

17 DECEMBER 2001

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 17 December 2001.

- p Cllr Miss P A Drake - Chairman
- p Cllr J M Hoy - Vice-Chairman

Councillors:

- p Mrs S M Abernethy
- p K F Ault
- p K E Austin
- p G C Beck
- p E R Bowring
- p F J Bright
- p Mrs D M Brooks
- p D S Burdle
- p W R Catt
- Mrs J L Cleary
- p J E Coles
- e P H Cummings
- D E Cracknell
- p B D Dash
- p J J Dawson
- p W H Dow
- p L T Dunsdon
- e T J Droogleever
- p B C Earwicker
- p M H G Fidler
- e R L Frampton
- p Ms C F Gradidge
- p P C Greenfield
- p R C H Hale
- p L E Harris
- p F R Harrison
- p S A Hayes
- p J D Heron

Councillors:

- p Mrs M D Holding
- p Mrs A M Howe
- p Mrs M Humber BA
- p J A G Hutchins JP
- p M J Kendal
- p G N D Locock
- p Mrs B M Maynard
- Mrs M McLean
- p A W Rice TD
- p B Rickman
- p Mrs M J Robinson
- p B Rule
- p T M Russell
- p D N Scott
- M J Shand
- p S A Shepherd
- p Mrs B Smith
- p N L T Smith
- e Mrs L P Snashall
- p G Spikins
- p M H Thierry
- p D B Tipp
- e M S Wade
- p S S Wade
- e J Waddington
- p C A Wise
- p P R Woods
- p Mrs P A Wyeth

Officers Attending:

D Yates, N Gibbs, Ms E Malcolm, C Malyon, D Atwill, Ms J Bateman, Miss G O'Rourke and Mrs R Rutins.

43. MINUTES.

RESOLVED:

That the minutes of the meeting held on 15 October 2001, having been circulated, be signed by the Chairman as a correct record.

44. CHAIRMAN'S ANNOUNCEMENTS.

(a) Events in America

The Chairman read out a letter of appreciation from the Mayor of the City of New York in response to the Council's message of support sent following the 11 September terrorist attacks on the United States.

(b) Councillor Audrey Howe

The Chairman announced with pleasure that Cllr Audrey Howe had been elected the Chairman of Age Concern Hampshire.

Cllr Howe had been this Council's representative on Age Concern Hampshire since 1991 and had then become a Trustee. In 1998 she had become their Vice-Chairman.

Members of the Council joined the Chairman in congratulating Cllr Mrs Howe.

(c) Councillor R C H Hale

The Chairman congratulated Cllr Hale on his recent visit to Kosovo where he had joined a team of international supervisors overseeing the assembly elections.

Members joined the Chairman in thanking Cllr Hale for his efforts in ensuring the fairness and accuracy of the elections and in encouraging democracy in the Balkans.

(d) Armenia Appeal

The Chairman thanked all the members of the public who had so generously donated a vast array of Christmas presents and clothing for the children of orphanages in Armenia. The Chairman commented that she was sure that they would now have a much happier Christmas thanks to the generosity of the people of the New Forest.

(e) Format of Council Meetings

The Chairman commented on a number of changes in the format of the Council meeting which were being introduced as a result of the recent seminar on the new decision making structures.

Firstly, a Portfolio Holder question time was being introduced on pilot basis. This procedure would enable members to question the Executive on any issues falling within their Portfolios. The arrangements would be reviewed after a few meetings to decide whether or not they should become a permanent feature of the Council meetings.

Secondly, the Chairman commented that there were now fewer Review Panel reports appearing on the Council Agenda. This was also part of the process to reform the meetings and to make time for other issues such as the Portfolio Holder question time. The Review Panels operated very differently to the old Committees and a report to the Council was not always required.

The Chairman encouraged members to support the trials that were being put in place and to make their views known when they were reviewed.

45. CABINET.

The Chairman of the Cabinet presented the report of the meetings held on 7 November and 5 December 2001. On the motion that the report be received and the recommendations adopted:-

(a) Expenditure Plan and Financial Strategy Update

A number of members expressed concern at the proposed new charge for rodent control in domestic premises. The item had been considered by the Environment Review Panel and they had recommended that a charge not be introduced.

A number of other members were also concerned at the proposed increase in charges for special collections and were of the view that this would significantly increase the amount of fly tipping in the district. A member also enquired as to whether there were any concessionary charges for the elderly or those people on low incomes and if so, how were they advertised.

It was moved and seconded that the proposed new charge for rodent control in domestic premises be deleted. Upon a vote the amendment was lost.

The Chairman responded that there had always been discretion on charging for special collections. A formal protocol was being drawn up which would include arrangements for publicising the concessionary rates.

The Chairman agreed that the proposal to introduce a charge for rodent control in domestic premises should be deferred from its original proposed date of introduction of 1 January 2002 to 1 April 2002 to enable further consideration of the implications.

(b) Annual Audit Letter

A member enquired of the Chairman what arrangements were being put in hand to ensure that the areas outlined by the Auditor as requiring action were addressed, particularly with regard to the use of the Council's reserve in the current budget proposals.

The Vice-Chairman commented that under the previous administration there had been large underspends on annual budgets which had significantly increased the Council's reserves. The Council remained committed to the capital programme and had since used reserves for expenditure such as improvements to Fawley Town Centre.

The Chairman of the Cabinet responded that the financial strategy for the Council had been agreed at last meeting of the Cabinet and the detailed budget would be debated at the next Council meeting. Overall the annual audit letter had been extremely good and the Council had received high praise from the District Auditor.

RESOLVED:

- (a) That, with the exception of the proposed charge for rodent control in domestic premises as detailed in Appendix 1 to paragraph 3 (Expenditure Plan and Financial Strategy Update) the report be received and the recommendations adopted; and
- (b) That the proposed charge for rodent control in domestic premises be deferred to enable further consideration of the implications.

46. GENERAL PURPOSES AN LICENSING COMMITTEE.

The Chairman of the Committee presented the report of the meeting held on 16 November 2001. On the motion that the report be received and the recommendation adopted it was:-

RESOLVED:

That the report be received and the recommendation adopted.

47. LEISURE REVIEW PANEL.

The Chairman of the Panel presented the report of the meeting held on 16 October 2001. On the motion that the report be received it was:-

RESOLVED:

That the report be received.

48. STANDARDS COMMITTEE.

The Chairman of the Committee presented the report of the meeting held on 29 November 2001. On the motion that the report be received and the recommendation adopted:-

(a) **Appointment of Independent and Parish/Town Council Representatives to Standards Committee**

The Chairman reported that there had been an amendment to the nominations to the Standards Committee by the New Forest Association of Parish and Town Councils. It was noted that the names of Mrs L C Ford and Mrs D P Fairhurst as detailed in the Committee's recommendation should now be deleted and replaced by Mrs R C Gregory and Mr J K Nesbitt.

RESOLVED:

That, subject to in item 1 – Appointment of Independent and Parish/Town Council Representatives to Standards Committee the recommendation being amended by the deletion of the names of Mrs L C Ford and Mrs D P Fairhurst and the addition of the names of Mrs R C Gregory and Mr J K Nesbitt, the report be received and the recommendation adopted.

49. PORTFOLIO HOLDER QUESTION TIME.

Question No. 1 from: Cllr N Smith to Cllr Hayes, Portfolio Holder, Policy & Strategy

“Southampton City Council is spending in excess of £1/2 million on fighting NFDC over Dibden Bay and will make every resident of Southampton pay higher council tax bills to fund their campaign against NFDC. Southampton City Council has demonstrated its total lack of concern for the people of the New Forest and how the proposed port development will affect our lives at the public inquiry. Southampton City Council is trying to damage both the quality of life and the economic stability of the New Forest simply so they can benefit financially.

Considering Southampton City Council has taken this anti-New Forest position I would ask Cllr Hayes if this Council should now:-

- (1) Cut off all links with Southampton
- (2) Instruct officers not to attend joint meetings
- (3) Cancel any joint working parties and committees
- (4) No co-operate with Southampton City Council on any matter in future?

Could we also consider placing a road sign on the Redbridge fly-over stating “You are now leaving Southampton and entering the New Forest” to remind people that the Waterside is part of the New Forest and not Southampton?”

Answer

The Policy and Strategy Portfolio Holder responded that the principle of placing a road sign on the Redbridge fly-over indicating the start of the New Forest District Council was a good idea and should be followed up.

The Portfolio Holder was of the view that it would not be in the best long-term interests of the Council to break off relations with Southampton City Council. He acknowledged that there were difficulties between Southampton City Council and other local authorities in terms of communication. Better working relationships were needed which would assist Southampton City Council to understand better the difficulties faced by the New Forest in relation to the proposed port development at Dibden Bay.

The Portfolio Holder was pleased with recent developments at officer and member level particularly in the areas of health and crime and disorder. A meeting between the Chief Executives of the two authorities was due to take place early in 2002 which would assist the development of better working relationships.

Question No. 2 from: Cllr Rule to Cllr Greenfield, Portfolio Holder, Housing

“What does the Housing Portfolio Holder consider to be the main findings of the tenant satisfaction survey undertaken in the summer and what plans does he have for responding to these?”

Answer

The Housing Portfolio Holder responded that the results of the tenant satisfaction survey had been reported to the Housing, Health and Social Exclusion Review Panel and to the Cabinet.

The survey covered a very wide spectrum of questions many of which were required by the Department of Transport, Local Government and the Regions. The survey identified basic facts about tenants including such things as their ages and how long they had lived in Council accommodation as well as what they were concerned about on their estates and what interested them about the services they received from their landlord. A crucial question also asked how satisfied they were with their landlord and the services provided. A very high percentage (over 88%) expressed satisfaction.

The main findings of the survey included high satisfaction with the tenants newspaper ‘Round the Houses’ and the fact that many tenants were interested in being involved with the management of their homes and in particular issues that affected them.

Officers have produced a new tenant strategy for ensuring that tenants are able to be involved in the management of their homes in the ways that suit individual tenants. A report on this matter will shortly be considered by the Cabinet. In addition a very experienced tenant participation officer has recently been appointed.

Question No. 3 from: Cllr Robinson to Cllr Hayes, Portfolio Holder, Policy & Strategy

“On 19 September the Housing Review Panel requested Cllr Hayes to provide reports on the New Forest Primary Care Trust for inclusion on the Information Bulletin. On 24 October, this request was clarified, however no reports have yet been received.

How does Cllr Hayes intend keeping members of this Council informed of his work with the PCT?”

Answer

The Policy and Strategy Portfolio Holder commented that he was very pleased that the District Council had been offered a seat on the board of the New Forest Primary Care Trust (PCT). The delivery of primary care in the District was extremely important and the PCT had made a good start. The Portfolio Holder was of the view that all members needed to be aware of all information and he would ensure that agenda, reports and minutes of all board meetings would be available in the Members’ Room. The Information Bulletin would be used to update members on specific issues. Forest News would also be used to disseminate information.

The Portfolio Holder was keen to ensure that members were kept informed of all developments and did not just receive edited highlights of board meetings.

Question No. 4 from: Cllr Harrison to Cllr Greenfield, Portfolio Holder, Housing

“Will the Portfolio Holder for Housing introduce a system under which members of the Housing Panel and of Planning Development Control Committee jointly examine proposals for new affordable housing to reduce the risk of problems arising from formal planning applications are submitted?”

Answer

The Housing Portfolio Holder did not feel that it was appropriate to introduce procedures whereby the Housing Panel and the Planning Development Control Committee jointly examined proposals for new affordable housing. He was of the view that adequate consultation took place between the Portfolio Holders, Shadow Spokespersons and local members and it was not appropriate for old style procedures to be introduced. Indeed, he felt members could be at risk in terms of conflict of interest under the new Code of Conduct.

In a supplementary question Cllr Harrison commented that he was of the view there was no relationship between the Planning Development Control Committee and the Housing, Health and Social Exclusion Review Panel. He felt that it was very important for there to be communication between these two bodies.

In response the Housing Portfolio Holder was of the opinion that there was adequate liaison on this matter within the Council.

Question No. 5 from: Cllr Dash to Cllr Wise, Portfolio Holder, Finance & Support

“Could the Portfolio Holder for Finance & Support give us some indication of how he intends to address the projected deficit of £433k in the General Reserve for the year 2002/03?”

Answer

The Finance and Support Portfolio Holder agreed that to budget for a deficit was unacceptable. However, the budget for 2002/03 was not yet finalised and it was too soon to comment on the final figures.

There were a number of challenges facing the Council including falling income from interest earnings; employee benefits; housing benefit; housing for the homeless and combating crime, - all with diminishing support from central government.

It was recently announced that the Government had miscalculated the Rate Support Grant for District Councils and the LGA were to take this matter up on behalf of the 165 District Councils in the country to rectify the matter.

Question No. 6 from: Cllr Locock to Cllr Hayes, Portfolio Holder, Policy & Strategy

“Would the Portfolio Holder for Policy & Strategy agree that the integrity of the Review Panels would be best served if all votes were by secret ballot?”

Answer

The Policy & Strategy Portfolio Holder did not feel that it was appropriate for votes at Review Panels to be cast by secret ballot. Review Panels should be conducted in an open way and members should not be constrained by any means. It was important that the public were aware of the decision making process and it was more open and transparent to maintain voting by a show of hands.

Question No. 7 from: Cllr Rule to Cllr Hayes, Portfolio Holder, Policy & Strategy, but also to members of the Cabinet generally.

“Do Cabinet members support in principle the need for them to answer the questions of Review Panels when they have been invited to attend a call-in of their decisions by that Panel?”

Answer

The Policy & Strategy Portfolio Holder replied that the relationship between Portfolio Holders and Review Panels was quite clear. Portfolio Holders should be comfortable with answering Review Panel questions and it was important that this working relationship was maintained.

Cllr Rule enquired what action would be undertaken if a Portfolio Holder refused to answer Review Panel questions.

The Policy & Strategy Portfolio Holder replied that whilst it was a matter for the individual Portfolio Holder he would expect that only under exceptional circumstances would a Portfolio Holder not respond to question. He encouraged Review Panels to ask questions and Portfolio Holders to respond to them in full.

50. NOTICE OF MOTION.

Cllr Ault moved the following motion standing in his name:-

"That the appropriate Secretary of State be advised, with a copy to the Prime Minister, that -

At the last Conference of the Local Government Association, delegates from local authorities nationwide expressed grave concern at the extreme costs, excessive bureaucracy and inefficiency of the Best Value system imposed by Government in 1999.

The experience of New Forest District Council is in line with that of other councils and this Council urges the Government to suspend the system whilst detailed review and audit is carried out preparatory to the radical change and simplification of that system, such change to be determined following careful consultation with local authorities involved and with the setting by Government of realistic and measurable target levels for achievement."

The Notice of Motion was supported by Councillors Bright, Burdle, Frampton, Scott and Tipp.

In accordance with Standing Order No. 41.2 the Chairman of the Council agreed that the motion be dealt with at the meeting.

Cllr Ault in moving the motion commented that nationally Best Value had cost Councils and the Tax Payer £250m. In his view the Best Value process generally was destructive in every aspect of the Council's work and distracted officers from more productive work. The Welsh National Assembly had abolished the principles of Best Value and the DETR were launching a review into what he considered to be a fundamentally flawed process.

Cllr Ault was of the view that too much time was spent on the process and the discussion of the process rather than delivering the service. Whilst some real benefit had been achieved it could have been achieved by a different route. Officers had done their best in difficult circumstances and should be commended for the work they had undertaken in relation to Best Value. All Councils appeared to be struggling with what he considered to be a discredited regime and the expense of Best Value could not be justified.

The following amendment was moved and seconded:-

Delete the second paragraph of the original motion from the “experience of New Forest District Council” to “target levels for achievement” and replace with

“This Council would like to congratulate the Local Government Association for its success in influencing the Government, which has resulted in the white paper ‘Strong Local Leadership Quality Public Service’

In particular we welcome the proposal to put in place a comprehensive performance framework to help Councils deliver better services to their communities, which includes a streamlined and reformed Best Value framework to help Councils manage improvement across all services.”

One member commented that the Best Value process was very costly and the target of 2% savings was not possible. He was of the view that the Best Value principles were bureaucratic and wholly removed from public involvement.

Another member commented that Best Value could not be compared to Compulsory Competitive Tendering (CCT) and that system in itself had been costly. Best Value was about members looking at outcomes and being involved during the process. Whilst the principles of Best Value were bureaucratic it was the responsibility of elected members to provide the challenge element. Rather than suspend the Best Value system entirely the Council needed to consider other ways of delivering services at better value. This would involve members in working hard to develop a system for the people they represented.

The Policy and Strategy Portfolio Holder responded that Cllr Ault’s the motion did not challenge the Best Value principles of Compare, Compete, Consult and Challenge but was about the process that Councils were forced to use.

He commented that what the Government was imposing was not acceptable and the regime needed to be changed now before the white paper became legislation. Best Value had produced some successes but the cost of those successes could not be justified by the cost incurred in achieving them.

Cllr Robinson responded that the amendment was not intended as an appeasement but as a cross party attempt towards building a new relationship with the Government. The Council should wait and see whether the new proposals set out in the white paper would work rather than submit an out-of-date motion that would make the Council look foolish.

Upon a vote the amendment was lost.

A further amendment to add the following sentence to the original motion was moved and seconded:-

“That the Government concentrate on the key outcomes and allow local authorities the flexibility and freedom of choice of methods.

Upon a vote the amendment was carried.

It was:-

RESOLVED:

That the appropriate Secretary of State be advised, with a copy to the Prime Minister, that -

At the last Conference of the Local Government Association, delegates from local authorities nationwide expressed grave concern at the extreme costs, excessive bureaucracy and inefficiency of the Best Value system imposed by Government in 1999.

The experience of New Forest District Council is in line with that of other councils and this Council urges the Government to suspend the system whilst detailed review and audit is carried out preparatory to the radical change and simplification of that system, such change to be determined following careful consultation with local authorities involved and with the setting by Government of realistic and measurable target levels for achievement.

The Government should concentrate on the key outcomes and allow local authorities the flexibility and freedom of choice of methods.

51. NOTICE OF MOTION.

Cllr Hayes moved the following notice of motion standing in his name:-

“The District Council calls on the Government to hold a statutory Public Inquiry into the outbreak of foot and mouth disease. The inquiry should be set up and held as soon as possible. It should be concluded within one year and make recommendations to prevent a recurrence. It should have powers to insist on the appearance of witnesses and the production of all relevant papers. The District Council also seeks the support of all Local Authorities for this motion.”

In accordance with Standing Order No. 41.2 the Chairman of the Council agreed that the motion be dealt with at the meeting.

Cllr Hayes commented that the outbreak of foot and mouth disease had not only been destructive to farming but also to businesses and tourism in the district. It had been a financial disaster for individuals through no fault of their own. Whilst Hampshire had been reasonably fortunate in terms of the outbreak of disease, the area had still suffered particularly in relation to tourism and the inability to move and sell livestock. The Government’s decision to cull livestock has been heavily criticised. The two main problems appeared to be the lack of communication between the Government and the outbreak areas and the general lack of knowledge of the disease. The Government were unaware how the outbreak had started and the arguments for and against vaccination were unclear. There were still countries where foot and mouth disease was rife and the relevant controls to stop the disease from entering this country were not stringent enough. Whilst three Enquiries had taken place none had been public and none had had the power to take evidence.

In seconding the motion Cllr N Smith said that 17 December 2001 had been an important day in the New Forest as all foot and mouth restrictions had been removed. The Government appeared to have had no clear policy for the control of the disease and had closed the countryside initially and then subsequently encouraged the public to return. As a result of the disease the future of the Forest was now in danger with key stock bloodlines having been destroyed.

Initially Government guidance had indicated that the disease would not affect the deer population in the country but this advice had then changed. A public inquiry was necessary to ensure that appropriate lessons could be learnt from the event.

Other members strongly supported the notice of motion. They commented that irrespective of the Government in power there should be clear plans for dealing with such emergencies. A full public inquiry was necessary to learn from mistakes and produce a plan to deal with any future emergencies. Some members commented that outbreaks in other countries had been better handled and there was no reason for what appeared to have been total chaos in this country.

As part of the public inquiry members hoped that the effect of EEC Regulations on the closure of local abattoirs and the ability of the Government to come to independent decisions would be considered.

RESOLVED:

That the notice of motion as set out above be agreed.

52. BY-ELECTION FOR DISTRICT COUNCIL BECTON WARD – RETURNING OFFICERS REPORT (REPORT A).

Members were advised that Cllr G Beck had been elected to fill the vacancy for the Becton Ward of New Forest District Council.

53. APPOINTMENT OF MEMBERS TO STANDARDS COMMITTEE.

RESOLVED:

That Cllrs Coles, Hutchins, Spikins and Tipp be appointed to serve on the Standards Committee for the remainder of the municipal year.

54. CHANGES TO MEMBERSHIP OF COMMITTEES AND PANELS.

RESOLVED:

- (a) That Cllr Beck be appointed in place of Cllr Tipp to the Crime and Disorder Review Panel;
- (b) That Cllr Beck be appointed in place of Cllr Hoy to the Leisure Review Panel.

55. MEETINGS DATES FOR THE 2002/2003 MUNICIPAL YEAR.

RESOLVED:

- (a) That the Council meet on Mondays at 6.30 p.m. on the following dates in the 2002/2003 municipal year:-
 - 13 May 2002
 - 22 July 2002
 - 14 October 2002
 - 16 December 2002
 - 24 February 2003
 - 28 April 2003
 - 19 May 2003
- (b) That a further date for the Council to meet in early September 2002 be agreed by the Chief Executive in consultation with the Leaders of the Political Groups.

CHAIRMAN

(DEMOCRAT/CL171201/MINUTES.DOC)