

26 APRIL 2004

**NEW FOREST DISTRICT COUNCIL**

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 26 April 2004.

- p Cllr J A G Hutchins - Chairman
- p Cllr Lt Col M J Shand - Vice-Chairman

**Councillors:**

G Abbott  
 p K F Ault  
 p K E Austin  
 p C Baker  
 p G C Beck  
 p Mrs J L Cleary  
 p D E Cracknell  
 p G F Dart  
 p W H Dow  
 p Miss P A Drake  
 e L T Dunsdon  
 e M H G Fidler  
 p Ms L C Ford  
 e P C Greenfield  
 p R C H Hale  
 p C J Harrison  
 p D Harrison  
 e F R Harrison  
 p J D Heron  
 p D A Hibbert  
 p P E Hickman  
 p Mrs M D Holding  
 p J M Hoy  
 p Mrs M Humber  
 p M J Kendal  
 p Mrs B M Maynard  
 p Mrs M McLean  
 p M J Molyneux  
 p R J Neath

**Councillors:**

p G J Parkes  
 p B M F Pemberton  
 p J Penwarden  
 p L R Puttock  
 p A W Rice TD  
 p B Rickman  
 p Mrs M J Robinson  
 p B Rule  
 p D J Russell  
 p T M Russell  
 p D N Scott  
 p N E Scott  
 p S A Shepherd  
 p Mrs B Smith  
 e Mrs L P Snashall  
 p Mrs S I Snowden  
 p M H Thierry  
 A R Tinsley  
 p D B Tipp  
 p Mrs B Vincent  
 p M S Wade  
 p S S Wade  
 p G M Walmsley  
 p J G Ward  
 p A Weeks  
 p Dr M N Whitehead  
 p C A Wise  
 p P R Woods  
 p Mrs P A Wyeth

**Officers Attending:**

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

**60. DECLARATIONS OF INTEREST.**

Cllrs Mrs Ford, Mrs Holding, Thierry, Wise and Woods declared interests in Minutes 63 (Petition – Claymeadow Depot).

Cllrs Dart, D Harrison, Hibbert, Molyneux, D Russell, N Scott, Shepherd and Weeks declared interests in minute 63 (Petition -Claymeadow Depot) and Minute 64 (Report of Cabinet – Hanger Farm Totton).

Cllrs Mrs Humber, Neath and T Russell, declared interests in minute 64 (Report of Cabinet – Disposal of Land, Warnes Lane, Burley).

Cllrs Thierry and Wood declared interests in minute 64 (Report of Cabinet – Project Integra Business Plan).

Cllr Mrs Robinson declared an interest in minute 66 (Notice of Motion from Cllr Pemberton).

All Members present declared interests in minute 67 (Members' Allowances Scheme).

**61. MINUTES.**

**RESOLVED:**

That, subject to the addition of the following to Minute No. 58:

- (c) That Cllr Puttock be appointed in place of Cllr Ault and Cllr Tinsley be appointed in place of Cllr Tipp on the General Purposes and Licensing Committee.

the minutes of the meeting held on 25 February 2004, having been circulated, be signed by the Chairman as a correct record.

**62. CHAIRMAN'S ANNOUNCEMENTS.**

**(a) Mr Peter East**

At the Council meeting in February, the Chairman announced that Peter East would be retiring on 14 March after 37 years reporting for the Echo at Southampton.

The Chairman asked Mr East to join members again for a presentation. Mr East had reported news about the New Forest District Council for almost two decades and had demonstrated integrity, understanding and a sense of humour to the highest degree.

The Chairman presented Mr East with a tankard inscribed 'In appreciation – Peter East – 26 April 2004'.

Members joined the Chairman in a standing ovation congratulating Mr East.

Mr East thanked the Chairman and members and said that the presentation meant a great deal to him. He said he was grateful to both members and officers for the way he had been treated over the years and for the help he had been given.

**(b) Dibden Bay**

The Chairman was pleased to report that the plans to build a container port at Dibden Bay had been rejected.

He paid tribute to the hard work of local authority staff over the past three years and pointed out that this was a vindication of the Council's initial decision to recommend refusal of the planning application.

The Chairman said that this was great news not only for the people of the Waterside, but for everyone in the New Forest. The outcome was also a testament to the hard work put in jointly by NFDC, the County Council and the many local and national action groups which had fought the application.

The Leader of the Council also spoke and thanked the Council's partners. He said that the County Council had borne most of the legal expenses. They had worked well with both the Countryside Agency and English Nature which had meant that local councillors had been free to pursue individual issues.

All members joined the Leader in thanking particularly Mr Simon Trueick, Planning Officer, for his tremendous hard work and effort in this matter and the excellent advice he had given throughout. The Leader also paid tribute to Mr Paul Vickers, the Chairman of the Residents Against Dibden Bay Action Group.

The Leader confirmed that the land at Dibden Bay was designated as a 'strategic gap' in the Hampshire County Structure Plan Review. The site could only be developed as a port if there was exceptional national need. The Government had now clearly decided that there was no overriding need and therefore the land would remain as it was, protected by the Habitats directive.

Cllr Robinson also spoke and said that this decision ended 10 years of anxiety on the Waterside. The Council had received very sound advice in this matter and Cllr Robinson also paid tribute to Mr Simon Trueick for the superb work that he had done. She hoped that the land could now be re-opened for public access.

**(c) Chairman's Charity**

The Chairman announced with pleasure that his recent Charity Ball at Hoburne, Bashley was attended by 206 guests and had raised £2,700. The Chairman said that he had hoped to raise enough money to purchase a new Windrider 17 foot sailing trimaran for Lyminster Sailability. However, with £6,300 already raised, the trimaran had already been purchased together with 10 new lifejackets, a new 5hp outboard motor for their foxcub sailing boat and new sails for their existing 16 foot sailing trimaran.

The new Trimaran had been named 'Forest Venture'.

The Chairman also reminded members about the Planthunters fair on Saturday 8 May in the grounds of Appletree Court.

**(d) Royal Visit**

At the beginning of April the Chairman was honoured to welcome to the New Forest Her Royal Highness the Duchess of Gloucester who had opened the new Council offices in New Milton. The offices, which also had 12 affordable apartments above them, offered residents a comprehensive range of services in partnership with the CAB and HCC.

**63. PETITION RELATING TO CLAYMEADOW DEPOT, HOUNSDOWN.**

Cllrs Dart, D Harrison, Hibbert, Molyneux, D Russell, N Scott, Shepherd and Weeks, declared personal interests in this matter as members of Totton and Eling Town Council. They did not consider their interests to be prejudicial and remained at the meeting.

Cllr Weeks also declared an personal interest in this item as the Chairman of the Hounslowdown Community Association. He did not consider his interest to be prejudicial and remained at the meeting.

Cllrs Mrs Ford, Mrs Holding, Thierry, Weeks, Wise and Woods declared personal interests as Members of the Test Valley Partnership. They did not consider their interests to be prejudicial and remained at the meeting.

Cllr Brian Dash presented a petition, on behalf of local residents, containing approximately 350 signatures, objecting to any proposal to increase the existing use of the Claymeadow Depot in Hounslowdown. Specifically they objected to the suggestion of using the site as a depot for Test Valley Borough Council vehicles, particularly given the uncertainty of increased traffic levels and noise which would result in this predominately residential area.

In presenting the petition Cllr Dash said that the Council could just decide that this business opportunity was not worth the imposition on the people in the Hounslowdown area. The area was at the junction of several major roads and a large school. As such, it was inappropriate for additional heavy vehicles and posed serious problems for children walking and cycling to school. Many of the local residents had made the effort to return forms, registering their objections, by post and Cllr Dash said that this showed the measure of opposition to the proposal.

The Chairman said that the application by Test Valley Borough Council for a Goods Vehicle Operator's licence to operate vehicles from the Claymeadow Depot was with the Vehicle Licensing Agency. Depending on the outcome of that application, a report would be made to the Cabinet. In the circumstances the Chairman did not consider the matter to be urgent and therefore, in accordance with Standing Order 38, the petition stood referred to Cabinet.

**RESOLVED:**

That the petition relating to objections to the increase in existing use of the Claymeadow Depot be referred to Cabinet for consideration in due course.

**64. REPORT OF CABINET.**

Cllrs Thierry and Woods declared personal interests in Item 1 – Project Integra Business Plan, as members of the Project Integra Management Board. They did not consider their interests to be prejudicial. They remained at the meeting, took part in the discussion and voted.

Cllrs Mrs Humber, Neath and T Russell declared personal interests in item 2 – Disposal of Land, Warnes Lane, Burley, as members of the New Forest Villages Housing Association. They did not consider their interests to be prejudicial. They remained at the meeting and voted.

Cllrs Dart, D Harrison, Hibbert, Molyneux, D Russell, N Scott, Shepherd and Weeks declared personal interests in Item 13 – Hanger Farm Totton, as members of Totton and Eling Town Council. They did not consider their interests to be prejudicial. They remained at the meeting and voted.

The Chairman presented the report of the Cabinet held on 3 March and 7 April 2004. On the motion that the report be received and the recommendations adopted:

**(a) Project Integra Business Annual Business Plan 2004/2005**

Cllr Shepherd expressed concern at the content of the business plan and the way in which it had been presented to the Joint Scrutiny Panel. The Environment Portfolio Holder said that he was aware of the concerns raised and agreed that the document could be presented in a more easily understood format. The Portfolio Holder was pleased to report that New Forest District Council were now the joint third highest recycling authority in the country and he congratulated the Director of Commercial Services on this achievement.

**RESOLVED:**

That the report of the Cabinet dated 3 March and 7 April be received and the recommendations be adopted.

**65. PORTFOLIO HOLDERS' QUESTION TIME.**

**Question No. 1 from :** Cllr Hibbert to Cllr Holding, Health and Social Inclusion Portfolio Holder

“Can the Portfolio Holder for Health and Social Inclusion please explain what steps are being taken to improve NHS Dentistry provision within the NFDC area?”

**Answer:**

The Portfolio Holder replied that New Forest Primary Care Trust has been identified by the Government as one of the top 16 in the Country with access problems to dentistry. The Government now acknowledged there is was an acute problem and has said they will give £35m to the Nation to this acute problem. Hampshire would probably get somewhere in the region of £1m to be shared between 10 Primary Care Trusts. Only in the last 6 months has data on this been shared with the Primary Care Trusts by the Department of Health which has overall responsibility.

The Portfolio Holder said that there was a dire shortage of NHS dentists basically because they couldn't make any money. Dentists had to provide their own surgeries, equipment, heating whereas doctors got grants. 50% of NHS dentists in the New Forest had less than 50 patients on their list. Last year in Lymington 20,000 NHS patients were de-registered but 13,000 were registered as new patients in Totton. Overall there were 7,500 NHS dental places lost in the Forest last year.

On the positive side the Portfolio Holder pointed out that:

The Primary Care Trust was taking responsibility and were shortly putting on an event to attract NHS dentists to the area.

They were also:-

Identifying places where new surgeries could be set up.

Considering relocation packages as there was no dental school near the area.

Offering existing surgeries funding to expand where plans were realistic.

Offering infrastructure support with equipment etc.

Promoting a dental helpline (023) 8033 8336

This was a mammoth problem which has gradually got worse over a number of years. Primary Care Trusts were tackling it well in a short space of time.

**66. NOTICES OF MOTION.**

Cllr Mrs Robinson declared a personal interest in (a), in that her home was served by a private sewer. She did not consider her interest to be prejudicial. She remained at the meeting, took part in the debate and voted.

- (a) Cllr Pemberton moved the following Motion standing in his name:
- "That this Council makes representations to:
- (i) OFWAT to give high priority as part of its funding review to alleviating the problems caused by sewer flooding, and ensure that Southern Water Services and Wessex Water have an adequate level of resources to address this issue; and
  - (ii) Southern Water Services and Wessex Water to give high priority to alleviating the sewer flooding problems in the New Forest area".

In accordance with Standing Order 41.2 the Chairman considered that this matter was urgent and should therefore be debated by the Council. He said that if the motion were passed then it would be important that representations were made to OFWAT as a matter of urgency in order to try and get funds allocated to the district as soon as possible.

Cllr Pemberton said that OFWAT, in consultation with the water companies, determined how much money the companies could spend on capital improvement projects and the type of projects they should spend the money on. The companies then put forward a business plan that identified how they proposed to implement the agreed improvements and how they would raise the money to fund them.

Over the past decade the main national priority had been to improve the quality of treated sewage effluent being discharged to bathing waters. Little had been spent on dealing with inland sewage flooding problems.

However, priority was now being switched away from bathing water improvements towards other areas, but it was not clear that sufficient importance or funding was being attached to the sort of sewer flooding problems experienced in New Forest district and elsewhere.

From the District Council's point of view Cllr Pemberton said that assurances were needed that: -

- o OFWAT was prepared to give a high priority to alleviating foul sewer flooding on a national basis; and
- o The two local water companies, Southern Water and Wessex Water, in developing their business plans and capital works programmes, would give a high priority to resolving New Forest's foul sewer flooding problems.

Sewage problems should be reported to and dealt with by the water companies, but the Council's engineers still received reports and complaints from the public. From these and other sources the Council had records of sewage flooding and Cllr Pemberton listed a number of problem areas.

In New Forest district there was a paucity of public surface water sewers (and in some areas a lack of foul sewers). Being largely a rural area there had been a tradition of discharging surface flow from roofs and paved areas into any nearby watercourse, however small, rather than laying a surface water sewer to a larger watercourse that could more readily accept the increased flow rate. The construction of public surface water sewers had not kept up with the pace of new development. The problem has been exacerbated by the culverting and diversion of natural watercourses to accommodate new developments.

Public foul sewerage systems were designed to carry wastewater with an allowance made to accommodate some surface water flow. In largely rural areas, like the New Forest district, sewerage systems were generally much less extensive, less well maintained and the foul sewers more at risk from surface water inundation. This often resulted in the foul sewer capacity being exceeded causing diluted sewage to flood out onto roads and into properties.

Southern Water had undertaken a programme of internally sealing their foul sewers in problem areas across the district in order to prevent infiltration through joints, cracks etc. In their view most remaining problems were due to what they regarded as illegal surface water connections by householders and builders. This both ignored the right to discharge surface water from roofs and paved areas to a foul sewer if no surface water system was available and the resulting ability of floodwater to enter the foul system.

Not all new high-density development could be blamed for sewer flooding. On a new development site, where foul and surface water were properly separated and the new on-site pipe systems were in good order, little or no surface water would find its way into the foul system. In comparison old properties often had badly maintained or inoperative surface drains that leaked storm water into the public foul sewer system. Cllr Pemberton therefore said that the argument could be made that new high-density development could reduce sewer flooding rather than create it.

Cllr Robinson said she was of the view that water authorities should take on the responsibility and upkeep of private sewers. Customers were now charged significant costs for their water and maintenance of private sewers should be included as part of this charge.

Members agreed that this point should also be included in their representations to the water authorities.

**RESOLVED:**

- (a) That, subject to Southern Water Services and Wessex Water being asked to take over responsibility for private sewers the notice of motion as set out above be agreed.



- (b) Cllr Mrs Robinson moved the following motion standing in her name:

“In view of the strong concerns expressed by residents about the risk to human health of the Tetra communications systems, along with the controversy surrounding the scientific evidence on the safety of this system, this Council resolves to refuse requests for permission for the erection of Tetra masts and associated equipment on any land or buildings owned or controlled by the New Forest District Council.”

Cllr Mrs Robinson said that TETRA – stood for Terrestrial Trunked Radio. It was the new system which the Government wanted to introduce as a communication system for the emergency services - an essential service, but no consultation had been undertaken before the contract was awarded to get the system up and running.

TETRA was apparently different to the ordinary mobile phone system as it operated on a different frequency. This gave rise to a great deal of public concern about risk to human health. Scientific studies had been carried out but many members of the public were not satisfied because they did not explain some of the phenomena reported.

Public opposition along the south coast had been particularly strong in West Sussex, East Hampshire and in the New Forest, particularly in Hythe. Mostly the arguments had been channelled through the planning system but Cllr Mrs Robinson said that there needed to be a wider debate and which addressed people’s anxieties.

In the meantime Cllr Mrs Robinson urged the Council to adopt a precautionary approach as stewards of public land and to refuse any requests received from the contractor looking for places to site TETRA equipment, at least until the Council was satisfied public confidence was established.

In accordance with Standing Order 41.2 the Chairman considered that this matter was not urgent. It was a matter that required detailed investigation and therefore would be referred for consideration to the Corporate and Finance Review Panel who would then make a recommendation to the Cabinet.

**RESOLVED:**

That the Notice of Motion as set out above be referred to the Corporate and Finance Review Panel for consideration.

**67. MEMBERS’ ALLOWANCES SCHEME.**

All Members present declared personal interests in this item. They did not consider their interests were prejudicial as the subject matter related to an exemption specified in paragraph 10(2)(g) of the District Council’s Code of Conduct.

**RECOMMENDED:**

- (a) *That the allowances set out in the Scheme of Members' Allowances be increased by 4.6% with effect from the day following the annual meeting of the Council, 18 May 2004; and*
- (b) *That no other changes be made to the Scheme for 2004/05.*

**68. CHAIRMAN AND VICE-CHAIRMAN OF THE COUNCIL FOR THE MUNICIPAL YEAR 2004/05.**

**RESOLVED:**

That Cllr Lt Col M J Shand be nominated as Chairman and Cllr B M F Pemberton as Vice-Chairman of the Council for the following municipal year.

**69. ADDITIONAL COUNCIL MEETING.**

**RESOLVED:**

That an extraordinary meeting of the Council take place on Monday 14 June 2004 at 6:30 p.m.

CHAIRMAN