

Council

29 APRIL 1996

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NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 29 April 1996.

e Cllr S S Wade - Chairman

p Cllr Miss S A Cooke - Vice-Chairman in

the Chair

Councillors:

p K E Austin
p Mrs O A M Badland
e 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
p D S Burdle
p J E Coles
e 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
e 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
e Mrs B M Maynard
p N D M McGeorge
p Mrs M McLean
p 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 Mascall, J Rainbow and
T R Simpson.

77. MINUTES.

RESOLVED:

That the minutes of the meeting held on 26 February 1996, having been circulated, be signed by the Chairman as a correct record.

78. CHAIRMAN'S ANNOUNCEMENTS.

(a) Dunblane and Tasmania

All those present stood in silence as a token of respect to the people who had been killed in shooting incidents in the village of Dunblane and, more recently, Tasmania.

(b) New Forest Collage

The Chairman welcomed four pupils and the Headteacher from Tiptoe Primary School. Year 6 had designed and made a collage of the New Forest, which was displayed at the meeting.

(c) Mr Roy Jackman

The Chairman was pleased to present Mr Roy Jackman with a Council shield to mark the occasion of his retirement as Secretary of the New Forest District Association of Local Councils. Mr Jackman had served as Secretary to the Association for 29 years and had been on Lyndhurst Parish Council for 33 years until 1991. During that time he had developed a close working relationship with this Authority.

(d) Nigel Simpson

The Chairman was pleased to present Nigel Simpson, the Client Catering Development Officer, with a certificate and cheque for 50 from Lever Industrial in recognition of his obtaining the highest regional mark in the Advanced Food Hygiene Certificate of the Institute of Environmental Health Officers in the year 1994/95.

(e) Local Agenda 21

The Chairman drew members' attention to the Policy and Resources Committee recommendation to adopt "Green Print - The New Forest's Local Agenda 21". This committed the Council to ensuring that future policies, programmes and action plans had sustainability at their core. During the year a community agenda and a technical agenda would be published to carry the initiative forward. Local Agenda 21 would be launched at the New Forest Show on 30 July 1996. The Council would be working in partnership with individuals, communities, schools and other organisations to encourage everyone to take greater responsibility for their actions and the Chairman invited them to join with the Council in this initiative to secure the future well being of the planet.

79. DIRECT SERVICES CONTRACTS COMMITTEE.

Cllr Rickus presented the minutes of the meeting held on 27 February 1996.

On the motion that the minutes be received:-

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

Cllr Rickus advised members that, while it had been impossible to find a split vehicle for use in the pilot recycling scheme from a British manufacturer, a suitable vehicle of French manufacture had been found and the Committee would consider acquisition at its next meeting.

Cllr Vernon-Jackson congratulated the workforce on winning the contract for refuse collection and street cleansing for the coming period.

Cllr Pearce-Smith congratulated the street cleaners for the high quality of service that they provided, taking a pride in their environment beyond the strict confines of their duties. Cllr Austin also expressed appreciation that the refuse collection crews were working to a normal rota on Bank Holidays apart from Christmas. This saved a lot of confusion and bother.

RESOLVED:

That the minutes be received.

80. STRATEGIC GROWTH IN TOTTON ADVISORY COMMITTEE.

Cllr Shepherd presented the minutes of the meeting held on 5 March 1996. In doing so he thanked his fellow members, the officers and representatives of the Parish Councils who had taken part in the Committee's business over the years.

On the motion that the minutes be received:-

(a) Hangar Farm Buildings (Minute 35)

Cllr Burdle expressed his distress at the deterioration of the Hangar Farm buildings since the Historic Buildings Warden on site had retired at the end of 1995.

Cllr Shepherd supported this view. He advised members that the buildings were owned by a private developer who had, at the Council's request, taken action to secure them from further vandalism. He also advised members that prior notification had been received of the intention to demolish the farm cottage at Hangar Farm. The officers had confirmed that this was not a listed building and it had always been the intention that it would be demolished as part of the redevelopment of the site.

RESOLVED:

That the minutes be received.

81. ENVIRONMENTAL SERVICES COMMITTEE.

Cllr Smith presented the minutes of the meeting held on 7 March 1996.

On the motion that the minutes be received:-

(a) Illegal Harvesting of Oysters from Prohibited Area of Pennington and Lymington Bank (Minute 90)

Cllr Rice disclosed a non-pecuniary interest in this item but did not consider the interest was sufficiently clear and substantial to prevent him taking part in the debate and voting.

In answer to a question from Cllr Vernon-Jackson, Cllr Rice advised members that six prosecutions were currently being undertaken in respect of the illegal harvesting of oysters during the 1994/95 and 1995/96 seasons. The protracted timescale in taking this action reflected the difficulty in enforcing the bylaws.

Cllr Smith advised members that there would be a meeting of all interested parties on Thursday 2 May 1996 following which a report would be submitted to the Environmental Services Committee.

(b) Street Nameplates - Style and Type Used in the Forest (Minute 96)

Cllr Errington welcomed the decision to use a more appropriate style of street nameplate in the Forest and sought assurances that the signs which had already been erected, and which were the source of much criticism, would be replaced in the near future.

Cllr Smith advised members that the signs which were known to be unacceptable would be replaced in due course.

RESOLVED:

That the minutes be received.

82. BUSINESS SERVICES CONTRACTS COMMITTEE.

Cllr Vernon-Jackson presented the minutes of the meeting held on 12 March 1996.

On the motion that the minutes be received:-

(a) Dates of Future Meetings (Minute 13)

In answer to a question from Cllr Scott, Cllr

Vernon-Jackson advised members that there had been no financial report to this meeting as the contract had not at that date started and there had been nothing to report.

RESOLVED:

That the minutes be received.

83. PLANNING COMMITTEE.

Cllr Dawson presented the minutes of the meetings held on 13 March and 10 April 1996. He advised members that when the Planning Committee came to consider the minutes at their next meeting they would remedy inaccuracies to the following minutes:-

Minute 235 - add the disclosure of a pecuniary interest by Cllr Goodridge.

Minute 254 - delete Cllr Cooke from those indicated as present.

Minute 255 - last paragraph add the word "no" after ".....meeting took".

Cllr Burdle also advised members that he had not been present for the meeting on 10 April 1996.

On the motion that the minutes be received:-

(a) Dorset Structure Plan to 2011: Deposit Plan (Minute 227)

Cllr Rice regretted that the promotion of the A350 as the main route to the Midlands was effectively conceding funds which could have been used to improve the A338. He considered that reliance on EU funding made improvements to the A350 unlikely in the foreseeable future.

(b) Fernbank (New Forest Autos), Ringwood Road, Netley Marsh
(Applications 58079LUC and 5569A) (Minute 231)

Cllr Burdle disclosed a pecuniary interest in the subject matter of this item, but there being no debate, did not leave the meeting.

(c) Ampress Works, Southampton Road, Lymington and Boldre
(Application 58015 Outline) (Minute 232)

Cllr Robinson disclosed a non-pecuniary interest in the subject matter of this item but having a dispensation from the Department of the Environment to speak, but not to vote, remained in the meeting.

Cllr Greer questioned why his detailed comments, submitted in a letter to the Planning Committee, had not been reported in the minutes of the

meeting.

Cllr Hayes enquired whether any other organisations had entered into formal discussions about alternative sites for a hospital in Lyminster.

Cllr G Dawson advised members that it was impractical to report everyone's viewpoint, particularly with respect to the Ampress site, in the minutes. He also advised members that there had been no formal approach from organisations regarding an alternative site for a hospital in Lyminster. The Council was only aware of such interest through reports appearing in the local newspapers.

- (d) Evergreens Hotel, Romsey Road, Lyndhurst
(Application 58216 Outline) (Minute 234)

Cllr Rice regretted the decision to refuse this application and advised members that the community in New Milton had welcomed a similar application.

Cllr Wyeth advised members that the reasons for refusal related to over- development of the site, the lack of public transport and the inappropriateness of this use at this location, particularly on a busy main road.

Cllr G Dawson re-affirmed that the reasons for refusal related to the planning issues and was satisfied that they would stand the test of any planning appeal.

- (e) Land at Woodside Playingfields, Ridgeway
Lane/Woodside Lane,
Lyminster (Application 58128) (Minute 235).

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

Cllrs Noel and Hayes disclosed non-pecuniary interests in the subject matter of this item but did not consider that their interest was sufficiently clear and substantial to prevent them taking part in the debate and voting.

Cllr Scott questioned whether the requirement for an ecological survey was lawful and was concerned that it set a precedent for an ecological survey of every planning application site.

Cllr Vernon-Jackson recalled that the application site had never been used for playing pitches. Part of the site had previously been allocated for housing. It presently included ponds and woodlands. Local residents said that it was rich in wildlife. Consequently, the local planning authority should be satisfied as to what was there

before permitting any change.

Cllr Noel stated that the application site had been leased from the District Council a year ago and at that stage there had been no mention of an ecological survey. The Town Council managed the rest of the recreation area responsibly and he questioned on whose authority the County Council had been consulted, triggering the requirement for the ecological survey.

Cllr Hayes did not share the concern that this application set a precedent for requiring an ecological survey on all planning applications. He could see no objection to the Town Council carrying out an ecological survey as requested by the County officers.

Cllr Errington also believed that there could be no objection to an ecological survey. This was now more frequently required as a result of an EU Directive. She hoped that this Council would continue to encourage such surveys.

Cllr Austin was also concerned at the question of a precedent.

Cllr G Dawson advised members that local residents considered this area was rich in wildlife and the requirement for an ecological survey reflected that view. The need for an ecological survey would be determined on the individual merits of each planning application. A report on the Town Council's objection would be considered by the next meeting of the Planning Committee. Cllr Noel's question on the involvement of County Council Officers would be answered in writing.

(f) Adjournment and Resumption of Meeting (Minute 238)

Cllr Burdle advised members that he had not been present during the afternoon.

(g) Hangar Farm Buildings (Minute 243)

Cllr Burdle expressed surprise that this matter had been merely noted as it was an urgent request from the Strategic Growth in Totton Advisory Committee to consider options to safeguard this important listed building. The local planning authority had a duty to protect listed buildings. It was important that the work to protect these buildings over the last ten years was not lost.

Cllr G Dawson advised members that the Planning Committee had examined the options for safeguarding this listed building, and the action taken was set out in the report. It was incorrect to suggest that the Committee had merely noted the concerns.

(h) Hampshire County Structure Plan Review to 2011

(Minute 247)

Cllr Rice was disappointed at the scale of the proposals for the Forests of Bere and Eversley. He also believed the Plan should contain proposals to seek money from the Millennium Fund to buy additional land on the outskirts of the New Forest to dissipate the recreational pressures.

Cllr Scott was disappointed that there were no proposals for a by-pass of Lyndhurst. Rat-running through the Forest continued to cause an unacceptable level of animal accidents.

Cllr G Dawson welcomed the County Council's efforts to resolve the traffic problems in and around Lyndhurst. The affected villages have been kept fully informed about the options. It was possible that the County Council would return to the by-pass option, but this could not be achieved within the plan period, and in the meantime there were other measures which could be taken to alleviate the problems. With respect to the millennium funding, this should be pursued through other channels.

Cllr Dawson supported the concept and looked forward to working on it. Vulnerable areas, such as the land north of Totton and Dibden Bay, could be candidates.

- (i) Royal Town Planning Institute - National Planning Conference
4-7 June 1996, Brighton (Minute 257)

Cllr Scott expressed his disappointment that no member of the Planning Committee was attending this Conference and their policies prevented them sending delegates who were not members of the Committee. He believed it was essential to educate all members of the Council on this difficult subject area.

RESOLVED:

That the minutes be received.

84. CENTRAL SERVICES COMMITTEE

Cllr McGeorge presented the minutes of the meeting held on 19 March 1996.

On the motion that the minutes be received:-

- (a) Members Allowances - Payment of Special Responsibility Allowances for Outside Bodies (Minute 65)

Cllr Scott asked why a special responsibility allowance was payable for attending meetings of outside bodies such as the Lymington Harbour Commissioners while other bodies such as the

Southampton Postal and Telecommunications Advisory Committee did not qualify.

Cllr McGeorge advised members that the special responsibility allowance was payable in respect of bodies where the Council had a statutory responsibility to be represented.

- (b) Electoral Registration - Performance Measurement (Minute 67)

Cllr Rice expressed his support and appreciation for the helpful and efficient service provided by Electoral Services.

RESOLVED:

That the minutes be received.

85. LICENSING COMMITTEE

Cllr D Harrison presented the minutes of the meeting held on 21 March 1996.

On the motion that the minutes be received:-

RESOLVED:

That the minutes be received.

86. ADJOURNMENT AND RESUMPTION OF MEETING.

The meeting adjourned briefly for a fire drill.

87. HOUSING COMMITTEE.

Cllr Robinson presented the minutes of the meeting held on 26 March 1996.

On the motion that the minutes be received:-

- (a) Housing Association Grant 1996/97 (Minute 84)

In answer to concerns expressed by Cllr Scott that there was an apparent bias towards sites in the Waterside during the present financial year, Cllr Robinson advised members that the Housing Committee sought to meet housing needs throughout the District. There were practical difficulties in finding suitable sites but this was less of a problem along the Waterside. There was no conscious bias towards this area however.

- (b) National Housing and Town Planning Conference - 21-24 October 1996

Cllr Scott expressed his concern that this Council would not be represented at this Conference. He believed that the informal exchange of views at such events was extremely important.

Cllr F R Harrison reminded members that in previous years members attending this Conference had not considered that it was good value for money. The planning element had been of poor quality and the Conference run by the Chartered Institute of Housing had been much more relevant to this Council's affairs.

(c) Term Contract for Reactive Maintenance to Housing Properties
(Minute 91)

Cllr Robinson advised members of the action taken to continue the reactive maintenance service to Council tenants following the determination of contracts with Sherings when they had gone into receivership.

All emergency and urgent orders continued to be placed with Sherings. Normal reactive repairs and void works were however required to be placed elsewhere. The Council's Direct Service Organisation had taken on this work on the same percentage oncosts as their current contracts. The additional cost would be set against the value of retentions held by the Council for this reason.

The receiver had put forward four companies for novating the term contract previously carried out by Sherings. After financial and technical checks the Council had accepted the principle of novation but had asked that this should be conditional upon amendments to the novated contract being acceptable, and also that the new company would, as far as possible, continue the employment of Sherings' former staff who had carried out the New Forest contract. The receiver had now nominated Ernest Ireland Construction who would undertake the remainder of the term contract until 31 March 1997. They would continue to employ Sherings' staff on the contract.

Discussions were continuing to draw up the necessary novation and to ensure the minimum of inconvenience and disruption.

Cllr Wilson thanked Cllr Robinson for this statement and asked the date on which the Council had first known that Sherings were in trouble. Cllr Hale advised members that Sherings had been a significant local employer. Their receivership caused the direct loss of some 70 jobs and there were consequent effects on suppliers of goods and services. He was grateful for the work to retain some 15 of these jobs on the novated contract.

Cllr Scott was also pleased at the retention of 15 jobs. He was however concerned that the Direct Service Organisation's costs were 11% higher than those of Sherings. He questioned whether it was lawful for the Council to have divided its

contracts for reactive maintenance into four parcels, retaining two in-house under the de minimis rule. If these had all been subject to tender there could have been greater savings.

Cllr Robinson was grateful for the supportive comments. She undertook to advise Cllr Wilson in writing of the date of the receivership. She was also pleased that the Council had retained its Direct Service Organisation, as they had provided an invaluable service to tenants in the interim period. The procedures followed on letting the contracts were correct and lawful and had been closely monitored by the Auditors.

RESOLVED:

That the minutes be received.

88. LEISURE SERVICES COMMITTEE.

Cllr J J Dawson presented the minutes of the meeting held on 29 March 1996.

On the motion that the minutes be received:-

(a) Grant-Aid Fund Applications (Minute 84)

Cllr J J Dawson advised members that the decision to review the Council's involvement in grant-aiding the Pre-school Learning Alliance did not reflect an intention to undermine pre-school education. There was however a need to examine pre-school education in the light of the new developments in the private sector and this element would be considered by the Performance Review Working Party.

In answer to a question from Cllr Scott, Cllr J J Dawson advised members that the grant to ArtSway reflected the Council's continuing commitment to this highly prestigious project. The contribution had been calculated on the normal formula basis as a high priority scheme. ArtSway would open in July of this year and would be of great importance to the District.

(b) Totton Recreation Centre, Tiling (Minute 85)

Cllr J J Dawson advised members that there had been no choice but to close the swimming pool at Totton for urgent remedial works to the tiles. The fault arose from the original design and was also a problem at Lyminster Recreation Centre, which had also been constructed on a design and build contract by the same developer. Negotiations had ensured that the developer's contractual obligations had been met. Negotiations were continuing regarding the loss of business and loss of goodwill. It was hoped that the pool would be re-opened on 1 July 1996.

Cllr Scott requested a report on the total cost and consequential damages as a result of this problem at all the Council's Recreation Centres. Cllrs Wilson and Austin advocated the employment of a Clerk of Works to ensure quality control in future projects of this scale.

Cllr J J Dawson re-emphasised that everything possible was being done to remedy the problem in the best and most cost-effective manner.

(c) Extension of Green Route - Rushington Lane to A35 Spicers Hill
(Minute 87)

Cllr Burdle expressed concern at the cost of providing this link in the Green Route. He recognised that there were engineering problems, but the costings should be critically examined. The overall justification of the scheme should be examined, as it could be duplicating the County red cycle route.

Cllr D Harrison shared concerns about the cost and believed savings could be made, particularly on the landscaping. The scheme could however be justified on the grounds of safety, particularly for children cycling to school.

Cllr Scott suggested that the work should not be carried out during the nesting season.

Cllr J J Dawson advised members that the Leisure Services Committee had initially deferred consideration of this matter for the costs to be investigated. The landscaping costs had been reduced, but unfortunately this had been offset by an increase for the engineering works. The Committee had remained concerned at the cost but had been reassured that it was not exceptional bearing in mind the engineering difficulties and the nature of the scheme. This link was essential in the Green Route system.

(d) Conference - "Valuing the Arts" (Minute 91)

Cllr Austin hoped the delegates would impress on the County Education Officers that graffiti and art were two separate issues and there should be no encouragement for graffiti works. Cllr Dash expressed his astonishment that these two concepts were being linked.

(e) Acquisition of Land North of Ringwood (Minute 94)

Cllr J J Dawson advised members that, while the minute stated that consultation would continue with the Town and Parish Councils, it was his understanding that these consultations had not been started and he believed they should have been held

prior to this matter being considered by the Leisure Services Committee. Cllr Errington supported this view.

RESOLVED:

That the minutes be received.

89. POLICY AND RESOURCES COMMITTEE.

Cllr Coles presented the minutes of the meeting held on 17 April 1996.

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

(a) Committee Structure - Review (Minute 117)

Cllr Wyeth moved that the membership of the Planning and Transportation Committee should be increased to 20. It was important that there was a wide geographical spread of members on the Committee, to reflect the variety of communities across this large District. It was also essential that the public, who took most interest in the Planning Committee, perceived that the Council was addressing the issues seriously, with an adequate number of members. Attendance was often low at site visits or in the afternoon of Planning Committee meetings. Reducing the size of the Committee could increase this problem. The length of meetings should be shortened by other means than reducing the membership. The amendment was seconded by Cllr Drake who concurred that planning was the issue which most interested the public. Transport was also important. These issues justified wide representation on the Committee. The meeting length should be shortened by greater self-discipline, not by reducing membership.

A number of members spoke in support of this view.

Other members believed that the Council must critically review its costs and the way in which members spent their time. The quality of the decisions should not be dependent on the number of members taking part in the process. All members were democratically elected and democracy would not be weakened by reducing Committee sizes. The Planning and Transportation Committee would continue to receive a wide range of views as it employed a well based consultative process. Local member views would continue to be welcomed at meetings of the Committee and at site visits. The smaller membership should be tried. If it did not work successfully, the situation could be reviewed.

Cllr Coles commended the Council to accept the smaller size for the Committee. If it turned out to be a mistake, then it could be remedied.

Cllr Scott requested that this matter be determined by recorded vote but fewer than 15 members indicated their support.

With 22 members voting in favour of the amendment and 27 against, the amendment was lost. Cllr Scott requested that his vote in support of the amendment be recorded.

With 28 members voting in favour of the recommendations as set out in the paper, and 20 against, the substantive motion was carried.

(b) District Strategy Steering Group (Minute 122)

Cllr Smith disclosed a pecuniary interest in this matter and having left the meeting took no part in the discussion or voting.

In answer to a question from Cllr Hayes members were advised that the mileage rate for leased cars up to 1451cc was 7p per mile, and the rate for vehicles above this engine size was 8p per mile.

RESOLVED:

That the minutes be received and the recommendations be adopted.

90. COMMON SEAL.

RESOLVED:

That the Common Seal of the Council be affixed to any Orders, Deeds or Documents necessary to give effect to any decisions made at this meeting.

CHAIRMAN