee kept its affairs under constant review and was now

particularly vigilant to prevent a recurrence of this loss.

In view of the complexity of the debate, the time allowed for the Chairman to reply was extended.

Cllr Rickus advised members that she would take legal advice about some of the statements made about her personal character and competence as she considered her professional reputation had been impugned. She viewed the matter seriously. If she had considered that, as Chairman of the Contract Services Committee, she was personally responsible for what had gone wrong, she would have resigned and members of that Committee had been aware of this. She had taken responsibility for working through this problem with the officers and had kept Cllr Craig, as a leading Conservative member of the Committee, advised of what was being done. There had been no suggestion that matters had not been handled correctly.

Cllr Rickus reported that the District Auditor had warned this Authority that he was unsure whether there was a restriction on trade which would have prevented the Direct Labour Organisation from tendering for highway work outside the District boundary, but had accepted that the Authority would not be acting unlawfully in doing so. The District Auditor had not issued any warning that the Direct Labour Organisation was incurring a loss. The losses had been incurred on a variety of highway jobs, ranging in size from minor to large, some of which had been for the County Council and other District Councils, outside this District's boundaries. The loss to date was 430,000, but this would be increased by redundancy payments and losses on leased vehicles. The 430,000 had been set against profits elsewhere in the trading account to produce the net loss of 150,000 which was quoted in the minutes. Once it had been established that there was a problem, every administrative action had been taken to minimise the loss, through debt recovery and reduction in workload. Jobs which were in hand had been completed to allow the contractual payments, at least, to be recovered. Internal Audit had been involved and, through Internal Audit, the District Auditor. Internal Audit had been allowed total freedom to investigate all aspects of this matter and the District Auditor was satisfied that this had been done properly. The District Auditor had consequently felt no need to become directly involved. The District Auditor had the right to change his opinion, and investigate directly if he so chose, as indeed could this Authority change its mind to insist on further investigation work directly by Internal Audit. This matter was not subject to criminal proceedings as Internal Audit had found no evidence that would persuade the Crown Prosecution Service that there was a case to be answered in the Courts. Cllr Rickus emphasised that the officers had enjoyed the discretion to initiate such action if they had

considered that there was a case to be answered, and indeed this would have been done.

Cllr Rickus advised members that the redundancies in the Highways Sections were unrelated to the trading loss, but arose from the anticipated reduction in highway work that this Council could bid for under changes in the County Council's rules for eligibility to tender. Cllr Rickus accepted that the money which had been lost could, in theory, have been used to set against Council Tax bills. It had not, however, been this Council's policy to do so in the past. Contract Services had made profits of 544,503 in the past four years. The majority of this had accrued to balances to generate investment for the good of the business. On three occasions money had been paid from the Direct Services Organisation's reserves to the general funds. The total payment amounted to 189,000 and this had been seen as part of the success of the Direct Labour Organisation. Cllr Rickus regretted the recent loss but reassured members that full and complete action had been taken as soon as the problem had been identified.

Having heard Cllr Rickus's full statement, Cllr Cullers withdrew as seconder to the motion that the matter be referred back for further consideration. Cllr Griffiths then seconded that motion.

With the consent of the Chairman, under Standing Order 14(15), Cllr Craig spoke in personal explanation. He advised members that although he had been kept advised of progress in dealing with this matter he did not feel that he had the authority to speak on behalf of political colleagues who were now rightly questioning what had happened. He believed that the Council meeting was the correct forum for rigorous debate of this issue.

With fifteen members voting in favour and a greater number against, the motion that this matter be referred back for further consideration was lost.

Note: Cllr Rickus abstained from voting on this matter.

(b) Engineering Section - Internal Audit (Minute 33)

Cllr Wilson referred to Cllr Rickus's reply in respect of the last item and the statement that individuals had not benefited personally from the actions taken.

The Chairman of the Council advised members that if this matter was to be debated further, the press and public must be excluded from the meeting. She moved that the press and public be excluded but the motion was not carried. Cllr Greer then moved the procedural motion that the Council proceed to the next business. On the motion being carried, it was accepted that a written reply would be sent to all members of the Council on this matter.

- (c) New Forest Contract Services General Manager's Report  
(Minute 36)

Cllr Burdle questioned why the vehicle lift at the Totton Depot was not capable of lifting the new split bodied refuse collection vehicles.

Cllr Rickus reminded members that the introduction of split bodied vehicles was a policy decision by the Client Committee, with Contract Services Committee only in a position to respond to the resulting problems.

- (d) Engineering Section - Future Workload (Minute 41)

In answer to a question by Cllr Cullers, Cllr Rickus undertook to arrange a written reply to all members about the redeployment of the staff who would be made redundant from the Engineering Section. At present it was hoped that there would be no need for compulsory redundancies.

- (e) KPMG Study (Minute 42)

In answer to a question from Cllr Scott, Cllr Rickus advised members that the study by KPMG had been held in abeyance partly because senior management had been involved in resolving the problems discussed earlier in this meeting and partly also because it had been considered more appropriate for this matter to be addressed by the newly elected Council. The first meeting of the new Committee would be held on 30 May 1995 and this matter would be brought before them.

- (f) Mr R Mathias

Cllr Errington expressed her regret at the reported illness of Mr Robin Mathias who she recalled as a delightful and truly memorable person.

RESOLVED:

That the minutes be received.

89. ENVIRONMENTAL SERVICES COMMITTEE.

Cllr Smith presented the minutes of the meeting held on 2 March 1995.

On the motion that the minutes be received:

- (a) Franchising of Rail Services - South West Trains  
(Minute 101)

Cllr Smith advised members that she had received a policy statement on through ticketing from the Rail Regulator which would be put into the Members' Room

for reference.

(b) Recommendations of Waste Management Working Party  
(Minute 109)

Cllr Burdle questioned the decision to accept a lower classification of the quality of glass sent for recycling. He believed that this effectively halved the income from this source.

Cllr Bannister suggested that the explanatory leaflet for the pilot recycling scheme in Totton should be expanded to include information on what could and what could not be recycled.

Cllr Shepherd advised members that British Glass had imposed tighter restrictions on the degree of contamination they would accept in glass for recycling. He believed that they were acting unreasonably, but this Authority had had little option but to accept terms which carried no danger of the load being rejected. He considered that feedback on the recycling leaflet was most valuable.

Cllr Scott asked that the survey of the implementation of recycling plans by local authorities should include an analysis of the methodology employed by those authorities.

Cllr Smith confirmed the information given by Cllr Shepherd and advised members that the Council faced the cost of transport and disposal of any glass loads which were rejected from recycling, which was why it was more cost-effective to accept the new terms. Cllr Scott's request was noted.

(c) Flooding (Minute 110)

On behalf of local residents, Cllr Bannister thanked the Environmental Services Committee for taking responsibility in resolving the problem of flooding in Calmore Road, Totton. The County Council and Southern Water, both of whom were more properly responsible for this matter, had failed to take the necessary action over a number of years.

Cllr Lovering referred to recent flooding on the B3078 at Gosdhill and questioned whether there was any need to take action to prevent a recurrence.

Cllr Smith reminded members that a number of places which had no historical tendency to flood had done so in the recent adverse weather conditions. The flooding at Godshill would be kept under review but there was no apparent need to take action at present.

(d) Coast Protection - Barton-on-Sea Emergency Works  
(Minute 114)

Cllr Howe referred to a recent letter from the Solent Protection Society which had praised this Authority

for repair works to Hurst Spit which had been carried out within the modest resources available. She reminded members that this was just one of the southern local authorities who were playing their part in caring for the southern coastlands.

In answer to a question from Cllr G Dawson, Cllr Smith undertook to write to the Solent Protection Society to thank them for their kind words. In addition, she undertook to bring these thanks to the attention of the staff in the Technical Services Department who had been responsible for undertaking the works.

RESOLVED:

That the minutes be received.

90. STRATEGIC GROWTH IN TOTTON ADVISORY COMMITTEE.

Cllr Shepherd presented the minutes of the meeting held on 7 March 1995.

On the motion that the minutes be received:

(a) Attendance

Cllr Burdle advised members that he had not been present at this meeting.

RESOLVED:

That the minutes be received.

91. PLANNING COMMITTEE.

Cllr G Dawson presented the minutes for the meetings held on 8 March and 12 April 1995.

On the motion that the minutes be received:

(a) Franchising of Passenger Rail Services : South West Trains (Minute 202)

Cllr R G Vernon-Jackson drew members' attention to British Rail's Annual Report which he believed demonstrated that rail services had operated at reduced efficiency following the breakup of the railway business. He asked the Chairman of the Committee if he shared his concern that this would work against encouraging people to travel by train rather than car.

Cllr Earwicker sought and received a reassurance that the representation about late evening trains from Bournemouth would include special mention of the need for trains to New Milton.

Cllr G Dawson believed that it was an important



planning issue to encourage efficient rail services for the benefit of local people and that these representations sought this. Poor services would not encourage people to transfer from road to rail.

- (b) Shorefield Holidays Limited - Appeal Decision (Minute 217)

Cllr G Dawson undertook to have a synopsis of Counsel's opinion, regarding the appeal decision to allow the construction of 48 wooden chalets at the Shorefield Holiday Centre, sent to Cllr Scott.

- (c) Electromagnetic Fields and Human Health (Minute 221)

Cllr Croydon moved that this matter be referred back for further consideration. He believed that the decision to write to the Secretary of State for the Environment was superfluous as Government guidance included minimum distances between telecommunications equipment and sensitive developments. The further representations now proposed might promote the Government to permit higher masts to achieve even greater separation. The motion was seconded by Cllr Cullers.

A number of members noted that the electromagnetic radiation associated with telecommunications was non-penetrating and was ubiquitous in the everyday environment. There was already considerable knowledge which suggested that there was no danger from this source.

Other members believed that it was necessary to recognise and address the fears of local residents. This view was endorsed by Cllr G Dawson.

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

- (d) Tatchbury Mount Hospital, Loperwood Lane, Netley Marsh (Application 55499 Outline) (Minute 334)

Cllr Robinson disclosed a non-pecuniary interest in the subject matter of this item and having left the meeting took no part in the consideration or voting.

Cllr Bannister believed that local residents had misunderstood the nature of the problems suffered by the patients who would use this proposed development, which had caused them unnecessary concerns. Cllr F R Harrison reminded members that the Planning Committee had sought a scheme for the comprehensive redevelopment of this site. The Committee would be careful to ensure that the decision on this application was taken on proper planning grounds. Cllr Burdle concurred with the need to take the decision on planning grounds and advised members that local people were concerned.

Cllr G Dawson advised members that the Council was seeking a scheme for the comprehensive redevelopment of Tatchbury Mount and it was difficult to judge this application, for a small part of the site, in isolation. Members were aware of local concerns. They would do their best to reach a decision on the correct basis.

- (e) Planning Applications for Committee Decision (Minute 232)

Cllr Burdle referred to the decision to refuse planning application 56130, which sought extensions to Ashurst Lodge. He was disappointed that the Committee had not supported his written request for a site visit. He believed the way in which the Council's planning policies were applied was in conflict with the Council's Economic Development Strategy. The company at Ashurst Lodge enjoyed a worldwide reputation for excellence and should be encouraged.

Cllr G Dawson advised members that the Planning Committee always sought to encourage job generation, as witnessed by the significant land allocations for industry in the District Local Plan. He recognised that the company at Ashurst Lodge was a good employer. The Committee had, however, also taken account of the previous extensions allowed to the property and were unlikely to reach a different decision on this matter.

RESOLVED:

That the minutes be received.

92. LEISURE COMMITTEE.

Cllr J J Dawson presented the minutes of the meeting held on 14 March 1995.

On the motion that the minutes be received:

- (a) Chairman's Announcements (Minute 58)

Cllr J J Dawson advised members that, at the meeting, it had not been known that Cllr Griffiths would not be seeking re-election. The thanks extended to retiring councillors for their contribution to the work of the Committee should also, therefore, be extended to include Cllr Griffiths.

- (b) Support for Voluntary Organisations (Minute 64)

Cllr Scott asked for further information about the structure, role and membership of the Voluntary Sector Forum. Cllr J J Dawson undertook to reply in writing.

RESOLVED:

That the minutes be received.

93. HOUSING COMMITTEE.

Cllr Robinson presented the minutes of the meeting held on 21 March 1995.

On the motion that the minutes be received:

(a) Rent Assessment (Minute 93)

Cllr Rice applauded the Government's decision to allow further extensions to the period allowed for the leasing of private properties to house homeless families. The leases could now be extended until the end of September 1997. He believed that the tenants who were affected should be advised.

Cllr Robinson, in also welcoming the decision to extend leases, reminded members that leased properties should still be regarded as a short term solution with the Council aiming to offer these families permanent accommodation within a two year period.

(b) New Forest Special Needs Housing Forum (Minute 97)

Cllr Scott believed there should be wider political representation on the Housing Forum and moved that this matter be referred back for further consideration. The amendment was seconded by Cllr Griffiths.

Cllr Robinson referred to Cllr Scott's persistent attempts to change the Council's representation on this body. She reminded members that this Council was invited to send one representative to meetings of the Forum and it was not open to this Authority to dictate their membership. She believed that if Cllr Scott continued this campaign it would be ultimately destructive to a group who were working hard to help vulnerable and disadvantaged people within the community.

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

RESOLVED:

That the minutes be agreed.

94. LICENSING COMMITTEE

Cllr Mrs P D Baker presented the minutes of the meeting held on 23 March 1995.

On the motion that the minutes be received:

RESOLVED:

That the minutes be received.

95. CENTRAL SERVICES COMMITTEE.

Cllr Wade presented the minutes of the meeting held on 28 March 1995.

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

(a) Economic Strategy Statement (Minute 76)

Cllr Scott disclosed a pecuniary interest in the subject matter of this item but did not believe that the interest was sufficient to debar him from taking part in the debate.

Cllr Scott believed that this Council's expenditure was biased towards tourism at the expense of promoting better quality, full-time employment for local people. He believed the Lymington area needed particular help and this strategy would fail to create new jobs. He moved that this matter be referred back for further consideration. The motion was seconded by Cllr Austin who believed that resources should be diverted towards promoting full-time employment for men.

Cllr G Dawson recognised the need to create more jobs and referred to the significant land allocations for industry in the Local Plan. He reminded members of the need to apply and defend their policies to safeguard such land from applications for alternative uses.

Cllr Lovering believed that there was a conflict between the application of planning policies and the Economic Strategy Statement and hoped that the new Council would consult COSIRA on this matter.

In the ensuing debate, members noted the increasing trend towards part-time employment. It was recognised that these jobs, which were often poorly paid, had traditionally been thought of as secondary, but were now often the main source of income for families. State subsidies were then necessary to allow the family to survive. The significant part that tourism played in the local economy should be recognised, and income from this source maximised by encouraging staying visitors. It was also noted that this District must compete for new businesses with areas which attracted development grants from the Government. Some members considered that it was important to define and allow appropriate industry for the rural areas to keep vibrant working communities.

Cllr Wales reminded members that the Strategy had already been approved by the Council, and had only been re-submitted to Committee to allow representations from outside bodies to be considered. On this basis he moved that the recommendations set out in minutes be accepted. The motion was seconded by Cllr Cooke.

Cllr Wade advised members that the local authority had limited ability to affect the local economy, which was largely dictated by Government policy. The Economic Strategy Statement reflected the policies set out in New Forest 2000 and Local Plans.

With the majority of members indicating their support, the recommendation was adopted.

- (b) Local Agenda 21 : Energy and Property Management (Minute 78)

In answer to a question from Cllr Robinson, Cllr Wade confirmed that the Central Services Committee was not charged with the corporate responsibility for energy management of the Council's housing stock.

- (c) Council Year Book (Minute 80)

A number of members objected to the way in which the potential size of the Council year book was described. These concerns were noted.

Cllr Wade displayed an example of the type of year book at the meeting.

- (d) Members' Allowances (Minute 82)

Cllr Cullers considered that the present rate of members' allowances discouraged people in full-time employment from becoming councillors. He hoped that the newly elected Council would review this as a matter of urgency. While agreeing that it was a legitimate matter for the new Council to review, Cllr Lovering pointed out that local authorities could not pay allowances which were equivalent to a working wage, which inhibited their ability to compensate adequately for loss of earnings.

Cllr Wade considered that the low level of allowances reflected the erosion of local government powers. He reminded members that Central Government tended to appoint quangos and paid their members relatively substantial sums.

- (e) Sound Enhancement (Minute 83)

In answer to a question from Cllr Greer, Cllr Wade advised members that the Royal National Institute for the Deaf had not been consulted about a potential sound system for the Council Chamber. They would now be consulted. Cllr Wade was disappointed at the decision not to install a sound system, which failed to recognise the hearing difficulties experienced by many members of the population. He reminded members that the meeting rooms were used, not only by this Authority, but by other organisations and their needs should also be recognised.

RESOLVED:

That the minutes be received and the recommendations be adopted.

96. ADJOURNMENT AND RESUMPTION OF MEETING.

The meeting adjourned for lunch at 12.40 pm and resumed at 1.30 pm.

p Cllr Mrs J K Vernon-Jackson MBE JP - Chairman  
p Cllr S S Wade - 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  
e E R Bowring  
p Mrs D M Brooks  
p D S Burdle  
p J E Coles  
p Miss S A Cooke  
p D E Cracknell  
p J G Craig  
e W F Croydon  
p B A Cullers  
p B D Dash  
e G Dawson  
p J J Dawson  
p Miss P A Drake  
p B C Earwicker  
p Major S S Elvery  
e Mrs L K Errington  
p L P Gibbs  
p W J Greer  
e A J C Griffiths  
e R C H Hale

Councillors:

p D Harrison  
p F R Harrison  
e Mrs Y P Holloway  
p Mrs A M Howe  
p J M Hoy  
p J A G Hutchins JP  
p J Lovering  
e 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  
e 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  
e S A Shepherd  
p A J Simmons  
p Mrs B Smith  
p Mrs L P Snashall  
p G Spikins  
e R G Vernon-Jackson  
e 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, T R Simpson and Miss J Debnam.

97. POLICY AND RESOURCES COMMITTEE.

Cllr Coles presented the minutes of the meeting held on 6 April 1995.

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

(a) Packaging the Housing Management Contract (Minute 129)

Cllr Coles advised members that the deadline for the tender specification was 19 May 1995, not 15 May as

specified in the minute.

- (b) Terms of Reference of and Scheme of Delegation to Committees (Minute 131)

Cllr McGeorge considered that staff training should properly be the responsibility of the Central Services Committee. It now appeared to have been transferred to Policy and Resources.

Cllr Coles reminded members that training to meet service requirements was the responsibility of each business committee. The Policy and Resources Committee was now solely responsible for training of staff who were involved in its direct functions.

- (c) Standing Orders as to Meetings and Proceedings (Minute 132)

Cllr Bannister requested that it should be Council policy that a tenants' representative should be co-opted to serve on any sub-committee which was considering matters which would affect tenants' interests.

In the ensuing debate it was noted that there was an inconsistency in the way in which the co-opted membership of the Housing and Strategic Growth in Totton Advisory Committees were presented. It was proposed, seconded and agreed that Standing Order 35(1) be amended by showing the constitution of the Strategic Growth in Totton Advisory Committee as twenty members, with two members co-opted from each of the Totton and Eling Town Council, Netley Marsh and Ashurst and Colbury Parish Councils.

Cllr Coles reminded members that the new Council could review the membership of its committees and sub-committees. It was up to each committee to determine the membership of its sub-committees and whether there should be any tenant co-option.

- (d) Management (Minute 135)

Cllr Cullers wished to discuss this matter further and moved that there should be a recorded vote as to whether this should be conducted in public. The Chairman ruled that, as the debate would inevitably consider matters relating to individual members of staff, the public and press should be excluded in accordance with Section 100(A)(4) of the Local Government Act 1972. On Cllr Cullers disputing this ruling, the Chairman adjourned the meeting from 13.40 pm to 13.45 pm in accordance with Standing Order 16(2).

On resumption, the Chairman confirmed her ruling and advised members that this minute would be considered at the end of the debate on the Policy and Resources Committee minutes.

(e) Complaints - Annual Report (Minute 137)

Cllr McGeorge welcomed the preliminary work on a mediation service which he hoped would provide a more constructive avenue for resolving complaints.

Cllr Scott asked whether the complaints procedure included provision for complaints about the re-use of redundant public buildings. Cllr Cullers believed that there was no such provision in the complaints procedure. He considered that the complaints procedure had not worked properly in the past which had left complainants with little alternative but to go to the Ombudsman. He hoped that there would be a more comprehensive complaints procedure in place in future.

Cllr Coles advised members that each complaint would be dealt with on its merits. To date there had been no cause to deal with complaints about the non-use of public buildings.

(f) Management (Minute 135)

The Chairman proposed, it was duly seconded and

RESOLVED:

That, under Section 100(A)(4) of the Local Government Act 1972, the public and the press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 11 of Part I of Schedule 12(A) of the Act.

The Chief Executive, Director of Community Services, Director of Finance and Administration, Director of Planning, Director of Technical Services and Head of Central Administration left the meeting for the consideration of this item.

Cllr Cullers moved that the matter be referred back for further consideration on the basis that any decision as to the redundancy of a Chief Officer should be taken within the context of an overall review of the management structure. The amendment was seconded by Cllr Austin.

In the ensuing debate, Cllr Burdle moved and Cllr Cullers seconded the motion that, in accordance with Standing Order 50, Standing Orders 14(4) and 14(6) be suspended to allow greater length of speeches and for members to speak more than once.

Members were informed that the Local Government Management Board had been asked to advise on the Chief Executive's offer to take early retirement on the grounds of redundancy. The Board's advice was that the changing circumstances, including in particular the effects of compulsory competitive tendering, would have such a significant effect on the Chief



Executive's role that the incumbent postholder could properly be considered redundant. This advice was discussed in detail.

Cllr Scott moved and Cllr Lovering seconded the motion that the meeting be adjourned for thirty minutes to allow further legal advice to be sought. Following debate of the issues, in particular the immediate availability of relevant advice, the motion was put to the vote. With ten members voting in favour and twenty-six against, the motion was lost.

Following considerable debate, the procedural motion that the question be now put was moved and seconded. The Chairman was satisfied that the matter had been adequately debated and, therefore, in accordance with Standing Order 14(4)(b) put this motion to the vote. With thirty members voting in favour and two against, the motion that the question be now put was carried.

In closing the debate, Cllr Cullers reiterated his concerns about the decision to make the present Chief Executive redundant.

Cllr Coles expressed his support for the advice which had been given and urged members to be consistent with the decision which had already been reached.

The amendment that minute 135 be referred back for further consideration was lost by thirty votes to four.

Cllrs Austin, Lovering and Wyeth abstained from voting on this matter. Cllrs Cullers, Gibbs and Scott wished to be recorded as having voted in favour of the amendment.

RESOLVED:

That the minutes be received and the recommendations be adopted, subject to the amendment of Standing Order 35(1) to include the six members co-opted from Town and Parish Councils in the constitution of the Strategic Growth in Totton Advisory Committee.

#### 98. QUESTIONS UNDER STANDING ORDER 9.

(1) Cllr Scott asked the Chairman of Housing Committee:-

- "1. How many dwellings does this Council own?
2. What is the current value of these dwellings?
3. What would be the net surplus after full debt redemption on those dwellings?
4. How many dwellings could be built with the proceeds to house the homeless, assuming a matching sum were added by a developer?

This assumed a sale of these dwellings to an organisation over a period of time and acceptable to tenants, as has been successfully done by neighbouring councils and elsewhere."

The Chairman of Housing Committee, Cllr Robinson, replied:-

"The Council owns an estimated 6,090 dwellings. This is less than the total number of managed properties which includes leased properties rented from the private sector to house homeless families and pitches managed on caravan sites.

It is understood that the value of dwellings referred to by Cllr Scott relates to the amount receivable should this Council enter into a large scale voluntary transfer (LSVT) with a Housing Association. Experience gained from LSVT carried out by other local authorities indicates the transfer value in the region of 9,000 to 11,000 per dwelling which tends to be lower than the market value of individual dwellings valued for Right-to-Buy (RTB) purposes.

Based upon the LSVT valuations the estimated gross capital receipt would be in the region of 55m to 67m.

The Secretary of State for the Environment has prescribed a formula for capital spending power arising from LSVT. After disposal costs, the required 20% benefit levy and the requirement to set aside 75% of capital receipts, the amount available to fund new capital expenditure is estimated as 12m to 15m. The capital expenditure would need to be phased over a minimum of two years. Where the Council funds social housing through Housing Association Grant (HAG) the Council's contribution tends to average at 23,000 per dwelling. Consequently, the resources generated by LSVT could be used to fund between 520 and 650 dwellings, should members wish to use all the spending power on the provision of accommodation and the appropriate land and/or existing satisfactory properties could be acquired.

However, it should be appreciated that when determining the amount the Council is able to expend on capital schemes the Secretary of State reduces the spending guidelines by a notional amount of usable capital receipts. Consequently, the additional spending power from LSVT may, in part, be offset by a reduction in the credit approvals made available to the Council."

In answer to a supplementary question from Cllr Scott, Cllr Robinson confirmed the accuracy of the information given.

(2) Cllr Scott asked the Chairman of Leisure Services Committee:-

- "1. What is the latest full capital cost committed to the Lymington Museum?
2. What is the likely full capital cost burden on public finances, that is tax-payers?
3. What are the current annual revenue subsidies from public sources?
4. In answer to question 3, what account has been taken of the subsidy of 100,000 per annum recently reported by the Christchurch Museum?"

Cllr J J Dawson, as Chairman of Leisure Services Committee, replied:-

"The original acquisition of the St Barbe's building, which was funded through the Policy and Resources Committee, cost 245,000. Of this sum, 196,000 has been attributed to the cost of the Museum.

Under the Leisure Services Committee budget for this year, there is a capital allocation of 610,000 to meet the cost of design and building works for the museum. The majority of this sum will be recovered from the Lymington Museum Trust. The Leisure Services Committee will meet just 45,000 of the cost, by way of a specific and one off grant.

It is my understanding that the County Council, who are primarily responsible for the museum service, will make a capital contribution of 20,000 for each of the next three years, and also will part fund the curator, as revenue expenditure, at the level of 12,500 per annum. There is no annual subsidy by this Council.

The grant paid by the County Council to the Red House Museum in Christchurch is a completely separate issue and one in which this Council has no involvement and should be taken up with Hampshire County Council.

I would, however, take this opportunity to say that the County Council have sought from New Forest District Council, Lymington and Pennington Town Council and citizens of Lymington, a new type of involvement in the Lymington Museum, based on partnership with the local community, which will set a new framework for museums in the future."

In answer to a supplementary question from Cllr Scott, Cllr J J Dawson advised members that he could not agree that the original business plan

for the museum was flawed.

99. 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