

8 JANUARY 1996

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 8 January 1996.

p Cllr S S Wade - Chairman
p Cllr Miss S A Cooke - Vice-Chairman

Councillors:

p K E Austin
p Mrs O A M Badland
p S Bailey
p P A Baker
p Mrs P D Baker
p Major C Beeton MBE
p Mrs C A Bianchi
p E R Bowring
e D S Burdle
p J E Coles
p M R Cox
p D E Cracknell
p W F Croydon
p B D Dash
p G Dawson
p J J Dawson
p Miss P A Drake
p K W Drew
p B C Earwicker
p A S Emery
p Mrs L K Errington
p R K Goodridge
p W J Greer
p R C H Hale
p L E Harris
p D Harrison
p F R Harrison
p S A Hayes

Councillors:

p Mrs A M Howe
p J M Hoy
p J A G Hutchins JP
p M R Jones
p M J Kendal
p G N D Locock
p Mrs B M Maynard
p N D M McGeorge
p Mrs M McLean
e S M Noel
p R F Orton
p P G Pearce-Smith
p C G Ramsden
p A W Rice TD
p B Rickman
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 Mrs B Smith
p Mrs L P Snashall
p G Spikins
p Mrs J K Vernon-Jackson MBE JP
p M S Wade
p Dr M N Whitehead
p Mrs D Wilson
p Mrs P A Wyeth

Officers Attending:

I B Mackintosh, N J Gibbs, D A Gurney, E S Johnson, Mrs M Holmes, Miss J Debnam, J Rainbow, T R Simpson, M J Sully and J Ward.

49. SEASONS GREETINGS.

The Chairman wished all those present a healthy and prosperous New Year.

50. MINUTES.

RESOLVED:

That the minutes of the meeting held on 6 November 1995, having been circulated, be signed by the Chairman as a correct record.

51. CHAIRMANS ANNOUNCEMENTS.

(a) New Years Honours

The Chairman was pleased to report that Arthur Barlow, the Deputy Surveyor of the New Forest, had been awarded the OBE for his services to forestry while Denis Howard had been awarded the MBE for his services in improving the safety of British charter yachts.

(b) Cllr John Coles

The Chairman was pleased to announce that Cllr John Coles had been appointed as a member of the Executive Committee of the Association of District Councils and also as a Deputy on the Steering Group of the new Local Government Association.

(c) Rotary Award to Kate Mounce

The Chairman was delighted to advise members that Kate Mounce had been awarded a Group Study Exchange Scholarship to go to Peru for four weeks in March. On behalf of the Council the Chairman congratulated Kate and wished her all the best for her visit to Peru.

(d) Customer Care Awards

The Chairman was pleased to present Helen Woodvine from Environmental Health and John Rogers from Finance and Administration with Customer Care Awards. Michelle Ashness from Housing Services was unable to attend the meeting to receive her award. These members of staff had given exceptional service, often in difficult situations.

(e) British Standards Institute - ISO 9002

Martyn Hancock, Quality Assurance Operations Area Manager with the British Standards Institute, presented the Chairman with a Certificate for ISO 9002 for the Councils Central Control. Central Control provided the out of hours standby service for the whole Council and a monitoring service for the elderly. Mr Hancock reminded members that ISO 9002 demonstrated a commitment to providing quality services and a continuing commitment to improve. The standard had been achieved through the team effort of the Central Control staff.

In accepting the Certificate, the Chairman congratulated the Central Control staff, who were attending the meeting.

(f) Peter Hawes

The Chairman reported the sudden death of Peter Hawes, who had been Assistant Caretaker at Lyminster since April 1991.

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

52. PLANNING COMMITTEE.

Cllr G Dawson presented the minutes of the meetings held on 8 November and 13 December 1995. He advised members that some correspondence from Cllr Hale had been inadvertently included within the minutes of the meeting held on 13 December 1995. He apologised to Cllr Hale. Pages 64-67 did not form part of the minutes and should be discounted.

On the motion that the minutes be received:

- (a) Avon Valley Local Plan - High Court Challenge by RMC (Minute 127B)

In answer to a question from Cllr Vernon-Jackson, Cllr G Dawson advised members that the alterations to the Avon Valley Local Plan relating to the Heritage Area boundary had been adopted and formed part of the Statutory Development Plan. The Notice of Motion by RMC Limited seeking the quashing of part of the alterations would be heard in the High Court on 13 May 1996 when the matter would be debated and concluded.

- (b) Planning Applications for Committee Decision (Minute 169)

It was noted that the description of Application 55692, as set out on Page 54 of the minutes, should be amended to refer to Long Lane, Holbury, and not Hordle.

RESOLVED:

That the minutes be received, subject to the omission of Pages 65-67 from the minutes of 13 December 1995 and also the amendment of the description of Application 55692 to refer to Long Lane, Holbury.

53. LEISURE SERVICES COMMITTEE.

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

On the motion that the minutes be received:

RESOLVED:

That the minutes be received.

54. ENVIRONMENTAL SERVICES COMMITTEE.

Cllr Smith presented the minutes of the meeting held on 16 November 1995.

On the motion that the minutes be received:

(a) 1996/97 Transport Policy and Programme (Minute 63)

Cllr Jones thanked the Council for taking direct action to ensure the installation of traffic lights at Barton Court Avenue, New Milton. The Town Council had also played an important role.

RESOLVED:

That the minutes be received.

55. HOUSING COMMITTEE.

Cllr Robinson presented the minutes of the meetings held on 21 November, 30 November, 7 December and 20 December 1995.

Cllr Robinson thanked fellow members and officers for their hard work and commitment over recent weeks with respect to the award of the Housing Management contract.

On the motion that the minutes be received:

(a) Housing Management Contract (Minute 64)

Cllr Wilson was pleased that the in-house team had successfully competed for the Housing Management contract and had achieved savings of 200,000 on their previous budget.

At Cllr Wilsons suggestion it was agreed that the Chairman of the Council would write to Mr Morley, the Tenants Representative, who had spent a great deal of time and effort in the tender evaluation process for the contract.

RESOLVED:

That the minutes be received.

56. LICENSING COMMITTEE.

Cllr D Harrison presented the minutes of the meeting held on 23 November 1995.

On the motion that the minutes be received:

RESOLVED:

That the minutes be received.

57. DIRECT SERVICES CONTRACTS COMMITTEE.

Cllr Rickus presented the minutes of the meeting held on 28 November 1995.

On the motion that the minutes be received:

RESOLVED:

That the minutes be received.

58. CENTRAL SERVICES COMMITTEE.

Cllr McGeorge presented the minutes of the meeting held on 5 December 1995.

On the motion that the minutes be received:

- (a) Employment Promotion Working Party - District Local Plan (Minute 51)

Cllr Beeton asked whether the Council could help with the Uniform Business Rate where small businesses were adversely affected by the opening of out-of-town centres.

Cllr McGeorge advised members that an employment promotion strategy would be considered by various committees in the coming weeks and this was an aspect which could be discussed.

RESOLVED:

That the minutes be received.

59. STRATEGIC GROWTH IN TOTTON ADVISORY COMMITTEE.

Cllr Shepherd presented the minutes of the meeting held on 5 December 1995.

On the motion that the minutes be received:

RESOLVED:

That the minutes be received.

60. POLICY AND RESOURCES COMMITTEE.

Cllr Coles presented the minutes of the meeting held on 12 December 1995.

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

- (a) Land at Lymington (Minute 86)

Cllr Robinson disclosed a pecuniary interest in this item and, having been granted a dispensation by the Secretary of State for the Environment to speak but not to vote, remained present.

Whilst supporting the principle of providing a new hospital in Lymington, Cllr Wilson was concerned about allegations made in a letter from agents acting for the site owners on the way in which this matter had been progressed.

Cllr Scott enquired as to who had asked for the report to be taken to committee and when, what it had cost to prepare, why the contract was not subject to tender and for information about the proportion of the industrial land allocation which would be lost if the Wellworthy site was partly developed for a hospital.

Cllr Rice was concerned that the Council was acting precipitously and had debated this issue in private. He believed that there were more suitable sites around Lymington which could be pursued and also that the site owners would negotiate on the future of the Wellworthy site without the coercion of this Compulsory Purchase Order. He moved that this matter be referred back for further consideration.

The amendment was seconded by Cllr Scott who believed that there were access problems with the Wellworthy site, and that a hospital would take a significant area of land which was allocated for industry. He did not believe that Local Councillors or the site owners had been adequately consulted.

Cllrs G Dawson, Earwicker and Vernon-Jackson recalled that the Wellworthy site had been vacant since 1989. It had Established Use rights for heavy industry but the site owners had refused to allow local companies, who wanted to expand, to relocate onto this site. Consequently they had been lost to the District. The owners had made a number of speculative applications for housing and for retail development, but had resisted re-development for industry. This land was badly needed for job creation and had already been kept aside for six years. It was time to take firm action to pursue the Councils clear policy objectives.

In answer to members concerns about the letter circulated by the owners agent, Cllr Coles made a full statement. He advised members that it was usual not to have prior consultation with the site owners before deciding to make a Compulsory Purchase Order. The site owners had the opportunity to respond to the proposal over the next two months while the pre-Order work was being undertaken. The Order would not be submitted for confirmation until that period had expired and the Council considered all representations received. The Acting Chief Solicitor had written to the site owners on 29 November 1995 but the agents claimed that it was not received because, although

correctly addressed, the company did not have anyone of the title of Managing Director.

The principal purpose of the Compulsory Purchase Order was to secure land for industrial use while ensuring that the opportunity for hospital development was also fully safeguarded. A planning application had been registered on 27 November 1995 but had not yet been considered by the Planning Committee. It provided for a comprehensive development of the site and was broadly in accordance with the Adopted Statutory Development Plan and the emerging District Local Plan. A press release dated 12 December 1995 had been prepared in consultation with the Lymington Hospital Trust.

The site had remained unsold and undeveloped since Wellworthys had ceased activity in 1989. The site owners agents had formally objected to Policy LP-14 of the District Local Plan, which concerned the Ampress site, to seek residential and other appropriate uses. The officers remained of the opinion that the previous negotiations with various parties had been effectively terminated or not actively pursued.

Cllr Coles reminded members that the replacement of one current Statutory Plan with another was, of itself, no reason not to proceed with the Compulsory Purchase Order.

No information had been submitted to the Council in respect of ground conditions.

The officers remained of the view that there was no reasonable prospect of industrial development of the site without the use of statutory powers. The Council would continue to encourage negotiations which might bring about development without the need for the CPO being made or finally confirmed. The existence of a CPO resolution did not prevent the acquisition of the site by a developer intending to develop in accordance with the Statutory Local Plan.

In conclusion, Cllr Coles added that if the site owners were seeking to dispose of the site as their agents claimed then it was surprising that they expressed an intention to resist the making of a CPO so strongly, rather than seeking to negotiate disposal to the Council.

In the light of this statement, Cllr Hayes expressed his satisfaction at the action being taken, and provided there was no financial risk to this Council, supported prompt action. This view was supported by Cllr Wilson.

In replying to the debate Cllr Coles advised members that he should have had prior notification of Cllr Scotts questions which would require some

research to answer. He undertook to reply in writing to all members of the Council. He emphasised that the site owners had every opportunity to continue negotiations with this Council or to sell the site to a party who was promoting development in accordance with the Development Plan. It was the prime aim of instigating CPO proceedings to promote the development of this site for jobs.

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

RESOLVED:

That the minutes be received and the recommendations be adopted.

61. COUNCIL TAX BASE FOR TAX SETTING (REPORT A).

Members considered a report setting out the calculation of the Councils Tax Base for 1996/97.

RESOLVED:

- (a) That the calculation of the Councils Tax Base for the year 1996/97, as set out the report, be approved;
- (b) That pursuant to the 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 1996/97 shall be as follows and as further set out in Appendix 1 to these minutes:-

| | |
|---------------------------------|----------|
| Ashurst and Colbury | 908.32 |
| Beaulieu | 456.14 |
| Boldre | 1,016.95 |
| Bramshaw | 316.79 |
| Bransgore | 1,821.64 |
| Breamore | 178.59 |
| Brockenhurst | 1,698.23 |
| Burley | 753.76 |
| Copythorne | 1,168.54 |
| Damerham | 228.64 |
| Denny Lodge | 153.78 |
| East Boldre | 376.21 |
| Ellingham, Harbridge and Ibsley | 579.50 |
| Exbury and Lepe | 94.17 |
| Fawley | 4,620.10 |
| Fordingbridge | 2,276.06 |
| Hale | 253.39 |
| Hordle | 2,149.36 |
| Hyde | 486.80 |
| Hythe and Dibden | 7,030.65 |
| Lymington and Pennington | 6,364.99 |
| Lyndhurst | 1,337.86 |
| Marchwood | 1,717.84 |

| | |
|------------------|-----------|
| Martin | 184.82 |
| Milford-on-Sea | 2,527.61 |
| Minstead | 355.04 |
| Netley Marsh | 800.77 |
| New Milton | 9,824.97 |
| Ringwood | 5,070.05 |
| Rockbourne | 160.09 |
| Sandleheath | 250.33 |
| Sopley | 297.86 |
| Sway | 1,582.29 |
| Totton and Eling | 9,056.96 |
| Whitsbury | 96.42 |
| Woodgreen | 252.04 |
| Whole District | 66,447.56 |

62. 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

APPENDIX 1 - PLEASE SEE HARD COPY