

14 OCTOBER 2002

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 14 October 2002.

- p Cllr J M Hoy - Chairman
- p Cllr J A G Hutchins - 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
- p Mrs J L Cleary
- p J E Coles
- p D E Cracknell
- p B D Dash
- p J J Dawson
- p W H Dow
- p Miss P A Drake
- p L T Dunsdon
- p B C Earwicker
- p M H G Fidler
- p Mrs L C Ford
- p R L Frampton
- e 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 P E Hickman
- p Mrs M D Holding
- p Mrs A M Howe
- p Mrs M Humber BA
- p M J Kendal
- e G N D Locock
- p Mrs B M Maynard
- e Mrs M McLean
- p B M F Pemberton
- p A W Rice TD
- p B Rickman
- p Mrs M J Robinson
- p B Rule
- e T M Russell
- e D N Scott
- e M J Shand
- p S A Shepherd
- p Mrs B Smith
- p N L T Smith
- e Mrs L P Snashall
- e G Spikins
- p M H Thierry
- p D B Tipp
- p M S Wade
- p S S Wade
- e C A Wise
- p P R Woods
- e Mrs P A Wyeth

Officers Attending:

D Yates, N Gibbs, C Malyon, Ms E Malcolm, Ms J Bateman and Mrs R Rutins.

29. MINUTES.

RESOLVED:

That the minutes of the meeting held on 9 September 2002, having been circulated, be signed by the Chairman as a correct record.

30. DECLARATIONS OF INTEREST.

Cllrs Ault, Greenfield, Howe, Humber, Pemberton, Robinson, Rule, Mrs B Smith and S S Wade all declared personal interests in Minute 34.

Cllrs Harris; Mrs B Smith and M S Wade declared personal interests in Minute 33.

Cllrs Harris, Harrison and Shepherd declared personal interests in Minute 32.

31. CHAIRMAN'S ANNOUNCEMENTS.

(a) Jeans for Genes Day

The Chairman reported that on Friday, 4 October Council employees had taken part in the National Jeans for Genes Day, a National appeal to raise money to fund vital research into genetic disorders. The Chairman congratulated employees who had raised £255 by 'dressing down' for the day.

(b) New Forest/Christchurch Golf Match

The Chairman reported with pleasure that the Annual New Forest District verses Christchurch Borough Council Golf Match had been won by the New Forest team.

The match was held on Friday, 11 October at the Open Golf Centre near Christchurch. The Chairman thanked the members and officers who had played in the team and who had won the match by a very convincing four games to one. The Chairman also thanked the Mayor of Christchurch, Cllr Sally Derham-Wilkes for her generous hospitality.

(c) Civic Service

The Chairman reported that he had hosted a civic service at All Saints Church at Hordle on Sunday, 13 October 2002. Together with guests from other organisations such as Town and Parish Councils and other mayors and chairmen from Hampshire and neighbouring local authorities, a number of members and officers had attended.

The Chairman thanked the ladies from the Womens Institute who provided refreshments in the Memorial Hall after the service. A collection taken during the service raised £80 for the Chairman's Charity, Forest Bus.

(d) Cllr G Spikins

The Chairman reported that Cllr Spikins was making good progress following surgery. He hoped to be discharged from the Chalybeate Hospital in the near future.

Members joined the Chairman in wishing Cllr Spikins a full and speedy recovery.

32. CABINET.

Cllrs Harris; Harrison and Shepherd declared personal interests in the proposals for Hanger Farm Barn as members of Totton Town Council. They did not consider their interests to be prejudicial. They remained at the meeting took part in the discussion and voted.

The Chairman presented the report of the Cabinet held on 4 September and 2 October. On the motion that the report be received and the recommendations adopted:-

(a) Your Region Your Choice White Paper (4 September 2002)

The Chairman of the Cabinet moved the following motion:

“NFDC does not believe the purported attempt in the White Paper ‘Your Region Your Choice – Revitalising the English Regions’ to decentralise power from central government, will deliver the vision of devolved decision making shared by many local authorities.

In particular we believe the size of the proposed assemblies is too small and will not deliver a reasonable level of democratic accountability. We also believe that the requirement to reorganise local government is totally unnecessary and will result in additional costs to the taxpayer.

Further more the White Paper provides little or no evidence that regionalisation as proposed would improve governance for the general public, nor does it address running costs or precept powers for the assemblies.

We regret that the proposed form of regional government would draw powers from local government rather than them being devolved down from central government”

The Chairman said that the Cabinet had felt that it was important to seek the views of the full Council on the White Paper. He hoped that the Council would support the motion. The Cabinet would consider the Council’s views before agreeing a formal response to the White Paper.

The motion was seconded by Councillor Robinson. She endorsed the Chairman’s views and hoped that all members would agree that the proposals in the White Paper were not ones that this Council would accept. She hoped that all members would support the motion.

Members then spoke for and against the motion.

A number of members commented on the size of the proposed assemblies. They covered large areas and if the White Paper were adopted as drafted it was estimated that the cost of the regional assemblies could be £200m p.a. That was funding that could better be spent on services at a local level.

Each proposed region would only have 2 representatives for every one thousand people. Some members said that they could not support any motion that supported an assembly of any size. The aim should be to bring democracy closer to the people and regional government was too large to do this. Some members felt that the Motion proposed should have been clearer that no forms of regional assembly would be acceptable.

There already existed a number of regional bodies such as South East England Development Agency (SEEDA), South East England Regional Assembly (SEERA) and the Government Office for the South East (GOSE), but the concept of a South East region on the scale proposed was not appropriate. Regional government could be an advantage as long as there was democratic accountability. Regional Government powers should not be at the expense of local government but should instead be based on powers devolved direct from central government. In order for Regional Assemblies to be effective they needed to be democratically elected and not as proposed in the White Paper.

A number of members felt that the proposals were yet a further undermining of local democracy. The huge assembly proposed for the south east bore no relevance to the local area.

The White Paper proposed that Education and Social Care would be areas that should remain with local councils. Some members expressed concern that some districts would be too small in their current format to take on these two areas. They formed the largest part of a Council's budget and economies of scale in small councils would be lost. This could mean that larger unitary authorities would take over these functions.

It was proposed and seconded that the first sentence of the second paragraph of the motion should be deleted.

The proposer said that the debate had polarised the different views of the Council. The motion should be amended as in its original form it implied that the Council would support regional assemblies if they were larger.

The Chairman said that he had hoped that the motion that he had proposed was one that the whole Council could support.

A member commented that the proposals for regional government would be subject to a referendum. He did not think that the motion implied support for regional assemblies.

Other members commented that views should be fed up through local M.P's. There had been a progressive loss of power in local democracy over the past 50 years and people now needed to be encouraged to take part in local council's.

Upon a vote the amendment was lost.

The substantive motion was then put and, upon a vote, was agreed.

(b) Tristan Close and Top Camp, Calshot (2 October, 2002)

A number of members commented on the large cost to the taxpayer arising from the clear up and remedial works necessary at this site. Members wanted assurances that every effort was being made to ensure that the site was as secure as possible.

A member reported on a meeting that had been held at Totton and Eling Town Council that heard from a wide variety of people who discussed the options available to the Council when dealing with gypsies and travellers. The member thanked officers from the district and county council, the Housing, Health and Social Exclusion Portfolio Holder and the MP for New Forest East for their support in dealing with this issue.

RESOLVED:

That the report be received and the recommendations adopted.

33. GENERAL PURPOSES AND LICENSING COMMITTEE.

Cllrs Harris, Mrs B Smith and M S Wade declared personal interests in this item. They considered their interests to be prejudicial and left the meeting for consideration of this item.

The Chairman presented the report of the General Purposes and Licensing Committee held on 20 September and 14 October 2002. On the motion that the report be received and the recommendations adopted it was:-

RESOLVED:

That the report be received and the recommendations adopted.

34. HOUSING, HEALTH & SOCIAL EXCLUSION REVIEW PANEL.

Cllrs Ault, Humber and Pemberton declared personal interests as members of Lymington CAB, Cllr Greenfield declared a personal interest as a member of Ringwood CAB; Cllr Rule declared a personal interest as a member of New Milton CAB; Cllr Mrs Robinson; Mrs B Smith; Howe and S S Wade declared personal interests as members of the Waterside CAB. None of the members considered their interests to be prejudicial. They remained at the meeting, took no part in the discussion and voted.

The Chairman presented the report of the Housing, Health and Social Exclusion Review Panel held on 18 September 2002.

On the motion that the report be received and the recommendation adopted:-

(a) Citizens' Advice Bureaux (CAB)

The Leader of the Council reported on a meeting held on 14 October 2002 with the CAB. He said that there had been some confusion over attendance at a previous meeting that had been arranged and the position had now been clarified.

The meeting had been constructive and the CAB had been assured that there was never any intention on the part of the Council for base budget funding to be withdrawn. The CAB had accepted that this had been the case.

Proposals for increases in costs for the coming financial year had been discussed. Negotiations would continue between the Leader, the Finance and Support Portfolio Holder and the Director of Resources until budgets were finally agreed. The CAB made it clear that they felt the future delivery of a qualitative and more universal service would be restricted without increased funding from New Forest District Council. Other partners had been encouraged to increase their contributions but some town and parish councils had actually reduced their contributions over recent years.

New Forest District Council had increased their contribution since 1997/1998 from £91,800 to £191,000 in the current year. The CAB had accepted this was indicative of support for their organisation. They had noted that the Council would continue to support them to the highest level possible. Their request for additional funding would be considered through the normal budget process by the Council along with all other expenditure plan bids and savings.

The Chairman of the Review Panel said that he was delighted that negotiations were underway and that, in the light of the Leader's comments he did not now think it would be necessary to discuss the matter further at the forthcoming meeting of the review panel.

In line with the Council's Constitution whereby the Cabinet was required to make recommendations on amendments to the Constitution, the Chairman of the Review Panel moved that the following wording be added at the end of the recommendation in 'Item 1 Citizens' Advice Bureaux':-

"And that the Cabinet be requested to make a recommendation on this issue to the Council'.

The amendment was agreed.

The Leader of the Liberal Democrat Group thanked the Leader for his update on the position and agreed that it was not now appropriate to discuss the funding issues further at the Review Panel. She commented that there had been frustration that no Portfolio Holder had attended the Review Panel meeting and felt that this undervalued the work of the Panel. If Review Panels were empowered to request the appearance of the appropriate Cabinet member she felt that this would give members and the public more confidence in the process.

On that issue some members felt that sufficient processes were already in place. Review Panels could scrutinise and propose a policy and an 'inquisition style' of Panel would not necessarily be helpful. Other members said that whilst the constitution allowed for decisions that had been made to be called in there was no provision to call in other issues upon which decisions had not been made. Members generally supported the proposal in the recommendation as a way of aiding the smooth running of the Constitution.

The Leader of the Council said that he was happy with the recommendation from the Panel and that it was important to continue to have links between Portfolio Holders and Review Panels. The Cabinet at their next meeting would consider the detail of how the recommendation could be implemented.

The Chairman of the Review Panel said that scrutiny was an important element of the new Constitution and the Council had to ensure that there was a constructive framework in place to ensure democracy and maintain confidence. The Council had to be seen to regulate themselves and he felt that the proposed amendment to the Constitution would foster healthy scrutiny.

RESOLVED:

That the report be received and the recommendations adopted.

35. APPOINTMENT OF PARISH/TOWN COUNCIL MEMBER TO STANDARDS COMMITTEE.

RESOLVED:

That Cllr Christopher Harrison of Hythe and Dibden Parish Council be appointed to the vacancy on the Standards Committee, following the resignation of Mr John Nesbitt from Lyminster and Pennington Town Council.

36. PORTFOLIO HOLDERS' QUESTION TIME.

Question No. 1 from: Cllr Hale to Cllr Hayes, Portfolio Holder, Policy and Strategy

As an elected local politician you hold a number of positions on the District & County councils, as well as Hampshire Police Authority. Quite rightly some of these positions attract payments, funded by local taxpayers, which reflect the responsibilities involved. This Council, under both the current and previous administrations, has played a full role in modernising our own remuneration structure. The level of allowances available to you is a matter of public record and apparently total, excluding expenses, in excess of £56,000 p.a.

In response to speculation amongst members of this Council and local residents, and to avoid unfair innuendo, would you confirm the level of allowances you have decided to accept, the amount of time you allocate to each position you hold and how your commitments to other authorities affect your ability to provide effective leadership of New Forest District Council.

Answer

The Policy and Strategy Portfolio Holder replied that this was the most personal question that he had ever been asked and that it indicated a change in the nature of local politics. He said that he would be happy to respond to any concerns that councillors or members of the public had and did not think that it was necessary for such matters to be raised by an individual member through the Portfolio Holder question time.

In response he said that carrying out his role as a District Councillor, a County Councillor and the Chairman of the Hampshire and Isle of Wight Police Authority exposed his family to great pressures and without their support he would not be able to fulfil the roles.

The roles took up 100% of his time. He was of the opinion that, for local government to operate more effectively, there should be professional councillors with a full time salaried leader. However, he did not feel that in the current climate this could be pursued. Many members across Hampshire accepted more than one role and his position was in no way unique. His role offered no job security or pension and he was only in the position because the electorate had voted for him. The electorate could remove him if they did not feel he was up to the job. It was a privilege to be Leader of the Council and he had been elected to that position by the Council. He had been elected Chairman of the Police Authority unopposed this year.

Independent Remuneration Panels determined the allowances paid to members He considered his remuneration to be fair and reasonable for the job and responsibilities that he undertook. His wide ranging separate roles were of benefit to the Council as it raised the profile of the Council. He was happy to continue in those roles until those that voted him there decided otherwise.

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

The recent suspension of discretionary housing grants and subsequent explanation of events by the Chief Executive has resulted in a great deal of uncertainty over the future of these grants and how long NFDC will continue to offer them.

Would Cllr Greenfield please make clear his thinking on their future and explain to the Council any steps that may be in progress by this Council in relation to the eventual withdrawal of discretionary housing grants and their replacement by an equity release scheme.

Answer

The Housing Portfolio Holder replied that whilst there had been some officer confusion over this issue the uncertainty was only prolonged by a member asking a question such as this.

The Portfolio Holder said that he did not currently have a view on the future of improvement grants, and he preferred to remain open minded. He was advised by officers that the Government were almost certain to make changes to the Housing Improvement Grant scheme sooner rather than later, with the emergence of equity release as one of a shopping list of options. Others might include grants and loans.

He said that officers were, with his knowledge and approval, looking at ways in which the scheme could be developed to make best use of the funds available. 'Need' would be a primary consideration but there were many different means by which it might be met. The Portfolio Holder said he was keen to look at innovative ways in which the Council could best serve the requirements of all those involved and his initial talks with officers had been positive and promising.

At this stage there was nothing to report other than to say that the issue was under review. The Portfolio Holder assured Councillor Robinson that consultation would be undertaken with tenant groups and members before the Council were asked to come to a decision. At that point he said that he would be very happy to give the Council his considered view on the future of Housing Improvement Grants.

In a supplementary question Cllr Robinson said that she had intended her original question to be helpful and clarify the situation. She asked to what extent the Housing, Health and Social Exclusion Review Panel would be involved in helping to develop policies.

The Portfolio Holder said that the Review Panel would of course be fully involved.

Question No. 3 from: Cllr Mrs Maynard to Cllr Greenfield, Portfolio Holder, Housing

Does the Portfolio Holder feel that those with busy professional lives are able to devote enough time and energy to their Cabinet posts?

NOTE:

The Chairman of the Council ruled this question out of order as it did not relate to the duties of the Portfolio Holder.

Question No. 4 from: Cllr Hickman to Cllr Heron, Portfolio Holder, Crime and Disorder

Will the Portfolio Holder for Crime and Disorder please clarify the statistics in the report on Acceptable Behaviour Contracts presented to the Crime and Disorder Review Panel at its meeting on 17 September, with particular reference to the low number of current ABC's (4) compared with the total number of referrals over 15 months (37). Is their effectiveness being fully exploited by all parties?

Answer

The Crime and Disorder Portfolio Holder responded that ABCs only lasted for a 6 month period after which a review was undertaken. In the event of minor breaches the contract could be extended. If the individual's behaviour had been modified it would be removed. A number of those 37 referrals had now lapsed or had been dealt with in other, more appropriate ways.

It would be unwise to draw too many conclusions from the numbers of ABCs, either current or lapsed. What was clear was that ABCs used inappropriately in large volume would negate their effectiveness. The Portfolio Holder said that he was satisfied that the process was successful and that ABCs were a very beneficial option when used carefully.

Members noted that a new ABC Officer, Jonathon Wood, had been appointed. This was now a full-time appointment unlike previously. One of Mr Wood's first tasks would be to review the Council's use of ABCs.

In a supplementary question Cllr Hickman asked if the measures were so successful why were they used so rarely. In Pennington there were complaints of persistent nuisance and if ABCs could not be used then what other measures were there?

The Portfolio Holder responded that ABCs had to be used sparingly. In a report to the Crime and Disorder Review Panel it had been noted that there was little evidence of displacement crime as a result of CCTV. He said that he was not aware of a huge problem in Pennington.

Question No. 5 from: Cllr Hale to Cllr Heron, Portfolio Holder, Crime and Disorder

From local press reports the Portfolio Holder will know that there is a high degree of anxiety and stress being suffered by local residents in relation to anti-social behaviour and vandalism in the Fordingbridge area. Can he outline the policies he intends to pursue to address these problems, not only in Fordingbridge but also across the New Forest District?

Answer

The Crime and Disorder Portfolio Holder responded that, unfortunately, anti-social behaviour had become all too common a feature of community life in the UK and the New Forest was no different. The Council shared responsibility for action with the other agencies that sat on the Council's Strategic Partnership Group. The Council also serviced and managed a specialist group called 'Divided We Fall' which dealt with each case.

The Portfolio Holder said that he was aware of the issues at Fordingbridge and the Council's ABC Officer was meeting with the police to discuss matters. The Council's Sports Development Officer had also been asked to co-ordinate a meeting of interested agencies to create better leadership in dealing with the issues from a recreation/leisure point of view.

Overall the Council had had successes : The football projects at Ringwood and Hythe had made a huge impact in directing youthful energies to more constructive use. Training had been offered on how to deal with nuisance to all Town and Parishes. The training, called PRIME – Problem Resolution In a Multi-agency Environment, had only been taken up by 13 parishes to date. The Council had also channelled some of the Community Against Drugs money into Fordingbridge specifically for tackling the dealing of hard drugs and had had some success across the District. Officers had also recently been working with Bransgore Parish Council over similar matters.

The Portfolio Holder said he believed that NFDC were one of the first Councils to appoint an ABC Officer, a move which was now being copied up and down the country. He said that he intended to build on all the initiatives and develop new ones. The people of NFDC could rest assured that the Council would continue working to find the best solutions even though it was very challenging work.

In a supplementary question Cllr Hale said that he had heard comments from some policemen that they were under-resourced. Did the Portfolio Holder believe the Police who were at the sharp end or others ?

The Portfolio Holder responded that the Police had a valid view.

Question No. 6 from: Cllr Hale to Cllr Kendal, Portfolio Holder, Environment

The Portfolio Holder will know that part of his Specific Service Responsibilities is the implementation of a strategy to combat air pollution and thus its effects on the ozone layer. A significant contributor to air pollution are exhaust fumes from motor cars, especially large four wheel drive vehicles many of which are now little more than anti-social fashion accessories. In an effort to encourage the use of smaller, cleaner vehicles in the district would he consider, as part of any suggested traffic management scheme, the introduction of preferential 'compact' car parking spaces in the authority's car parks?

Answer

The Portfolio Holder replied that it was the duty of the Council to carry out a three yearly review of air quality in three stages. The Council undertook the first stage in 1998 and the second stage in 2000. Currently the Council were looking across the district at the positioning of the monitoring devices. The Portfolio Holder said that more detailed information was available to members in the latest report on air quality that had been considered by the Environment Review Panel.

There was no evidence to suggest that larger sized vehicles caused greater air pollution. It was the actual pollutants in the exhaust emissions that caused a problem. This was the reason that vehicle taxation was relative to emissions. Many new vehicles were now fitted with catalytic converters and it was more likely to be older vehicles rather than larger vehicles that were causing problems.

Car parks had to be relative to the needs of the users. It should be those vehicles with less efficient emissions that were discouraged rather than larger vehicles. If the size of spaces in car parks were reduced this would increase the number of actual spaces available and would increase traffic and therefore increase pollutants.

Question No. 7 from: Cllr Hale to Cllr Greenfield, Portfolio Holder, Housing

At its recent party conference the Tory party stated that were it ever to return to power, it would extend the 'Right to Buy' to housing association properties which are currently excluded from the legislation. Given how difficult it is to establish social housing in areas like the New Forest, does he think this is a good idea?

Answer

The Housing Portfolio Holder responded that his initial thoughts were that an extension to the 'Right to Buy' was a good idea. The ownership of one's own home was a basic expectation that everyone had a right to. The amount of social housing grant the Council received was insufficient to meet local demand.

In a supplementary question Cllr Hale said that the Planning Development Control Committee agreed a process to enable social housing in areas where it would not normally be permitted. What was the Portfolio Holder's view on this.

The Portfolio Holder responded that the Policy needed to be fully considered to decide the most appropriate way forward.

37. CHANGES TO REVIEW PANEL MEMBERSHIP.

Following a request from the Leader of the Liberal Democrat Group the Chairman agreed to take this item as a matter of urgent business.

RESOLVED:

That Cllr Humber be appointed as a member of the Environment Review Panel in place of Cllr Dunsdon.

CHAIRMAN

(DEMOCRAT/CL141002/MINUTES.DOC)