

2 NOVEMBER 1998

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 2 November 1998.

- p Cllr Mrs A M Howe - Chairman
- p Cllr F R Harrison - Vice-Chairman

Councillors:

- e 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
- e Miss S A Cooke
- 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
- e R K Goodridge
- e W J Greer
- p R C H Hale
- p L E Harris
- p D Harrison
- p S A Hayes
- p J M Hoy

Councillors:

- 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
- e 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
- e Mrs L P Snashall
- p G Spikins
- p Mrs J K Vernon-Jackson MBE JP DL
- p J Waddington
- p M S Wade
- p S S Wade
- e Dr M N Whitehead
- p Mrs D Wilson
- e Mrs P A Wyeth

Officers Attending:

I B Mackintosh, N J Gibbs, D A Gurney, Ms E Malcolm, K Ireland, Mrs R Rutins and T R Simpson.

23. MINUTES.

RESOLVED:

That the minutes of the meeting held on 20 July 1998, having been circulated, be signed by the Chairman as a correct record.

24. MEMBERSHIP.

It was noted that on 17 September 1998 John Waddington had been elected to represent the Ringwood North ward.

25. CHAIRMAN'S ANNOUNCEMENTS.**(a) Cllr J Waddington**

The Chairman welcomed Cllr Waddington who was attending his first meeting of the Council since his election on 17 September 1998. Cllr Waddington had been a member of the District Council some years ago and was a former Chairman. The Chairman expressed the hope that he would enjoy being a District Councillor once again.

(b) Re-election of Cllr Greer to Local Government Association Transportation Committee

The Chairman announced that Cllr Greer had been re-elected to serve on the Transportation Committee of the Local Government Association, representing the Conservative Group on that Committee.

(c) Ex-Cllr David Blake

The Chairman reported with regret the death of former Cllr David Blake whilst enjoying a holiday abroad. Mr Blake had served on the Council from 1977 to 1983 and throughout his service had been a member of the Development Committee. Those present stood in silence as a mark of respect.

(d) Premier Award for Litter Initiative

The Chairman reported that, in partnership with the Forestry Commission, the District Council had received the Premier Award for Enterprise at a ceremony held by the Tidy Britain Group. The award was in recognition of the "New Forest Pride" Initiative. The Award, a trophy and a certificate, was part of the Queen Mother's Birthday Awards, and had been presented by her Royal Highness Princess Alexandra to the Chairman and to Martin Fletcher of the Forestry Commission.

The Chairman stated that New Forest Pride was an excellent example of the Council, the Forestry Commission and the Local Community working in partnership to achieve a common environmental aim. Over the years tens of thousands of local volunteers had taken part in New Forest Pride, collecting thousands of bags of litter. The Chairman thanked all the volunteers who had, over the years, supported New Forest Pride as the award recognised their commitment and achievement. The trophy would be on display at the Lymington Town Hall and the certificate at Appletree Court for a period of six months, whereafter they would transfer to the Forestry Commission.

(e) **Golf Match with Christchurch Borough Council**

The Chairman announced that the annual golf match with Christchurch Borough Council had been held on 16 October at the Highcliffe Castle Golf Course. In a closely fought contest, New Forest District Council had once again won the match. The Chairman thanked the Mayor of Christchurch and his staff for their warm reception and hospitality. She had invited Christchurch Borough Council to Dibden Golf Centre in 1999.

(f) **Euro Seminar – 27 October 1998**

It was reported that a successful seminar on the implications of the Euro for businesses in New Forest District had been held at Appletree Court on Tuesday 27 October. Representatives from over 30 small and medium sized enterprises in the district had heard a presentation by Pat de Chevereaux from the European Information Centre in Southampton, on practical measures to help them maximise the opportunities presented by the introduction of a single European currency.

26. BUSINESS SERVICES CONTRACTS COMMITTEE.

The Chairman of the Committee presented the minutes of the meeting held on 4 September 1998.

On the motion that the minutes be received, it was

RESOLVED:

That the minutes be received.

27. CENTRAL SERVICES COMMITTEE.

The Chairman of the Committee presented the minutes of the meeting held on 29 September 1998.

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

(a) **Protocol for Member/Officer Relations (Minute 25)**

The adoption of the Protocol was commended by the Chairman of the Council Standards Sub-Committee. A member expressed the view that greater formality should be shown between members and officers at meetings. In particular, he considered that authors of reports should not be identified by first names.

(b) **Code of Conduct for Councillors and Officers Dealing with Planning Matters (Minute 26)**

Some Councillors expressed concern at certain provisions of the Code, considering that they would unnecessarily constrain Councillors in their representative role within their communities. They were, in particular, concerned at the provision that Councillors involved in the decision-making process on planning matters should not organise support for or opposition to a proposal. They found it difficult to accept that, in the case of large planning applications where a recommendation might be submitted to the Council for decision, all Councillors, and not only members of the Planning and Transportation Committee, would be acting contrary to the Code if they organised opposition to or support for a proposal.

Other members stressed that the recommended Code of Conduct did not introduce new issues but brought together in one document accepted practice followed by the District Council, or recommended by the Ombudsman and the Department of the Environment, Transport and the Regions.

A seminar, to which all members of the Council had been invited, had been arranged for 23 November. All members of the Council were encouraged to attend.

It was proposed and seconded that this matter be referred back to the Central Services Committee for further consideration following the seminar. The proposal was carried.

RESOLVED:

That the minutes be received and the recommendations be adopted, subject to Minute 26 relating to the Code of Conduct for Councillors and Officers dealing with Planning Matters being referred back.

28. DIRECT SERVICES CONTRACTS COMMITTEE.

The Chairman of the Committee presented the minutes of the meeting held on 8 September 1998.

On the motion that the minutes be received:

(a) **New Forest Caterers – Assistant Director of Leisure Services' Report (Minute 15)**

A member asked why there was no reference to Appletree Pantry in the minutes of the meeting of the Committee. It was reported that Appletree Pantry formed part of Civic Catering, to which reference had been made. In response to a question as to whether the gross profit percentages for the various catering activities were still improving if the subsidies were discounted, the Officers undertook to give a written reply.

RESOLVED:

That the minutes be received.

29. ENVIRONMENTAL SERVICES AND LICENSING COMMITTEE.

The Chairman of the Committee presented the minutes of the meeting held on 29 September 1998.

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

(a) Sex Establishments (Minute 24)

In reply to a question, the Chairman of the Committee confirmed that, once the detailed arrangements regarding the licensing regime were agreed, the Council would be able to limit the number of sex establishments in particular parts of the district.

RESOLVED:

That the minutes be received and the recommendation be adopted.

30. HOUSING COMMITTEE.

The Chairman of the Committee presented the minutes of the meetings held on 20 July and 15 September 1998. She reported an error in the name of the co-opted tenants' representative in the minutes of the meeting on 15 September. The necessary amendment to the minutes would be made at the next meeting of the Committee.

On the motion that the minutes be received:

RESOLVED:

That the minutes be received.

31. LEISURE SERVICES COMMITTEE.

The Chairman of the Committee presented the minutes of the meeting held on 1 September 1998. He reported that the first sentence of minute 45 should be amended to reflect that Cllr Robinson had disclosed a non-pecuniary interest in the matter, but as she did not consider that her interest was clear and substantial she had remained present at the meeting and had taken part in the discussion. The necessary amendment would be made to the minute at the next meeting of the Leisure Services Committee.

On the motion that the minutes be received:

(a) Southern Arts – Theatre Production Review (Minute 31)

Cllrs Orton and Rice disclosed non-pecuniary interests in this item but as there was no discussion remained present at the meeting.

(b) **Playgroup Provision (Minute 44)**

In reply to a question as to which option suggested in this minute was likely to be adopted, in the light of the discussion at the recent meeting of the Applemore Recreation Centre Consultative Committee, the Chairman of the Committee advised that the matter was to be considered by the Leisure Services Committee on 10 November. It was likely that there would be a move to self-financing.

(c) **Fordingbridge Museum (Minute 47)**

Two members expressed the view that the bid for funding should have been deferred at the meeting of the Leisure Services Committee and not withdrawn. Other members were of the opinion that the minute of the meeting was accurate and reflected the wishes of the Committee, based on the information provided to that meeting. The matter could be considered by the Committee again when circumstances warranted it.

A motion to refer the matter back to the Committee was duly seconded and carried.

RESOLVED:

That the minutes be received, subject to minute 47 – Fordingbridge Museum, being referred back.

32. PLANNING AND TRANSPORTATION COMMITTEE.

The Chairman of the Committee presented the minutes of the meetings held on 12 August and 9 September 1998.

On the motion that the minutes be received:

(a) **Heavy Commercial Vehicle Controls (Minute 50)**

Members expressed concern at the effect the heavy commercial vehicle controls in the district were having on adjacent areas, including adjoining authorities. There was also concern that the District Council had not been consulted by Hampshire County Council prior to consideration of the effects of the controls. Other members were disappointed at the apparent lack of enforcement of the various controls and at the absence of strategic lorry routes.

The Chairman of the Committee requested those District Councillors who were also County Councillors to take up these issues with the County Council.

RESOLVED:

That the minutes be received.

33. POLICY AND RESOURCES COMMITTEE.

The Chairman of the Committee presented the minutes of the meetings held on 16 September and 13 October 1998.

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

(a) Future Options for the Council's Housing Stock (Minute 42)

In reply to a question, the Chairman of the Housing Committee reported that she had recently received the following reply from Hilary Armstrong MP, Minister for Local Government and Housing, to her letter about the decision to re-introduce the Large Scale Voluntary Transfer levy:

"Thank you for your letter of 22 September about my decision to re-introduce the LSVT levy a year earlier than planned.

I took this decision because I want to ensure that the transfer process is open to as many local authorities as possible. A number of authorities have such a high level of debt in their Housing Revenue Account that any receipt they may receive from a housing transfer would be insufficient to repay all of that debt. At present, transfer is simply not an option for those authorities. The Department is currently preparing a consultation paper which will propose various options for dealing with this problem.

As a first step, I decided to re-introduce the levy a year early in order to begin generating funds to help those authorities with a problem of overhanging debt. I believe it is right that local authorities who receive a relatively high net capital receipt following a housing transfer should be required to use part of that receipt to assist authorities with high levels of debt. Therefore, local authorities on next year's programme will be subject to the levy."

Members expressed dissatisfaction that Local Authorities such as New Forest which had managed and maintained their housing stock effectively were being penalised in favour of other less prudent Authorities. A motion to express concern to the Minister was proposed, seconded and carried.

In reply to further questions, the Chairman of the Housing Committee confirmed that the sale of the Council's Housing Stock would enable the construction of an additional estimated 350 homes. She emphasised that the informal consultation recently followed in Winchester had been significantly different to the full consultation exercise to be followed in the New Forest.

In response to questions regarding costs, the Chairman of the Committee reported that he did not have available at the meeting the detailed breakdown of costs. If the tenants' vote resulted in the transfer not proceeding, the cost would be borne from the Council's General Reserve. If the result was to proceed with the transfer, the cost would be met from the proceeds of the sale.

(b) **Community Governance (Minute 43)**

Some members questioned the value of the Area Forums, given the limited number of members of the public who had attended the pilot meetings. A member expressed the view that consultation of this type with a self-selecting group was flawed and that there were more reliable ways of assessing the public's views. Another member queried why there was no reference in the committee's minute to the views of the Parish Councils that they provided effective links with local people.

Other members reminded the meeting that the Government was now requiring Councils to consult with the public and Area Forums had been shown to be an effective way of doing this in other areas. Positive views had been expressed by those attending. Lessons had been learned from the first meetings and it was hoped to build on the experiences gained in future. Improved publicity for the Forums was being considered.

(c) **Open Debates at Council Meetings (Minute 44)**

The value of the proposed open debates was questioned. A member queried whether Councillors who were experts in specific fields could be regarded as "expert witnesses" for the purposes of the open debates. Concern was expressed that the sessions could be used to pursue party political issues.

In reply the Chairman of the Committee pointed out that it was not intended that Councillors would assume the roles of expert witnesses. Specialists would be invited to participate in the debate to assist members in coming to conclusions. The normal rules of debates as set out in Standing Orders would apply to Councillors.

(d) **Standing Orders as to Meetings and Proceedings (Minute 46)**

Some members referred to newspaper reports quoting a member as being the Deputy Leader of the Council. They highlighted that there was no such position and it was moved and seconded that Standing Orders be amended to provide that the Council would not appoint a Deputy Leader of the Council.

In reply it was stressed that the Councillor referred to was one of the Deputy Leaders of the Liberal Democrat Group. He reported that his position had been misquoted in the Press.

Following a lengthy debate, it was proposed seconded and

RESOLVED:

That the question be now put.

The motion that the Council do not appoint a Deputy Leader was put to the vote and declared lost.

- (e) **Housing Revenue Account Expenditure Plans 1998/99 to 2002/03 (Minute 58).**

A member reported that although he had had a response to a question raised at the committee meeting, this had not adequately answered his question as to whether the Council was statutorily obliged to retain corporate management costs at the centre and for these to fall upon the Council Tax Payer.

- (f) **Ampress Site, Lymington (Minute 63)**

Cllr Mrs Robinson reported that she had disclosed an interest in this matter when it had been considered by the committee. The necessary amendment would be made to the minutes at the next meeting of the committee.

- (g) **Large Scale Voluntary Transfer – Member Appointments and Democratic Arrangements (Minute 73)**

The Managing Director reported that the following Councillors had been nominated by the political groups to serve on the Housing Stock Transfer Review Sub-Committee and the Shadow Board of the Local Housing Company:

Housing Stock Transfer Review Sub-Committee

Liberal Democrat Nominees

Cllr P A Baker
Cllr Coles
Cllr J J Dawson
Cllr D Harrison
Cllr Robinson
Cllr Smith

Conservative Nominees

Cllr Drake
Cllr Greer
Cllr Orton
Cllr Scott

Independent Nominee

Cllr Bianchi

Shadow Board

Liberal Democrat Nominees

Cllr Cox
Cllr Dash
Cllr F R Harrison

Conservative Nominees

Cllr Kendal
Cllr Wilson

RESOLVED:

That the minutes be received and the recommendations adopted, subject to the addition of the following to the recommendation at minute 42 – Future Options for the Council's Housing Stock:-

- (f) That concern be expressed to the Minister that the Council is being penalised by the early reintroduction of the large scale voluntary transfer levy, in order to support those Councils which have not managed their housing services as effectively as this Council.

34. POLITICAL REPRESENTATION ON COMMITTEES.

RESOLVED:

That no change be made to the political representation on committees following the election of a member of the Conservative Group to fill the vacancy in the Ringwood North ward.

35. APPOINTMENTS TO COMMITTEES.

RESOLVED:

- (a) That Cllr Waddington be appointed to Environmental Services and Licensing Committee in place of Cllr Hayes;
- (b) That Cllr Waddington be appointed to Direct Services Contracts Committee in place of Cllr Scott; and
- (c) That Cllr Rickus be appointed to Business Services Contracts Committee in place of Cllr Cox.

CHAIRMAN