

REPORT OF CABINET

(Meetings held on 4 September and 2 October 2002)

1. YOUR REGION YOUR CHOICE WHITE PAPER (REPORT C – 4 SEPTEMBER 2002) (MINUTE NO. 54)

Your Region, Your Choice is a White paper that was published in May 2002 and sets out a new regional policy for England. The Government intends to move gradually to an elected system of regional government in England. Eventually they intend there to be 8 assemblies based on the existing Government Office areas, in NFDC area the GOSE boundary. However, no region will be forced to have an elected assembly.

Before an elected regional assembly can be established, a referendum must be held and a 'yes' vote by a simple majority obtained. The Government will determine in each region when the time is right by 'assessing the level of public interest'. In two tier local government areas, a review of the structure of local government will be undertaken in advance to determine the appropriate form of 'unitary' local government to be implemented upon the successful outcome of the regional assembly referendum. The number of members to be elected to the new Assembly will range between 25 and 35. They will be elected partly by geographical representation topped up with a form of proportional representation (Additional Member System).

The White Paper states that, "Almost all the elected assemblies' functions will be taken from central government and not from local government". However, this does not seem to be consistent with the insistence that any regional assembly must be preceded by a review of the local government structure. There is also evidence from other recent proposals, e.g. on planning, to support the view that powers will actually be taken from local government.

Generally the addition of a democratic element to the current regional structures, which already exercise control over large and growing budgets, appears something to be welcomed. However, there must be severe doubts as to whether a regional assembly of 35 members for a population of 8m, combined with a possible reduction in local government accountability, which would be the case in the South East Region, really does address the issue of a 'democratic deficit'.

The White Paper envisages that there will be at least one 'yes' referendum held during the current parliament. This is generally expected to be held in the North East where there is a largely unitary structure and a measure of popular support. However, even if this is the case, the earliest date for an assembly to be up and running is probably 2006 or 2007. Early discussions in the South East, with a population of 8m compared to the North East's 2.6m and a largely two-tier structure, do not indicate any widespread support for a regional assembly. This appears to be supported by a Mori survey commissioned by Hampshire County Council which indicates that only 35% of residents support the idea. Although some commentators expect this to change if regional assemblies are successfully implemented elsewhere, there appears little prospect of a regional assembly in the South East in this decade.

There are no immediate financial implications for the District Council. If approved, regional assemblies are to be funded primarily by Central Government grant to meet their direct funding costs estimated to be around £25m pa. This will be in addition to the programme expenditure they will supervise (estimated at £349m for the North East and covering items such as housing capital allocations).

The Cabinet were of the opinion that, in view of the importance of the issues raised in the White Paper, the matter should be referred to a full meeting of the Council to give all members an opportunity to make their views known to the Cabinet.

A summary of the White Paper is attached as Appendix 1 to this Report. The views of the Council are requested.

2. RECREATION CENTRES – OPTIONS FOR FUTURE SERVICE DELIVERY (REPORT A – 2 OCTOBER 2002) (MINUTE NO. 69)

Last year the Council agreed an approach to evaluating the possible options for the future delivery of the Recreation Centre service.

Central to the approach was the Recreation Centre benchmarking exercise, which compared the performance of the Centres with other providers in the public and private sector.

The benchmarking exercises are now complete and the results have been analysed by the Leisure Industries Research Centre at Sheffield University. Benchmarking is made up of performance benchmarking and process benchmarking. Performance benchmarking is the first stage where comparative data is collected for a number of different organizations and analysed in order to find out how performance compares with other similar service providers. Process benchmarking follows performance benchmarking and involves an investigation of the reasons for the differences in performance between organisations and informs any strategy to improve.

Overall the comparisons with the private sector were favourable particularly when taken in the context of the joint use nature of the centres and the size of the catchment, given the rural nature of the district.

The benchmarking highlighted centre size; centre catchment and local competition as the 3 key influences on performance. The larger centres in bigger catchment areas perform best on most cost indicators. Although the cost base is similar the income levels are higher. Customer satisfaction is good across the whole range. The key area which requires further investigation is the seemingly high level of operating costs for the centres.

In respect of the previously agreed approach to evaluation of the future options for service delivery the Leisure Review Panel considered the results and felt that the comparative results put the Council very firmly in “the mix of quartiles”. The Cabinet has agreed that the best option to be pursued would be to work with the Council’s private sector partners and the best performers in the public sector to identify ways in which performance could be improved.

The process benchmarking that this will involve will produce an action plan which will identify improvements in areas where performance did not compare favourably. In this respect potential outcomes could range from more direct involvement with

external agencies in delivering the recreation service to a repositioning of the current business. In particular the process will focus on the seemingly high cost base of the service and the disparity in Health and Fitness income between the Council and the private sector.

Any action that could be implemented quickly to improve the service that might be identified in the early part of the process benchmarking would be undertaken.

**3. TRANSPORT INITIATIVES ANNUAL POSITION STATEMENT (REPORT B
– 2 OCTOBER 2002) (MINUTE NO. 70)**

The Cabinet has reviewed the Council's Transport Initiative schemes. Through Joint Member Panels and Joint Officer Groups, the Council has formed a number of effective partnerships with others to make the best use of available resources and promote measures that have a good degree of local support.

The Concessionary Fares Scheme for Young People received very positive comment from a recent local Youth Conference. The Cabinet has agreed that the scheme be extended to cover the whole district using local youth workers to promote the scheme using a targeted approach. This extension can be achieved within existing budgets. The current take up of the scheme was below that anticipated so there will also be a saving of £14,000 in the current financial year.

The Calshot Local Youth Link Scheme is aimed at providing travel opportunities for 9 – 14 year olds. It is popular and there is demand for more trips. However, the Calshot Clubs Link Scheme has only had one take up bid to date. The Cabinet has agreed that the latter scheme be withdrawn at the end of the financial year allowing the whole of the Calshot Links budget to be spent on the Local Youth Link Scheme.

The Shared Moped Scheme which is operated on the Council's behalf by the New Forest Voluntary Service Council is very well used. The Cabinet noted that the Rural Transport Partnership Funding would cease at the end of this year and therefore the Council's share of the funding would need to rise accordingly.

It was noted that the Concessionary Travel Scheme for the Elderly was a statutory scheme. In addition to the statutory scheme the Council also provides a Travel Token scheme that was means tested. The Cabinet noted that the budget for the Concessionary Fares Scheme for the blind allowed for a possible take up of 135. Currently 51 people had taken advantage of the scheme.

**4. REVIEW OF ENGLISH NATIONAL PARK AUTHORITIES (REPORT D
– 2 OCTOBER 2002) (MINUTE NO. 72)**

The Department for Environment, Food and Rural Affairs (DEFRA) has carried out a review of English National Park Authorities (NPA's) and made recommendations to Ministers. DEFRA expect to make progress straight away on many of the recommendations, but have decided to invite further views on seven of the issues raised.

The review was intended to have a relatively light touch. The Government made it clear that it wished to see National Parks continuing to be managed by Independent National Park Authorities. The review was specifically about existing NPA's, not potential new ones. It was recognised that the outcome would, however, have implications for the way in which any new authorities would operate.

The Cabinet has agreed the following response to DEFRA on the issues raised:-

(a) Issue: Appropriate Level of Officer Delegation for Planning Applications.

Response: While it might be appropriate to have a reduced target for delegation to officers in National Parks, it is hard to see that the circumstances in these areas are likely to be greatly different to those in Areas of Outstanding Natural Beauty (AONBs) and Conservation Areas (CAs). In order to achieve the quality of design appropriate to these areas, which requires considered discussions between applicants and the Planning Authority, it would be better to consider varying the national Best Value target for determination of percentages of applications within a given period (depending on the category of application) for the areas of National Parks, AONBs and CAs.

(b) Issue: Whether National Park Authorities should have statutory responsibility for rights of way.

Response: With the introduction of the Countryside and Rights of Way Act (CROW) and NPA responsibilities for managing rights of access to open country, there may be some advantages in NPA's being given statutory responsibilities for Rights of Way. Whether this change is made, or delegation arrangements continue to be used it is of great importance that there are good linkages between path strategy and maintenance issues within National Parks and their adjacent settlements. This is particularly important for the proposed New Forest National Park, where areas of the Waterside and Barton / Milford-on-Sea are proposed to be excluded from the Park and will be isolated between the Park and the coast.

(c) Issue: Membership of National Park Authorities

Response: NFDC is concerned that National Park Authorities 'lack, largely due to their hybrid status, clear lines of accountability – either to national government or to local communities' (as stated in the Review document). Changing the membership as proposed would further diminish the level of input from and accountability to the local community through their elected representatives serving as Members of District and County Councils. The District Council maintains its view that in the case of the New Forest there should be special legislation so as to allow for a New Forest National Park Authority to have a membership that reflects the special nature of this area and its particular requirements.

Nonetheless this recommendation goes part way towards addressing the inadequacies inherent in present membership arrangements and upon which NFDC commented in responding to the Countryside Agency consultation on administrative arrangements for the New Forest. The restricted number of Secretary of State appointees is the most limiting factor in attempting to meet the requirements for special New Forest interests, such as commoners and Verderers, to be represented on a New Forest National Park Authority. The recommendation has the potential to help address this. However it is essential that there are adequate opportunities for local arrangements or protocols to be made so as to ensure that the functional and representative range of Secretary of State appointees meets both national interests and local special interests within individual National Parks.

(d) Issue: Chair of National Park Authorities

Response: It might be helpful for the chair of a NPA to be seen to be truly independent of any particular group within a hybrid authority. The appointment of the Official Verderer within the New Forest manages to combine a "national" appointment with a process that is acceptable locally and provides an independent local person to fulfill that role. Further investigation of this recommendation is welcomed.

(e) Issue: Continuity of Parish and Local Authority Representatives

Response: The Cabinet support the recommendation suggested that *“Consideration should be given to allowing members appointed to a National Park Authority, who cease to be councillors during an election but are subsequently re-elected to parent councils to continue to hold office until a new appointment has been made, subject to a limit of three months.”*

(f) Issue: Members Code of Conduct

Response: The National Park and Broads Authority’s model code of conduct is written in similar terms to the code for local authorities, but there are two significant differences concerning the handling of the personal interests of landowners and navigators. The recommendation is that the code is rationalised by deleting these clauses. This is supported.

(g) Issue: National Park Authorities Funding

Response: During public consultations on the proposed New Forest National Park there has been a lot of confusion about the source of National Park funding and the implication for local tax payers. The recommendation is welcomed. It would make it much more straightforward and clear that funding is from central government.

5. HANGER FARM BARN AND OPEN SPACE, TOTTON (REPORT E – 2 OCTOBER 2002) (MINUTE NO. 73)

The Cabinet has agreed that, subject to the necessary permissions and the agreement of the Directors of Environment and Community Services on the detailing of the scheme, the sum of £114,000 be allocated from developers’ contributions for community facilities and £1,345,827 for open space, to enable the conversion of Hanger Farm Barn to a community building and the construction on the site of floodlit tennis courts, paddling pool, play area and support facilities. The funding will be released on the letting of the phases of the scheme as they progress.

The Barn element of the scheme has previously been agreed but the open space elements of the scheme can now also be undertaken. It would be more efficient to bring the two elements together into one scheme. There has been a high level of partnership working on the scheme led by the Town Council.

The financing for the scheme, which includes £170,000 capital provision from the Council, will use a substantial amount of the developers’ contribution monies that are available in the area. This will of course have an effect on the funding for any future schemes in the area.

6. LOCAL NATURE RESERVE, STURT POND, MILFORD (REPORT F – 2 OCTOBER 2002) (MINUTE NO. 74)

The Cabinet has agreed to the declaration of Sturt Pond, Milford as a Local Nature Reserve. The Council owns a substantial area of Sturt Pond and the declaration of the site as a Local Nature Reserve (LNR) will assist the management of the area and will also open up the possibility of other funding to assist with management costs. Such a declaration reflects, rather than affects, the existing status of the site.

The area is, in large part, included in the European designations of Special Protection Area (SPA); Special Area of Conservation (SAC) and is a Ramsar site, which cover the foreshore from Hurst Spit eastwards, to beyond the Beaulieu River. It is also a Site of Special Scientific Interest (SSSI) and Site of Importance for Nature Conservation (SINC).

The Council has previously successfully sought the designation of coastal land as an LNR, at Boldre Foreshore to the east of the Lymington River. Local wardening arrangements there have seen a positive reduction in pressures and resultant benefits to nature conservation interests and quiet enjoyment.

At a time when all local authorities have the duty to ensure the proper management of areas of importance for nature conservation, local management arrangements can be a very effective way forward.

The Parish Council support the declaration and are very strong supporters of the need for more active management.

7. TRISTAN CLOSE AND TOP CAMP, CALSHOT (REPORT G – 2 OCTOBER 2002) (MINUTE NO. 75)

In recent weeks the Council's Housing Estate at Tristan Close, and adjoining surplus, vacant land at Top Camp has been occupied by various gypsy and traveller families. Following the Council obtaining a court order and injunction the two groups vacated their encampments. Although the vehicles and caravans left without incident a significant amount of rubbish, burnt out vehicles and debris from landscape clearance works undertaken by the travellers remained.

Although measures are frequently put in place to maintain the sites including the construction of a perimeter ditch, earth bund, fencing and gates, these measures were breached in a number of places and urgent remedial work was necessary. The land at Top Camp is immediately adjacent to the Tristan Close Estate and has been a regular area for fly tipping.

The unprecedented scale of the clear up and remedial works required on this occasion has exceeded budgets. The total estimated bill is in the region of £16,000. The element of the expenditure incurred in relation to the Housing land can be contained within the housing budgets. However, the Cabinet has agreed to a supplementary estimate of £8,000 for the Corporate and Finance Portfolio element of the work.

**CLLR S A HAYES
CHAIRMAN**