

REPORT OF CABINET

(Meetings held on 1 May, 13 May, 5 June and 8 July 2002)

1. BEST VALUE REVIEW – INTERNAL AUDIT – FINAL REPORT AND PERFORMANCE AND IMPROVEMENT PLAN (REPORT A – DATE 1 MAY 2002) (MINUTE NO. 210)

The Cabinet has approved the Internal Audit Best Value Performance and Improvement Plan.

Internal Audit forms part of the Resources Directorate Audit Services Section. It is a mandatory function whose primary aim is to ensure that the Director of Resources' responsibilities, to maintain proper control over the Council's financial affairs as defined by Section 151 of the Local Government Act 1972, are fully met. Internal Audit acts as an independent appraisal function for the review of internal control mechanisms adopted by the Council.

The Cabinet noted that whilst the service demonstrated good performance and low costs, it was acknowledged that further improvement in service delivery could be achieved. The Best Value Review process has already identified some areas of improvement that will be used as a catalyst for more improvement in the future.

The Cabinet congratulated officers on the work they had undertaken and the clear concise report they had produced.

2. OPERATION OF A PASSENGER SERVICE AT HURST SPIT (REPORT B – 1 MAY 2002) (MINUTE NO. 211)

The Cabinet has agreed to a proposal for the operation, initially for a trial period, of a vehicle passenger service at Hurst Spit.

An approach was made from Hurst Castle Ferries for the operation of a passenger service from the car park at the Marine Café along Hurst Spit to Hurst Castle. The Council is the landowner of part of Hurst Spit and the operator of the car park. The County Council and a private individual are also interested landowners. The proposed service will operate an agricultural tractor and trailer on a half hourly basis to carry approximately 10 passengers per trip.

The Cabinet noted that there were a number of operational factors to be overcome before the proposal could be implemented. In particular there were health and safety issues and a number of coastal protection and environmental issues. In view of the complexity of the proposal, the Cabinet have agreed that the Portfolio Holder for Leisure should approve the detail of a trial period and the conditions and details of the licence. The proposal is also subject to the necessary legislative requirement being met.

Realistically it is unlikely that all the required permissions will be in place to enable the trial period to take place this year. However, officers will progress the matter with a view to implementing the trial period as soon as possible. The Cabinet will review the trial before any further action is taken.

3. STILLWATER PARK (REPORT C- 1 MAY 2002) (MINUTE NO. 213)

The Cabinet has been updated on the latest position in relation to the future of Stillwater Park.

In considering the issues (in private session) the Cabinet noted that £2,000 had been budgeted for in the General Fund to cover the provision of an independent advocate to the residents in order to assist them in the legal considerations. However, the Cabinet noted that officers needed to consider the Council's legal position in offering such assistance.

The Cabinet has agreed that officers should be authorised to continue the negotiations with the Stillwater Park Co-operative for a leasehold disposal of this site with a further report back as soon as possible on the details and terms of such a possible disposal.

4. PROJECT INTEGRA – DRAFT ANNUAL BUSINESS PLAN (REPORT A – 5 JUNE 2002) (MINUTE NO. 5)

The Cabinet have agreed the draft Annual Business Plan for Project Integra.

The Business Plan sets out the strategy for the achievement of declared objectives over the next twelve month period and activities to be undertaken in support of the strategy.

The challenge of developing an integrated approach for dealing with waste in Hampshire has enabled the partners in Project Integra to build on its success and to present a platform for others to develop their own solutions. The strategic plan identifies the challenges that Project Integra will face over the coming years. Continuous growth in the amount of household waste, stricter regulations on how waste can be managed and the environmental and financial costs to communities are just a few of the key objectives to be addressed.

The Cabinet noted that Project Integra has achieved a great deal with an impressive record of material diversion and the provision of modern waste handling, processing and proposed disposal systems. However, there is still much to be done.

The Cabinet expressed some concern at the lack of information in the Plan on the future financial implications for the Council of meeting recycling targets. The Cabinet have asked for further information on this aspect which they will consider at a future date.

5. HIGHWAYS AGENCY REVIEW UPDATE (REPORT B – 5 JUNE 2002) (MINUTE NO. 6)

Hampshire County Council have been conducting a review of their highway agency arrangements, in consultation with the District, since 1999. Following this, a 'blueprint for future working' was produced. The principle of partnership working supporting the blueprint has been fully endorsed by the Council. However, it was this Council's view that greater efficiencies and better service delivery was achievable by the integration of common areas of work. To this end this Council proposed an

alternative model which extended the partnership. The County Council, whilst accepting the merit of this alternative, did not feel that a two tier delivery mechanism best served their future strategy for partnership working with their contractor. On this basis they were not prepared to accept any significant variations to their blueprint and are now implementing their proposals across the county.

The Cabinet, while noting the County Council's decision to implement their proposals, agreed that although the new arrangements are not ideal, they are the best solution given the circumstances.

Staff currently employed by the District Council on highway network management functions will ultimately transfer under TUPE to the County Council. Those employees working at the Town Hall will remain in situ as far as possible. Arrangements will be negotiated over the next few weeks to resolve issues such as accommodation costs and the provision of support services.

The Cabinet endorsed the comments of the Economy and Planning Review Panel and have accordingly sent a letter to the County Council conveying the strong concerns of the District Council about the proposed highways arrangements on the basis of the cost of implementation, the dubious efficiency benefits and the blurring of the current lines of communication.

The Cabinet also commented that there needed to be a greater understanding from the County as to what the District Council could offer and better consultation on their part generally on any future partnership working.

6. PARTNERSHIP PROPOSAL – TEST VALLEY BOROUGH COUNCIL AND NEW FOREST DISTRICT COUNCIL (REPORT C – 5 JUNE 2002) (MINUTE NO. 7)

The Cabinet has considered a comprehensive business case for proceeding with the new joint venture of partnership working between the Direct Service Organisations of Test Valley Borough Council and New Forest District Council.

In Spring 2001 this Council and Test Valley Borough Council agreed that the opportunities for partnership working between the two councils' DSOs should be explored, and a joint project team was set up.

The Business Case produced presents sound reasons to enter into joint working arrangements and identifies an extensive range of benefits to both authorities ranging from safeguarding choice, value for money, democratic control and flexibility within a potentially aggressive market sector through to service innovation, strategic service alignment and business expansion.

Whilst savings are not the prime motivator in this joint venture, the Business Case does provide both the opportunity and means to improve cost effectiveness. There will also be significant economies of scale in procurement and purchasing across a range of commodities. The Business Case also acknowledges the clear link between innovative service planning and delivery between two partner authorities and the forthcoming Comprehensive Performance Assessment.

The overarching objective of the joint venture is the provision of a stable, responsive and cost effective service model, capable of enhancing both service delivery and service development to the benefit of both communities. The aim is for the venture to be cost neutral within overall service budgets within the first year, with efforts being focused on consolidating the two existing DSO operations into a single effective operation.

The Cabinet wishes to emphasise that this joint venture in terms of partnership proposals is of national importance and has not been undertaken elsewhere in the country. The proposals represent a measured approach to minimise risk whilst offering the prospect of more cost effective services locally to the residents of New Forest and Test Valley.

The Cabinet has agreed that the Business Case, Business Plan and organisational structures for the joint venture should be supported together with the setting up of a joint committee with effect from 1 September 2002 under Section 101 (5) Local Government Act 1972 and the Local Authorities (Discharge of Functions) Regulations 2000.

In due course the Cabinet will appoint three executive members to sit on the joint committee. Additional funding of up to £63,500 from Test Valley Borough Council will be used to finance the revised management structure as set out in the Report to the Cabinet.

RECOMMENDED:

- (a) That the Business Case, Business Plan and Organisational Structure as set out in Report C to the Cabinet be approved and the proposal for the joint venture between Test Valley Borough Council and New Forest District Council be supported;**
- (b) That it be noted that the Cabinet has agreed to set up a Joint Committee with the Executive of Test Valley Borough Council with effect from 1st September 2002 under Section 101 (5) of the Local Government Act 1972 and the Local Authorities (Discharge of Function) Regulations 2000;**
- (c) That so far as it is empowered to do so by law the Council approves the Constitution (including Financial Regulations) and Commercial Agreement set out respectively in Appendices 11 and 12 of Report C to the Cabinet;**
- (d) That three non executive members from New Forest District Council be appointed to sit on the proposed Scrutiny Committee;**
- (e) That the Council delegates such of its functions as are set out in Appendix 13 of Report C to the Cabinet to the officers named therein; and**
- (f) That the additional funding of up to £63,500 from Test Valley Borough Council in their 2002/03 budget, to finance the revised management structure as set out in Appendix 9 of Report C to the Cabinet be noted.**

7. SWAY YOUTH CENTRE : GRANT AID SUPPORT (REPORT F – 5 JUNE 2002) (MINUTE NO. 10)

The Cabinet have agreed an award of £4,000 from the Grant Aid Fund towards the renovation of Sway Youth Centre.

The Youth Centre has been open for 20 years and provides a base for various youth and local groups. The works required to the centre include the provision of a disabled toilet which will enable the Centre to meet the requirements of the Disability Discrimination Act. The works will also allow greater use of the hall by a range of groups and provide the opportunity for the centre committee to develop further.

The total cost of the works is approximately £17,700.

8. MARCHWOOD, PROVISION OF SKATEBOARD FACILITY (REPORT G – 5 JUNE 2002) (MINUTE NO. 11)

The Cabinet have agreed that a sum of £48,000 be allocated from developers' contributions to enable the construction of a skatepark facility at Cork Field, Marchwood. The site is leased to the parish council and developers' contributions have been used in the past to restore the land to public use and install facilities for BMX bikes.

Marchwood Parish has developed rapidly over the last 20 years and now has a large 11-16 year old population. Youth crime has increased dramatically recently and the parish council is working with all local bodies to reduce the problem. Whilst the youth centre is still a long way off completion the skatepark, which has been planned with the full involvement of the local youngsters, will demonstrate the local commitment to improve the quality of life in Marchwood.

9. DISABLED FACILITIES GRANT BUDGET AND GRANT POLICY (REPORT H – 5 JUNE 2002) (MINUTE NO. 12)

The Cabinet have accepted an offer of partnership funding of £20,000 from Hampshire County Council Social Services for disabled facilities grants.

Currently the housing improvement team have a budget of £460,000 to fund disabled facilities grants (DFG's) in the private sector. As a result of this limited amount the current DFG Policy allows only for works that are deemed mandatory to be carried out.

The Partnership funding from Hampshire County Council is for funding of discretionary work. This funding will enable this Council to attract a further £30,000 grant from the DTLR giving a total additional budget of £50,000 to spend on adaptations.

It is proposed that discretionary DFG work will only be carried out in conjunction with a mandatory grant application. This will enable works to be carried out beyond the mandatory level and hopefully give a more complete and holistic solution to the applicants who will benefit from the extra funding.

10. HOUSING STRATEGY AND HOUSING REVENUE ACCOUNT BUSINESS PLAN – 2002 HOUSING INVESTMENT PROGRAMME ROUND (REPORT A – 8 JULY 2002) (MINUTE NO. 24)

The Housing Investment Programme (HIP) process determines the size of the Council's Housing Investment Programme in the forthcoming year. The preparation of the Housing Strategy and Housing Revenue Account (HRA) Business Plan forms an integral part of this process.

All members of the Council have been sent under separate cover a copy of the Housing Strategy and the Housing Revenue Account Business Plan.

The purpose of the housing strategy is to describe and analyse local housing needs and to lay down proposals for action. The Business Plan describes and details the housing landlord service both now and in the future and indicates how it is expected that the service will develop.

New Forest District Council has been graded as one of the top housing authorities in the country over recent years in terms of its housing strategy and Business Plan which has helped secure additional resources for the District.

The Cabinet reports that the proposed housing strategy has a particular emphasis on preventing homelessness and the use of bed and breakfast, together with providing new affordable homes. A homeless strategy is planned for the coming year. The target for new affordable housing provision has been adjusted to reflect the likely level of resource availability and increase in costs.

As in previous years the Council will submit a range of other documents to support the HIP submission, including a number of sub-strategies that focus on specific housing issues.

In addition new action plans for physical disability and sensory impairment; mental health and learning disability have been developed.

The Business Plan focuses on service provision and the development of the service to meet Government targets and importantly the needs and aspirations of tenants and leaseholders. A crucial area in this year's Business Plan is the action necessary to meet the Government target for all Council owned homes to meet the Decent Homes Target by 2010.

The size of the Council's Housing Capital Programme is constrained by the resources and spending power available. It is estimated that internal resources will generate £1.75M, being £500,000 revenue contributions from the HRA to fund environmental enhancement schemes on Council estates, and £1.25M of useable capital receipts from the sale of Council houses and land.

RECOMMENDED:

That the Council's Housing Strategy and Housing Revenue Account Business Plan be adopted on the basis that any changes that may be necessary as a result of the Council meeting be delegated to officers to make in consultation with the Housing Portfolio Holder.

11. LYMINGTON CONSERVATION AREA APPRAISAL (REPORT B – 8 JULY 2002) (MINUTE NO. 25)

The appraisal for Lymington is one of an agreed programme of six for those Conservation Areas where there is the greatest continuing pressure for development. The appraisals for Milford on Sea and Fordingbridge have already been adopted, the appraisal for Lyndhurst is currently out to public consultation. The appraisals for Ringwood and Hythe are yet to be prepared.

A number of local organisations including the recently formed architects' panel and other groups such as English Heritage have been consulted on the Lymington draft appraisal.

One recurring comment concerns the lack of any reference in the draft to the opportunity to allow for good examples of modern design in the Conservation Area. The draft was amended to allow for such examples in certain circumstances. Parameters for such proposals have been suggested and locations where modern designs would not be appropriate identified.

A second major issue that was raised concerns development to the rear of frontages in the High Street. The Council's Local Plan identifies groups of adjoining plots that should be retained as open and undeveloped parts of the town and also identifies one area where more intensive development would be allowed. This leaves a significant number of further plots, not specifically covered by either policy. The appraisal suggests a level of intensity of development of these plots that, it is felt, would not be over intensive. The Cabinet has agreed that the Council's very long standing policy resistance to development within the best and most developed plots should be maintained.

English Heritage have praised the draft appraisal, commenting that it is one of the best they have seen so far. They suggested that greater emphasis should be placed on the importance of only allowing development that left intact the medieval pattern of Lymington, including the retention of plot boundaries. Guidance on this aspect in the appraisal has consequently been strengthened.

The Planning Development Control Committee at their meeting in June commended the content of the appraisal and endorsed the suggested responses to the representations that had been made during the consultation period.

The Cabinet have therefore agreed that the Lymington Conservation Area Appraisal be approved and adopted as supplementary planning guidance.

12. ROAD TRAFFIC MANAGEMENT (REPORT C – 8 JULY 2002) (MINUTE NO. 26)

The Cabinet has considered a report of the Policy and Strategy Portfolio Holder in relation to a process of consultation over the possible introduction of a Road Traffic Management Scheme. In some areas within the Council's jurisdiction, the abuse of current parking regulations and the dumping of unwanted vehicles is becoming unacceptable. Over recent months, members of the Administration have given detailed consideration to the development of a policy to address the wide spread concern of residents surrounding the increasing difficulty of both on-street and off-street parking across the district.

In addition, thought is being given to incorporating decriminalisation of parking enforcement as a process by which this Authority can take over the responsibility for the management and enforcement of on-street parking regulations under the Road Traffic Act 1991 provisions.

The Government is concerned about the projected increase in traffic volumes over the next 20 years, and it is recognised that in the Forest this is likely to be between 11% and 49%.

The Cabinet has agreed the following proposals for consultation which would form the basis of a policy for the management of traffic in the district.

- A Clock system be introduced to give residents and other regular visitors the option to pay for parking on an annual basis;

- In the medium-term, consideration be given to extending the above system to cater for general on-street and residents' preferential on-street parking arrangements. This to be linked to further studies on decriminalised parking arrangements;
- The Clock to be renewed annually. To avoid conflict with the Council Tax the Clock to be issued for a calendar year commencing January;
- The charge for the Clock to be set (for financial projection purposes) at £5. (Note: this is inclusive of VAT). No limit to be set on the number of Clocks a motorist can purchase; and
- A 'Pay & Display' system be introduced into those car parks which regularly receive visitors. Visitors to have the option to acquire a 'Clock' from one of a number of local outlets in lieu of purchasing a ticket from a machine.

The Cabinet is of the view that local consultations need to be put in place to enable town/parish councils, business groups and others to express their views and, where they wish to put forward suggestions that would improve the parking situation for their own community. This is a crucial element of policy development and the Cabinet has therefore agreed the following detailed consultation programme:-

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| • Report to Cabinet on principles and outline options | July 2002 |
| • Consultations with Residents, Town & Parish Councils, Business Groups, Visitors etc. | August/Nov 2002 |
| • Report to Cabinet and Panel | Jan/Feb 2003 |
| • Refine strategy and publish final proposals | Feb/March 2003 |
| • Begin implementation process | June 2003 |

It is proposed, in order to progress this strategy, that a detailed programme of consultations with town/parish councils will be drawn up immediately and published. All town/parish councils will be invited to contribute (even those without District car parks) because they may have on-street or other traffic management issues to be considered.

In addition the Cabinet has agreed to consult on the four following proposed categories of car parks throughout the district:-

1. Car parks requiring either a Clock or a 'pay & display' ticket for those who do not wish to acquire a clock, at a charge of (say) 50p for first two hours;
2. Clock only car parks discouraging short stay visitors in favour of motorists who regularly use the Council's car parks;
3. Car parks with no direct controls other than the normal long term waiting restrictions e.g. no longer than 24 hour parking or some other local restriction; and
4. Amenity car parks which visitors predominantly use.

Although these proposals are not motivated by financial necessity, they are likely to generate financial benefit to the authority. Detailed financial implications will need to be considered in the light of the outcome of the consultation process outlined in this paper.

13. RACE EQUALITY SCHEME (REPORT D – 8 JULY 2002) (MINUTE NO. 27)

The Cabinet has agreed a Race Equality Scheme 2002 for the Council.

The Council has been working closely for some time with other Hampshire authorities on race and equality issues. The Race Relations Amendment Act requires all public authorities to adopt a Race Equality Scheme by 31 May 2002, but guidance and information from the Government on this new duty have only recently become available.

In view of the timescales it has not been possible to consult widely on the document before agreement. Much of the document therefore relies on previously agreed Council policy. It is therefore anticipated that the first year of operation of the Scheme will be used to revise the policies generally following wide consultation within the community.

The final version of the Scheme will be published in a friendly and easy to read style and will include references to such things as availability in other languages.

Although the percentage population from minority groups within New Forest is low it is important to recognise that the scheme is not only directed at the residents of the district but, importantly in this area, it is also intended to benefit visitors.

The Act suggests the action plan within the scheme should be no longer than 3 years with high priority services being scrutinised in year one. The action plan would then be reviewed and previously excluded low priority services included for scrutiny in the next 3 year plan. The Cabinet has agreed that, using the Best Value model, all services will be assessed for priority during year one of the plan and action taken in accordance with the priority given. Thereafter each service be reviewed every 5 years as part of their Best Value Review.

14. BEST VALUE – EMPLOYEE AND CIVIC CATERING (REPORT E – 8 JULY 2002) (MINUTE NO. 28)

A Catering Best Value Review which deals with the whole range of the Council's Catering Services is currently being undertaken. The review of the employee and civic catering has reached a critical stage and the Corporate and Finance Review Panel has considered the future options for the services.

Employees and members recently completed surveys about their preferences for changes to the employee and civic catering service at Appletree Court. 58 Employees and 20 members responded to the survey. 71% of employees that responded expressed a clear preference for the Deli option. A number of employees referred to the social value of the Pantry as a meeting place where employees from different services could interact away from their work place.

50% of the members who responded were also in favour of a Deli Bar, although 35% preferred to maintain the current service and increase prices.

The vending option was the least popular choice with 53% of employees and 35% of members disliking the option.

The Deli-Bar option involves a change from the existing staff restaurant type of service and would offer a selection of various bread goods with a variety of fillings, supplied on a made to order basis; ready made sandwiches, cakes, confectionary, hot and cold beverages; and a hot food offer consisting of jacket potatoes, chips and soup of the day. In comparison with current prices, like for like items would be similar. The price range for made to order sandwiches/baguettes is likely to be £1.50/£2.00 – a jacket potato is likely to be in the region of £1.30/£1.50.

In the light of the survey the Cabinet has agreed to close the current Appletree Pantry provision and replace it with a streamlined catering service in line with the Deli-Bar option.

This will obviously have an effect on the civic catering and the Cabinet, in line with the recommendations of the Corporate and Finance Review Panel, has agreed the following protocol for the provision of civic catering/hospitality:-

- The coffee & tea service provided for member meetings would continue;
- Any food provided for meetings, seminars, training sessions, etc (with the exception of Planning Development Control Committee and meetings hosting outside organisations), would be on the basis of filled bread products only;
- Food before Council and other evening meetings will only be provided to those members and officers who are attending straight from work. These members will be required to book their meals in advance;
- A hot meal will be provided for meetings of the Planning Development Control Committee. This would be on the basis of a bought-in, ready prepared meals;
- No food will be provided for events scheduled to end by 1.00 p.m. (morning events) or 5.30 p.m. (afternoon events), irrespective of the start time of the event; and
- Hospitality meals when hosting outside organisations will be at the discretion of the officers, in consultation with the Leader of the Council/appropriate Chairman.

The Cabinet noted that whilst the Best Value Review focuses on the service provided at Appletree Court and the options available in the context of a reduction in subsidy, the Best Value Review has also to consider employee catering provision at Lymington Town Hall and the other outlying Council work places. The Cabinet has agreed that a key principle in the review of options for the delivery of the catering service across the Council must be that the provision should be equitable for all employees.

The Cabinet considered the financial forecast and noted that this had, at this stage, to be based on a number of assumptions as to costs and level of uptake and activity. However, the Catering Best Value Review overall is expected to make approximately £30,000 savings.

15. NEW FOREST CATERERS – PROPOSAL FOR BAR AND CAFÉ CLOSURES (REPORT F – 8 JULY 2002) (MINUTE NO. 29)

The Council currently provides a bar and cafeteria in each of its Recreation Centres at New Milton, Ringwood, Applemore and Totton and a cafeteria only at Lymington.

At the time when these Centres were built, use of Recreation Centres for the more traditional sports such as badminton and 5-side football included a social element for which it was seen as important to make provision. The bars and cafeteria have operated successfully for a number of years but more recently circumstances have changed to such an extent that their continued provision has been reviewed.

In recent years there has been a substantial decline in the use of and income derived from the licensed bars. The main factors for this decline are the move away from the more traditional activities to health and fitness where there is much less of a social element and the Council's decision to ban smoking in the recreation centres. Overall there has been a reduction in bar income of £52,428 since 1997.

The Cafeterias at the centres have been more successful but not all are financially robust.

As part of the Best Value Review the Cabinet has agreed that all of the bars together with the cafés at Lymington and New Milton Recreation Centres should be closed and the areas used for other activities as follows:

Totton Recreation Centre

Integrate the bar and cafeteria areas to effectively enlarge the size of the cafeteria with the bar servery area being converted into storage. The cost can be contained within existing budgets. Bar to close with immediate effect after the Swimming Club have been given due notice.

Applemore Recreation Centre

Conversion of the Café to a Soft Play Centre with Party Rooms and conversion of the Bar and Servery to office accommodation. Bar to close with immediate effect after giving reasonable notice to any Clubs who still make use of the facility.

Ringwood Recreation Centre

Final proposals to come forward as part of this year's expenditure plan process, in the meantime the area to be used as a general activity and social area. Bar to close with effect from 1 September 2002, with due notice being given to any Clubs who still make use of the facility.

New Milton Recreation Centre

Integrate the cafe and bar areas as part of the new Gym extension and to also create a Flexible Children's Party/Meeting space. Bar to close last with effect from 1st October 2002 with due notice given to any Clubs who are still making use of the facility.

Lymington Recreation Centre

Use money from the Primary Care Trust to equip a 20 station gym in the Café area. Cafeteria to close with immediate effect, subject to consultation with the local community and Town and Parish Council who raised funds for the provision of the social facility.

The Cabinet has agreed that all the current liquor licences should be retained which would enable alcohol to be provided at special events if required.

16. PROPOSED PORT DEVELOPMENT AT DIBDEN BAY – PUBLIC INQUIRY (REPORT G – 8 JULY 2002) (MINUTE NO. 30)

Associated British Ports (ABP) submitted their package of applications for port development at Dibden Bay in October 2000, following several years of preparatory work. This Council's initial assessment of the implications and impacts of the proposals followed and formal objections to the development were made in November 2000 and March 2001.

Provision was made during 2000/01 for £400,000 to be established in a fund, as a provisional sum for the costs of the public inquiry. The balance of that fund at 1st April 2001 was £388,785.

All work on the Inquiry has been shared with Hampshire County Council, with joint legal representation being engaged throughout. Technical topics have either been joint funded or have been led and paid for by the appropriate Council.

When the full scope of the technical implications of the Inquiry objection issues and the likely length of the inquiry were known during 2001, a full estimate of the likely NFDC costs for 2001/02 was made. These totalled £585,000. Detailed work on later inquiry topics during 2002, particularly for specialist Environmental Health work on noise and air quality together with related examination of alternative construction methods to reduce the impact of piling on local communities, has increased the overall cost estimate by £50,000. From 2001/02 the cost of representing the Council's case until the close of the public inquiry is therefore £635,000.

The anticipated shortfall in funds during 2002/03 until the close of the Inquiry is £235,000 and the Cabinet therefore recommends that additional funding to meet this shortfall be approved to be financed by General Fund Outturn savings from 2001/02.

RECOMMENDATION:

That the additional costs of £235,000 be approved to be financed by General Fund outturn savings from 2001/02 that are highlighted within the Financial Strategy report (Item 17 on this Report).

17. FINANCIAL STRATEGY 2003/2006 (REPORT H – 8 JULY 2002) (MINUTE NO. 31)

The Cabinet has reviewed the Council's financial strategy and has made recommendations to establish a financial framework for the next four years.

It is important that the Council adopts a strategic approach to the allocation of resources, both revenue and capital, particularly in the light of the forthcoming Comprehensive Performance Assessment.

The Cabinet noted that there was likely to be an underspend of around £400,000 on the General Fund Revenue Budget in 2001/2002. This is due in part to factors outside the control of the Council. In December of last year a conscious decision was taken to ensure that no expenditure was incurred unless it was essential to the running of the organisation.

In the light of additional required funding of £235,000 for the Dibden Bay Inquiry (see item 16 above) the General Fund Revenue expenditure will show an underspend of approximately £165,000 for the 2001/2002 financial year.

The Cabinet noted the provisional position regarding the 2001/2002 General Fund Revenue Outturn as detailed in Appendix 1 to this report.

The timetable and process that was agreed for expenditure plans and the budget last year was not expeditious. It resulted in the debate on some issues being replicated on numerous occasions and did not prove to be an effective use of the democratic process. It is therefore proposed to refine the Expenditure Planning process for this year as follows: -

July	Cabinet	Financial Strategy and Expenditure Plan Guidelines
November	Cabinet	Expenditure Plan Bids and Savings
November	Panels	Expenditure Plan Bids and Savings
January	Cabinet	Comments from Panels + Budget
January	Panels	Budget Proposals
February	Cabinet	Comments from Panels
February	Council	Budget and Tax Set

The Council agreed a financial strategy in November 2001. This followed the setting of a financial framework for the Expenditure Planning and budget setting process. There is now a need to refine this framework and the Cabinet considered some of the financial pressures and issues that the Council is likely to have to consider during the life time of the new financial strategy.

In the light of this the Cabinet recommends that the Council should seek, as far as possible, in the lifetime of this financial strategy to have: -

- (a) Achieved a balanced revenue budget;
- (b) Made provision within the revenue budget for an affordable capital programme;
- (c) Ensured that the revenue balances of the Council are no less than 10% of the net revenue budget;
- (d) Identified where income through fees and charges is not being maximised except as a conscious decision of the Council for strategic reasons;
- (e) Reviewed all land and property holdings to ensure that they are being efficiently used and needed or held for other strategic purposes;
- (f) Ensured that there is greater integration of the budget setting process and best value reviews;
- (g) Developed a process that results in closer links being achieved between the budget setting process and the setting of corporate objectives/targets;
- (h) Developed a priority based budgeting system which will add clarity to the linking of corporate priorities to the allocation of resources; and

This Strategy will be reviewed annually to ensure that it retains its validity and deals with the Council's evolving financial position.

It is important to set out a framework within which the Expenditure Plans and budgets will be constructed. The Council again faces a challenging time in the next few years unless a step change in its financial position is achieved. It is against this background that the Cabinet recommends the following guidelines with an underlying message of restraint:-

- (a) All fees and charges should be reviewed and maximised unless a conscious decision is taken not to do so as outlined in the Corporate Charging Strategy;
- (b) Revenue growth bids should be restricted to matters of corporate priority as identified within the review of The Heart of the Forest and a justified business case;
- (c) The General Fund Balance should be maintained at a minimum of 10% of net revenue expenditure;
- (d) Any revenue underspend from the preceding financial year should be utilised for capital purposes unless otherwise earmarked;
- (e) The 2001/02 outturn figures should be investigated to identify any efficiency savings;
- (f) No increase in the capital programme should be agreed unless a case is proven that the scheme is of corporate significance;
- (g) A review should be undertaken of all growth and savings proposals approved but not yet implemented to ensure their validity and appropriateness; and
- (h) The timing of the capital programme should be amended to a position that is more realistically achievable.

RECOMMENDED:

- (a) ***That the Financial Strategy as outlined above be approved;***
- (b) ***That the Expenditure Planning guidelines as outlined above be approved;***
- (c) ***That the timetable for the Expenditure Planning and Budget Setting Process as detailed be approved;***
- (d) ***That the provisional position regarding the 2001/02 General Fund revenue Outturn be noted; and***
- (e) ***That the increase of the provision in respect of the Dibden Bay Inquiry in the sum of £235,000 be approved.***

18. COMPLIANCE WITH DATA PROTECTION ACT 1998 (REPORT I – 8 JULY 2002) (MINUTE NO. 32)

In the light of a review undertaken by the District Auditor of the Council's compliance of the requirements of the Data Protection Act 1998 the Cabinet has agreed a number of actions in response to the recommendations made.

The District Auditor reached the conclusion that the Council was slightly above the average for local authorities in its level of preparedness for compliance with the new Act but was below the overall target that it had set for evaluation purposes.

The District Auditor recognised that the Council has a Data Protection Policy in place but that this had not been formally approved by members. The Cabinet has now therefore considered and approved the Council's Data Protection Policy.

In addition the Cabinet has also agreed to the introduction of a £10 fee for each and every Subject Access request under the Data Protection Act. With the prospect of heightened public awareness in respect of individual rights it is possible that the quantity of requests submitted for information could start to grow and, whilst the Council will clearly wish to be open about the information that it holds there is a need to introduce a fee to cover costs.

Requests for images by individuals from the new Town Centre CCTV systems also fall under the requirements of the Data Protection Act. Any requests for CCTV information can be satisfied by providing a paper copy of the image. However, if individuals insist on requiring an electronic copy in either DVD/CD or video tape format the cost of such requests could be considerable. The Council would have to engage the services of a specialist editing house to undertake this technical work as images of third parties would have to be erased.

The Cabinet has therefore agreed to the charging of the actual cost of requests for images of CCTV footage where an electronic copy is required.

**19. BUILDING REGULATION CHARGES (REPORT J – 8 JULY 2002)
(MINUTE NO. 33)**

The Cabinet has reviewed the fee income and corresponding expenditure of the Building Regulation Charge Account for the period from 1 April 2001 to 31 March 2002.

At present the charges in respect of domestic extensions and alterations are not in direct competition with approved inspectors, however, the Cabinet noted that it is only a matter of time before this occurs and reductions in fee levels may then have to be considered in order to remain competitive and retain and win work.

In order to gain income to act partly as a buffer in this situation and to help fund the services of the plan check consultants, the Cabinet has agreed that inflationary increases in charges, as recommended by the Local Government Association, should be introduced for domestic work as outlined in Table 1 of Appendix 2 and that a negotiated fixed price tender system should be introduced for appropriate commercial schemes.

The level of charges as shown in tables 2 and 3 of Appendix 2 remain unchanged.

The completion of the first three year period in respect of Building Regulation charges income and expenditure has seen a significant surplus result. Whilst the Department for Transport, Local Government and the Regions (DTLR) has not issued any direct instructions with respect to the handling of surplus charges, the Cabinet agreed that steps should be taken to reinvest a percentage of the surplus income to improve services in line with Best Value results.

The improvement of site inspections is high on the list of expectations both with customers and the DTLR and this will clearly impact upon environmental issues. The Cabinet has agreed that the continuing employment of plan examination consultants on a contract basis would offer an improved site inspection service by 'freeing up' inspection time for present staff as well as being flexible in operation in terms of variable workloads that arise from time to time.

20. REVISION OF CORPORATE COMPLAINTS PROCEDURE (REPORT M – 8 JULY 2002) (MINUTE NO. 36)

The Council has had a corporate complaints procedure since 1978, and a major review of it was undertaken in 1991. Since that time a number of minor reviews have been undertaken to take account of various legislative changes.

The Commission for Local Administration in England (Local Government Ombudsman) have reissued their guidance on 'Devising A Complaints System' and in the light of this and further new legislation the Cabinet has agreed a revised complaints procedure. Only minor revisions have been necessary to the adopted complaints procedure to bring it up to date.

**Cllr S A Hayes
CHAIRMAN**

Attachment : Item 19 – Appendices 1 and 2

(CB080702/Report of Cabinet.doc)

APPENDIX 2

**SUGGESTED FEE CHANGES COMMENCING 1ST OCTOBER 2002
CURRENT FEE COSTS SHOWN IN BRACKETS**

Table 1. Fees for certain small buildings and domestic extensions/alterations

Type of work	Plan Fees		Inspection Fee		Building Notice Fee		Regularisation Fee
	Basic Net Fee £	Gross Fee £ Inc. VAT	Basic Net Fee £	Gross Fee £ Inc. VAT	Basic Net Fee £	Gross Fee £ Inc. VAT	<u>Basic Net Fee</u> £
Certain small buildings and domestic extensions							
Erection or extension of a building which consists of a garage or carport or both having a floor area not exceeding 40 sq.m total	106.38 (35.00)	125.00 (41.13)	0.00 (68.00)	0.00 (79.90)	106.38 (103.00)	125.00 (121.03)	127.66 (123.60)
Erection or extension of a building which consists of a garage or carport or both having a floor area which exceeds 40 sq.m but does not exceed 60 sq.m	106.38 (70.00)	125.00 (82.25)	110.64 (136.00)	130.00 (159.80)	217.02 (206.00)	255.00 (242.05)	260.43 (247.20)
Any extension of a dwelling the total floor area of which does not exceed 10 sq.m	106.38 (206.00)	125.00 (242.05)	110.64 (0.00)	130.00 (0.00)	217.02 (206.00)	255.00 (242.05)	260.43 (247.20)
Any extension of a dwelling the total floor area of which exceeds 10 sq.m but does not exceed 40 sq.m	106.38 (77.00)	125.00 (90.48)	221.28 (232.00)	260.00 (272.60)	327.66 (309.00)	385.00 (363.08)	393.19 (370.80)
Any extension of a dwelling the total floor area of which exceeds 40 sq.m but does not exceed 60 sq.m	106.38 (103.00)	125.00 (121.03)	331.92 (309.00)	390.00 (363.08)	438.30 (412.00)	515.00 (484.10)	525.96 (494.40)
Provision or replacement or extension of windows, roof lights, roof windows and external doors	51.06	60.00	0.00	0.00	51.06	60.00	61.27

APPENDIX 2 (Cont./...)

Table 2. Charges for small domestic buildings (dwellings)

Number of dwellings	Plan Charge		Inspection Charge		Building Notice Fee	
	Basic Net Fee £	Gross Fee Inc VAT £	Basic Net Fee £	Gross Fee Inc VAT £	Basic Net Fee £	Gross Fee Inc VAT £
1	140.00	164.50	265.00	311.38	405.00	475.88
2	205.00	240.88	401.00	471.18	606.00	712.05
3	270.00	317.25	541.00	635.68	811.00	952.93
4	335.00	393.63	666.00	782.55	1001.00	1176.18
5	405.00	475.88	766.00	900.05	1171.00	1375.93
6	475.00	558.13	911.00	1070.43	1386.00	1628.55
7	495.00	581.63	974.00	1144.45	1469.00	1726.08
8	515.00	605.13	1137.00	1335.98	1652.00	1941.10
9	535.00	628.63	1301.00	1528.68	1836.00	2157.30
10	540.00	634.50	1480.00	1739.00	2020.00	2373.50
11	545.00	640.38	1623.00	1907.03	2168.00	2547.40
12	550.00	646.25	1765.00	2073.88	2315.00	2720.13
13	555.00	652.13	1908.00	2241.90	2463.00	2894.03
14	560.00	658.00	2051.00	2409.93	2611.00	3067.93
15	565.00	663.88	2194.00	2577.95	2759.00	3241.83
16	570.00	669.75	2337.00	2745.98	2907.00	3415.73
17	575.00	675.63	2480.00	2914.00	3055.00	3589.63
18	580.00	681.50	2623.00	3082.03	3203.00	3763.53
19	585.00	687.38	2766.00	3250.05	3351.00	3937.43
20	590.00	693.25	2909.00	3418.08	3499.00	4111.33
21-30	600 +10.00 for each dwelling over 21	705 +11.75 for each dwelling over 21	3011 +102 for each dwelling over 21	3537.93 + 119.85 for each dwelling over 21	3611 + 112 for each dwelling over 21	4242.93 + 131.60 for each dwelling over 21
31 & over	700 + 5 for each dwelling over 31	822.50 +5.88 for each dwelling over 31	3940 + 75 for each dwelling over 31	4629.50 + 88.12 for each dwelling over 31	4640 + 80 for each dwelling over 31	5452 + 94 for each dwelling over 31

APPENDIX 2 (Cont./...)

Table 3. Fees for all other building works, ie not within tables 1 & 2 – based upon estimated cost

Total Estimated Cost	PLAN CHARGE		INSPECTION CHARGE		BUILDING NOTICE FEE		REGULARISATION FEE
	Basic Net Fee £	Gross Fee £ Inc VAT	Basic Net Fee £	Gross Fee £ Inc VAT	Basic Net Fee £	Gross Fee £ Inc. VAT	Basic Net Fee £ (No VAT)
Under £1000	50.00	58.75	NIL	NIL	50.00	58.75	60.00
£1000-£2000	100.00	117.50	NIL	NIL	100.00	117.50	120.00
£2000-£5000	165.00	193.88	NIL	NIL	165.00	193.88	198.00
£5000-£6000	43.50	51.11	130.50	153.34	174.00	204.45	208.80
£6000-£7000	45.75	53.76	137.25	161.27	183.00	215.03	219.60
£7000-£8000	48.00	56.40	144.00	169.20	192.00	225.60	230.40
£8000-£9000	50.25	59.04	150.75	177.13	201.00	236.17	241.20
£9000-£10000	52.50	61.69	157.50	185.06	210.00	246.75	252.00
£10000-£11000	54.75	64.33	164.25	192.99	219.00	257.32	262.80
£11000-£12000	57.00	66.98	171.00	200.92	228.00	267.90	273.00
£12000-£13000	59.25	69.62	177.75	208.86	237.00	278.48	284.40
£13000-£14000	61.50	72.26	184.50	216.79	246.00	289.05	295.20
£14000-£15000	63.75	74.91	191.25	224.72	255.00	299.63	306.00
£15000-£16000	66.00	77.55	198.00	232.65	264.00	310.20	316.80
£16000-£17000	68.25	80.19	204.75	240.58	273.00	320.77	327.60
£17000-£18000	70.50	82.84	211.50	248.51	282.00	331.35	338.40
£18000-£19000	72.75	85.48	218.25	256.44	291.00	341.92	349.20
£19000-£20000	75.00	88.13	225.00	264.37	300.00	352.50	360.00
£20000-£100,000	75.00	88.13	225.00	264.38	300.00	352.50	360.00
plus for every £1000 or part thereof over £20,000	2.00	2.35	6.00	7.05	8.00	9.40	9.60
£100,000-£1,000,000	235.00	276.13	705.00	828.38	940.00	1104.50	1128.00
plus for every £1000 or part thereof over £100,000	0.875	1.03	2.625	3.08	3.50	4.11	4.20

Where an extension to a dwelling, the total floor area of which exceeds 60 sq.m, the sum of the plan charge and the inspection charge or the building notice charge, must not be less than £412.00. Building work for which the estimated cost exceeds £1,000,000, please refer to the Building Control Section for details of current fees.

Charges for applications relating to provision of rooms in roof spaces within dwellings and applicable cavity wall insulation and unvented hot water systems are now charged as estimated costs in accordance with Table 3