

4 NOVEMBER 1996

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 4 November 1996.

p Cllr Miss S A Cooke - Chairman  
p Cllr J A G Hutchins JP - 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  
p 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 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  
p S M Noel  
e 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 Lt 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 S S Wade  
p Dr M N Whitehead  
p Mrs D Wilson  
p Mrs P A Wyeth

Officers Attending:

I B M Mackintosh, N J Gibbs, D A Gurney, E S Johnson,  
Mrs A Allport, P Crabb, Mrs J Livesey, T Simpson and G  
Tombs

27. MINUTES.

RESOLVED:

That the minutes of the meeting held on 29 July 1996,  
having been circulated, be signed by the Chairman as a  
correct record.

28. PETITIONS.

Petitions asking the Council not to introduce car  
parking charges were received from Mr J Grant on behalf

of the New Forest Federation of Chambers of Commerce, and Mr D Simpson, Ferry Master at Hythe. Standing Orders provided for a petition to stand referred to the Committee within whose terms of reference it fell unless, in the opinion of the Chairman, it was deemed urgent. In view of the fact that the Council would be considering the recommendations of Policy and Resources Committee on this issue, the Chairman decided that it would be appropriate to consider the petitions at the same time as those recommendations.

29. CHAIRMAN'S ANNOUNCEMENTS.

(a) Mr P Malloy

The Chairman congratulated Mr Malloy, Senior Caretaker at Ringwood Public Offices, who had won the best public office award in the "Ringwood in Bloom" competition for the last three years and had been runner-up for two years before that. She presented Mr Malloy with a tankard as a token of appreciation for his efforts.

(b) ISO 9002 Certificate

The Chairman congratulated Mr J Bennett, Mr R Culliford, Ms S Thomas and Ms J West on the award of an ISO 9002 certificate for the administration of non-domestic rate collection and congratulated the team on their achievement.

(c) Councillor J J Dawson

The Chairman announced that Cllr J J Dawson had been elected the first Chairman of Sport South for the period until June 1997. She explained that Sport South had superseded the Regional Council for Sport and Recreation and was the voice for sport covering Hampshire and the Isle of Wight, Buckinghamshire, Berkshire and Oxfordshire.

(d) Southern Area Unison Cricket Cup

The Chairman announced that the Council had won the Southern Area Unison Cricket Cup, the Griffith Challenge Bowl, for the first time since the competition had started in 1928.

(e) Local Agenda 21

The Chairman had formally launched the Council's Local Agenda 21 at the New Forest Show on 30 July 1996 and confirmed that reports on the way forward would be presented to members shortly.

(f) Armistice Day

The Chairman advised members that employees would be observing a two minute silence at 11.00 a.m. on Armistice Day and encouraged all members to participate.

(g) Disclosures of Interest

The Chairman asked members not to hand in a completed disclosure of interest form if they did not actually disclose an interest at the meeting because there was no discussion on the minute in which they had an interest. However, if they did hand in a form, she reminded them that the interest still needed to be disclosed at the meeting in order for it to be recorded.

(h) Variation of Order of Business

The Chairman stated that she proposed to vary the order of business by taking an urgent item next, followed by consideration of Policy and Resources Committee minute 48 on the amendment of Standing Orders. In response to a request, the Chairman also agreed to bring forward Policy and Resources Committee minute 37(1) on car parking charges.

30. SELECTION PANEL.

The Chairman allowed consideration of this item as a matter of urgency because of the need to approve the appointment of the new Director of Environment Services.

Cllr Coles presented the minutes of the meeting held on 30 October 1996, which are attached to these minutes as an Annex.

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

RESOLVED:

That the minutes be received and recommendation adopted.

The Chairman then congratulated Ms E Malcolm on her appointment as Director of Environment Services.

31. POLICY AND RESOURCES COMMITTEE.

The Chairman of the Committee presented minute 48 of the meeting of Policy and Resources Committee held on 16 October 1996 and moved that the minute be received and the recommendations adopted.

RESOLVED:

That minute 48 be received and the recommendations adopted.

32. POLICY AND RESOURCES COMMITTEE.

The Chairman of the Committee presented minute 37(1) of the meeting of Policy and Resources Committee held on 16 October 1996 and moved that the minute be received and the recommendations adopted. Cllr Mrs Robinson stated that, if the principle of car parking charges was

adopted, there should be wider consultation on local implementation. She then moved an amendment to recommendation (b)(i) to read:

- "(i) discussions take place with town and parish councils and chambers of commerce on:
  - (a) local implementation proposals, particularly noting opportunities to introduce discount schemes; or
  - (b) an alternative locally acceptable means of raising an equivalent local income."

A motion to suspend Standing Order 14(4) on the length of speeches was lost. During the ensuing debate, a number of members spoke against the amendment and original motion. Cllrs Wyeth, Greer and Noel questioned how car parking charges could be supported in view of the overwhelming public opposition to them. Cllr Greer also gave notice of an amendment to abandon further consideration of the issue. Other members expressed grave concern that on-street parking would increase as a result of people avoiding car parks and called for other means of making savings to be investigated. It was anticipated that the introduction of charges would cause town centre businesses to suffer because shoppers would opt to use out of town stores with free parking. If businesses consequently closed, non drivers who relied upon town centre shopping would suffer in the longer term. The validity of the low sample base of the surveys was also queried. Attention was drawn to the Council's values of caring and listening and the fact that only 28% of those asked had agreed that motorists should pay to park. In addition, Cllr Burdle pointed out that one of the Council's aims was to promote a stable economy. He indicated that he believed car parking charges ran counter to this aim. Another member argued that the cost would not be primarily met by tourists as predicted, but by local people.

Cllr Pearce-Smith stated that many of the members who were against car parking charges had previously supported their introduction. He and a large number of other councillors stated that public opposition was based on uninformed propaganda and that most people did not realise that options, such as the first two hours being free, were available. Other members said that they personally had not received many objections. The threat to town centres was not accepted. People would not be deterred by car parking charges if they really wanted to shop in a particular place because shop keepers sold the goods they wanted. In addition, Government assumed charges were levied when it calculated the Council's Standard Spending Assessment. The Authority had to be realistic and either increase its income or reduce services. Cllrs Earwicker, Dash, G Dawson and Coles drew attention to the fact that the amendment provided for local communities to seek an alternative to car parking charges.

Cllr Rice requested that this matter be determined by recorded vote and, in accordance with Standing Order 15, more than 15 other members stood in their places to indicate their support.

The vote on Cllr Robinson's amendment was taken as follows:

FOR	AGAINST	ABSTAINED
P A Baker	Austin	
Mrs P D Baker	Badland	
Coles	Bailey	
Cooke	Beeton	
Cox	Bianchi	
Croydon	Bowring	
G Dawson	Burdle	
J J Dawson	Cracknell	
Earwicker	Drake	
Emery	Drew	
Hale	Errington	
Harris	Goodridge	
D Harrison	Greer	
F R Harrison	Hayes	
Howe	Hoy	
Locock	Hutchins	
Maynard	Jones	
McGeorge	Kendal	
McLean	Noel	
Pearce-Smith	Ramsden	
Rickus	Rice	
Robinson	Rickman	
Shand	Scott	
Shepherd	Spikins	
Smith	Wilson	
Snashall	Wyeth	
Vernon-Jackson		
M S Wade		
S S Wade		
Whitehead		

With 31 members voting in favour and 26 against, the amendment was carried.

The Chairman advised that the amendment of which Cllr Greer had given notice was a direct negative so could not be taken.

On a request that the substantive motion be determined by recorded vote and in accordance with Standing Order 15, more than 15 other members stood in their places to indicate their support.

The vote on the substantive motion was taken as follows:

FOR	AGAINST	ABSTAINED
P A Baker	Austin	
Mrs P D Baker	Badland	
Coles	Bailey	
Cooke	Beeton	

Cox	Bianchi
Croydon	Bowring
G Dawson	Burdle
J J Dawson	Cracknell
Emery	Drake
Hale	Drew
Harris	Earwicker
D Harrison	Errington
F R Harrison	Goodridge
Howe	Greer
Locock	Hayes
Maynard	Hoy
McGeorge	Hutchins
McLean	Jones
Pearce-Smith	Kendal
Rickus	Noel
Robinson	Ramsden
Shand	Rice
Shepherd	Rickman
Smith	Scott
Snashall	Spikins
Vernon-Jackson	Wilson
M S Wade	Wyeth
S S Wade	
Whitehead	

With 30 members voting in favour and 27 against, the substantive motion was carried.

RESOLVED:

That minute 37(1) be received and the recommendations adopted, subject to the amendment of recommendation (b)(i) to read as follows:

- "(i) discussions take place with town and parish councils and chambers of commerce on:
- (a) local implementation proposals, particularly noting opportunities to introduce discount schemes; or
  - (b) an alternative locally acceptable means of raising an equivalent local income."

33. PLANNING AND TRANSPORTATION COMMITTEE.

The Chairman of the Committee presented the minutes of the meetings held on 14 and 28 August, 11 September and 9 October 1996 and drew attention to two minor errors on minute 124, namely that the reference to "5972M" in the first paragraph of the preamble should read "59728M" and that the reference to "Dibden Purlieu" in the last paragraph of the preamble should read "Dibden". Cllr Mjr Beeton pointed out that he had been in attendance at the meeting on 9 October 1996.

On the motion that the minutes be received -

- (a) Land Off and Adjacent to Gordleton Pit, Off Sway Road, Lymington (Minute 76)

In reply to a question, Cllr G Dawson stated that it would be inappropriate for Planning and Transportation Committee to take into account development costs in determining planning applications. Cllrs Hayes, Scott and Rice queried why non ward members were not allowed to address Planning and Transportation Committee. They were informed that meetings of the Committee were already long and the Committee felt that allowing non ward members to participate could make them even longer. However, neighbouring ward members could participate and the situation would be kept under review.

(b) Former Ampress Site, Lymington (Minute 93(a))

Cllr Robinson disclosed a non pecuniary interest in this item but indicated that she had a dispensation to speak on the matter.

When an assurance was sought that the land would be used for employment uses, the Chairman of the Committee confirmed that it was important that the amount of land designated for employment uses should not be reduced and it was inappropriate to prejudge Planning and Transportation Committee's decisions. A request was received for Milford-on-Sea ward members to be allowed to speak on this issue the next time it was discussed at the Committee because Milford hospital would be affected if a hospital development proceeded. However, it was reported that it was no longer proposed to move beds from that hospital.

(c) Customer Pledges (Minute 95)

An assurance was sought that the pledges to deal with 70% of all planning applications and 80% of all householder planning applications within 8 weeks would not result in premature refusals in order to meet those pledges, when further negotiations could have taken place if more time were available. It was reported that relatively minor changes could usually be accommodated within the 8 week statutory period anyway and that applicants were encouraged to discuss proposals before submitting applications. However, the circumstances of each particular case would inevitably influence the judgement of the Planning Officers as to whether it was brought forward for determination.

(d) Expenditure Plans 1996/97-2000/2001 (Minute 97)

Arising from the need to amend the Council's off-street parking order as a result of the increase in charges for amenity car parks, one member asked whether it would be possible for the order also to be amended to make it an offence to park a car which did not have a valid tax disk. In reply, the Chairman of the Committee advised that there had been some doubt about the legality of local authorities collecting a fixed penalty fine for the non display of a tax disc

in an off-street car park. However, the Department of Transport had recently announced that it would remove any doubt that local authorities could make parking orders which entitled them to collect a financial penalty from owners of vehicles not displaying a valid tax disc. In the light of this announcement, the Council's off-street parking order would be reviewed. When asked why amenity car parks were divided into two categories, Cllr Scott was informed that this had been the practice which had been followed for many years.

- (e) New Forest Heritage within the Avon Valley: High Court Judgment (Minute 98)

Cllr Errington asked the Chairman of the Committee to explain how objectors to the proposed change to the Heritage Area boundary could make their views known formally. He advised that the changes had been advertised and that formal representations on them should be sent to the Director of Planning by Friday, 29 November 1996. All representations received would be submitted to the Inspector at the Local Plan Inquiry. Anyone who wished to make their case in person at the Inquiry could do so and it was anticipated that the topic would be heard in March 1997.

- (f) North Street, Pennington - Proposed Prohibition of Driving Order (Road Closure) (Minute 109)

When questioned about this matter, Cllr G Dawson stated that he supported the Committee's decision.

- (g) Tree Work Application Submitted by Council Officers (Minute 110)

When it was suggested that the word "controversial" in the resolution was subjective, it was reported that the decision would be reviewed in due course anyway.

- (h) New Forest District Local Plan: Affordable Housing Policies (Minute 128)

Cllr Robinson disclosed a non pecuniary interest in this item but indicated that she had a dispensation to speak on the matter.

In response to a query, Cllr G Dawson confirmed that the Director of Planning had been asked to notify the Southampton Community Health Services NHS Trust that a contribution of affordable housing was no longer being sought on the Lymington Infirmary site.

RESOLVED:

That the minutes be received.



The Chairman of the Committee presented the minutes of the meeting held on 3 September 1996.

On the motion that the minutes be received -

(a) Budgetary Control (Minute 31)

In response to a question regarding the recovery of asset rentals, the Chairman of the Committee undertook to let Cllr Scott have a written response.

(b) Lyminster Phase II - Progress Report (Minute 33)

Disappointment was expressed that this scheme had been put back with no budgetary allocation. Cllr J J Dawson confirmed that it would proceed when the Council was in a position to afford it.

RESOLVED:

That the minutes be received.

35. ENVIRONMENTAL SERVICES AND LICENSING COMMITTEE.

The Chairman of the Committee presented the minutes of the meeting held on 5 September 1996.

On the motion that the minutes be received -

(a) Camden Hurst, Milford-on-Sea Public Convenience (Minute 32)

Concern was expressed that the estimate for the provision of the public convenience had been so far out. The Chairman of the Committee explained that costs had increased as a result of making good an underground site and because of the need to meet additional building and landscaping requirements.

b) Expenditure Plans 1996/97-2000/2001 (Minute 35)

Cllr Smith undertook to let Cllr Scott have a written response to his question as to what was the total notional asset rental value attributable to the Committee.

RESOLVED:

That the minutes be received.

36. BUSINESS SERVICES CONTRACTS COMMITTEE.

The Chairman of the Committee presented the minutes of the meeting held on 6 September 1996.

On the motion that the minutes be received, it was -

RESOLVED:

That the minutes be received.

37. DIRECT SERVICES CONTRACTS COMMITTEE.

The Chairman of the Committee presented the minutes of the meeting held on 10 September 1996.

On the motion that the minutes be received -

(a) Civic Catering (Minute 15)

Cllr Scott was given an assurance that payment had now been received from the client to compensate for the fact that prices for members' function catering had not been increased.

RESOLVED:

That the minutes be received.

38. HOUSING COMMITTEE.

The Chairman of the Committee presented the minutes of the meeting held on 17 September 1996.

On the motion that the minutes be received -

(a) Large Scale Voluntary Transfer (Minute 21)

Cllr Wilson stated that it was not a fact that the majority of tenants were happy to stay with the Council because they had not been balloted. The Chairman pointed out that the accuracy of the minute was a matter for Housing Committee itself.

(b) Joint Tenancies of Council Dwellings (Minute 27)

In response to a query, Cllr Robinson confirmed that the Council was only implementing the good practice laid down by the Department of the Environment.

RESOLVED:

That the minutes be received.

39. CENTRAL SERVICES COMMITTEE.

The Chairman of the Committee presented the minutes of the meeting held on 1 October 1996.

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

(a) Members' Allowances Review (Minute 28)

A number of members spoke against the new scheme for the payment of members' allowances. In particular, attention was drawn to the complexity of the system, the fact that it did not provide for sub-committee members who were not on the parent committee to receive expenses and that it provided

for payments to be made whether members actually attended a meeting or not.

RESOLVED:

That the minute be received and the recommendations adopted.

(Note: Cllr Scott asked to be recorded as having voted against the recommendations at Minute 28).

40. TIME LIMIT ON MEETINGS.

At 10.00 p.m., it was -

RESOLVED:

That the meeting continue to 10.30 p.m.

41. POLICY AND RESOURCES COMMITTEE.

The Chairman of the Committee presented the minutes of the meeting held on 16 October 1996, with the exception of minutes 48 and 37(1) which had been dealt with earlier in the meeting (minutes 31 and 32 refer).

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

(a) Transfer of Council Housing Stock (Minute 35)

After expressing concern about the adequacy of the minute, Cllr Kendal was informed that accuracy of minutes was a matter for the Committee itself. However, it was considered that the minute contained sufficient information to enable the issue to be debated.

Cllr Scott suggested that representatives from an authority which had transferred its stock should be invited to give a presentation to members on the benefits of doing so. The Chairman of Housing Committee pointed out that she had given an assurance to Housing Committee that the situation would continue to be monitored in the best interests of tenants.

On being moved that the Committee's implied recommendation not to request a report on the long term benefits of transferring the Council's housing stock be now put, it was -

RESOLVED:

That the question be now put.

On a request that the matter be determined by recorded vote and in accordance with Standing Order 15, more than 15 other members stood in their places to indicate their support.

The vote on the question was taken as follows:

FOR	AGAINST	ABSTAINED
P A Baker	Austin	Bowring
Mrs P D Baker	Bailey	Whitehead
Coles	Beeton	
Cooke	Burdle	
Cox	Drake	
Cracknell	Drew	
Croydon	Errington	
G Dawson	Goodridge	
J J Dawson	Greer	
Emery	Hayes	
Hale	Hutchins	
Harris	Jones	
D Harrison	Kendal	
F R Harrison	Ramsden	
Howe	Rice	
Locock	Rickman	
Maynard	Scott	
McGeorge	Spikins	
McLean	Wilson	
Pearce-Smith		
Rickus		
Robinson		
Shand		
Shepherd		
Smith		
Vernon-Jackson		
M S Wade		
S S Wade		

With 29 members voting in favour, 19 against and 2 abstentions, the motion was carried.

At 10.30 p.m., it was -

RESOLVED:

That, in accordance with Standing Order 50, Standing Order 4A(1) in respect of the time limit on meetings be suspended.

(b) District Strategy Steering Group (Minute 39)

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

(c) Financial Strategy and Expenditure Plans 1997/98 - 2000/2001 (Minute 45)

It was reported that the major review of the proposed capital expenditure on leisure would be undertaken by Strategic Performance Review Sub-Committee. The Chairman and Vice-Chairman of Leisure Services Committee and a representative of the Conservative Group who was also on Leisure Services Committee would be invited to attend the meeting.

A motion to amend recommendations (c)(iv) and (v) to keep the budget within the 1996/97 capping limit was lost.

(d) Firearms Control (Minute 54)

Cllr Croydon moved an amendment to recommendation (b) to read:

"(b) That individuals seeking licences to use other firearms should have an additional requirement to pass a similar psychological assessment used by the Police in deciding which of their own officers should be trained in firearms' use".

The amendment and substantive motion were carried.

RESOLVED:

That the minutes be received and the recommendations adopted, subject to the amendment of minute 54(b) to read as follows:

"(b) That individuals seeking licences to use other firearms should have an additional requirement to pass a similar psychological assessment used by the Police in deciding which of their own officers should be trained in firearms' use".

(Note: Cllr Rice asked to be recorded as having voted against recommendation 54(a)).

42. 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 decisions made at this meeting.

CHAIRMAN

Attachment: Minute 30 - Annex