

13 DECEMBER 2004

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 13 December 2004.

- p Cllr Lt Col M J Shand - Chairman
- p Cllr Sqn Ldr B M F Pemberton - Vice-Chairman

Councillors:

- e 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
- e G F Dart
- p W H Dow
- p Miss P A Drake
- p L T Dunsdon
- p M H G Fidler
- p Ms L C Ford
- p Mrs L P Francis
- p P C Greenfield
- p R C H Hale
- p C J Harrison
- p D Harrison
- e F R Harrison
- p J D Heron
- e D A Hibbert
- p P E Hickman
- p Mrs M D Holding
- p J M Hoy
- p Mrs M Humber
- p J A G Hutchins
- p M J Kendal
- p Mrs B M Maynard
- p Mrs M McLean

Councillors:

- p M J Molyneux
- p R J Neath
- p G J Parkes
- 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
- e N E Scott
- p S A Shepherd
- p Mrs B Smith
- p Mrs S I Snowden
- p M H Thierry
- e A R Tinsley
- p D B Tipp
- p Mrs B Vincent
- p M S Wade
- p S S Wade
- e G M Walmsley
- p J G Ward
- p A Weeks
- p Dr M N Whitehead
- e C A Wise
- p P R Woods
- p Mrs P A Wyeth

Officers Attending:

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

40. DECLARATIONS OF INTEREST.

Cllrs Beck, Dunsdon, Mrs Ford, Mrs Humber, Kendal, Rice, Rickman, Mrs Robinson, Thierry, and MS Wade declared interests in Minute No. 43.

Cllrs Kendal and Rice declared interests in Minute No 45.

41. MINUTES.

RESOLVED:

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

42. CHAIRMAN'S ANNOUNCEMENTS.

(a) Mr A Lee

The Chairman announced with regret that a former Councillor and previous Chairman of the Council, Alec Lee, passed away on Thursday 28 October 2004 with his funeral taking place on Friday 5 November 2004 at Hinton Park Woodland Burial Ground.

Alec Lee was first elected in 1983 to the Milford Ward, was re-elected in 1987 and retired at the 1991 elections. He served on all the Council's committees, except Licensing, and held the office of Vice-Chairman of the Council from 1985 to 1987 and Chairman of the Council from 1987 until 1989. He was Chairman of the Central Services and Works committees and Vice-Chairman of the Policy and Resources, Works, Strategic Growth in West Totton and Emergency Planning committees during those eight years. He also served on various outside bodies, including Keyhaven Nature Reserve Management Committee, Lymington Harbour Commissioners and the Martin Down Management Advisory Committee.

Members joined the Chairman in standing in silence to the memory of Alec Lee.

(b) Christmas Appeal

The Chairman announced with pleasure that he would be sending a cheque for £2,400 to New Forest and District Sailability.

£1,980 of that total was raised at the first charity Christmas gift fair - The Holly and The Ivy, that was held at Appletree Court on 27 November. The Chairman thanked all the members of the public who came along and supported the event and all those council employees and councillors who volunteered their time to help run the event.

The balance of the money came from smaller donations from Coles Funfair who attended the youth festival in September, the CTC Aviation Group on the occasion of the opening of their new crew training centre and from Council employees and members.

The Chairman said he was hoping to raise more money for New Forest Sailability in 2005 and reminded members of the Chairman's Ball on Friday 15th April and the Planthunters Fair on Saturday 7th May.

(c) **Parish Council – Quality Status**

The Chairman was delighted to report that three Town and Parish Councils, Marchwood, Hythe & Dibden and Hyde, had been accredited with “Quality Status” by the Hampshire Accreditation Panel. To achieve the accreditation, parishes had to demonstrate that they were representative, in touch with their communities, competent and capable of taking on an enhanced role.

Members joined the Chairman in congratulating Marchwood, Hythe & Dibden and Hyde on being the first three NFDC local councils to be awarded this status. Other parish and town councils in the District were preparing bids for submission to the Accreditation Panel and the Chairman said he looked forward to being in a position to congratulate others on being similarly recognised soon.

43. **REPORTS OF CABINET.**

Cllrs Dunsdon, Kendal and Rice declared personal interests as Hampshire County Councillors. They did not consider their interests to be prejudicial. They remained at the meeting, took part in the discussion and voted.

Cllrs Mrs Robinson and M S Wade declared personal interests in items 5 and 15 of the Cabinet’s report as members of Hythe and Dibden Parish Council. They did not consider their interests to be prejudicial. They remained at the meeting, took part in the discussion and voted.

Cllrs Mrs Humber and Rickman declared personal and prejudicial interests as beach hut owners. They left the meeting during consideration of that item.

Cllr Beck declared a personal interest in items 5 and 15 of the Cabinet’s report as a member of New Milton Town Council. He did not consider his interest to be prejudicial. He remained at the meeting and voted.

Cllrs Mrs Ford and Thierry declared personal interests as members of Ringwood Town Council. They did not consider their interests to be prejudicial. They remained at the meeting and voted.

The Chairman presented the reports of the Cabinet held on 3 November, 1 December and 13 December 2004. On the motion that the reports be received and the recommendations adopted:

(a) **Smoking Policy**

Cllr Robinson said that, in the light of the recently published Public Health White Paper and the proposals that smoking should be banned in all bars and public spaces, it would be sensible to agree such a ban at Dibden Golf Centre now. She therefore moved an amendment that recommendation (b) of item 4 of the Cabinet report be amended to read:-

‘That at Dibden Golf Centre smoking be totally banned by October 2005 once the Council’s current booking commitments have expired’

The Chairman responded that as it was unlikely that that particular legislation would be agreed within the life of the current Government. Until then he was of the view that the recommendations agreed by the Cabinet were the most appropriate way forward and he would not want to commit any additional expenditure before the legislation came into force.

The Health and Social Inclusion Portfolio Holder said that she supported the Cabinet's recommendation. If new legislation were enacted then the Council's policy would obviously change but until then the recommendations of Cabinet gave an element of choice.

Cllr Robinson replied that there had been considerable debate on this subject and the proposal to stop smoking at Dibden Golf Centre totally was well supported. There was also the need to consider the health and safety of employees at Dibden Golf Centre.

Upon a vote the amendment was lost.

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

(b) Recommendations from Crime and Disorder Review Panel

A member said that the project to consider a Community Warden Scheme had been a complex one. It had involved a number of agencies outside of the authority and the process had been a very positive one. There had been wide consultation and the recommendations arising had produced a tailor made solution to the issues. He expressed regret that a number of members, who had been involved in the process, now did not support the recommendations.

In response the Chairman agreed that very good work had been done, however, there had been a timing issue. At the same time that the Crime and Disorder Panel were making their recommendations the Chief Constable of Hampshire was also considering the introduction of a Community Support Officer Scheme and HCC were considering the introduction of a Community Safety Officer scheme. It was felt that it might be better for NFDC to see what added value they could bring to one of those schemes rather than work with an expensive 'home grown' scheme.

In the end the Police decided against introducing a scheme but the Cabinet agreed that the best use of the available funding would be for NFDC to join in partnership with HCC to provide a scheme.

(c) Proposal to Construct Additional Beach Huts at Milford-on-Sea

A member said that there should be policies in place to protect the coastline. When beach huts reached the end of their life they should be removed rather than additional ones constructed.

The Chairman replied that the Council's current planning policies did protect the coastline but also permitted the replacement of beach huts. All new beach huts however, still required planning permission.

(d) Community Safety Officers

A member said that she was disappointed that the Police had decided not to pursue their scheme which she thought had been well considered and would have worked well. Another member said that he was concerned that in this time of financial constraints the Council were putting funding into a scheme with HCC that he felt was ill thought out and without vision.

The Chairman replied that the partnership between NFDC and HCC would provide for five vehicles, a team leader and other officers. Two specifically trained officers would be based at New Milton and vehicles with CCTV would be covering the Hythe area. He said that the scheme was such that it would enable officers to support the Council's Crime and Disorder initiatives. He agreed that more actual police officers would be better but that required more Government funding.

(e) Garden Waste Collection Scheme

The Environment Portfolio Holder said that the introduction of this scheme was a unique opportunity to enable the Council to achieve a challenging Government target. The Council currently recycled 26% of its waste. The grey garden waste sacks, that went to landfill, would be withdrawn. Removing those from the waste stream would dramatically help the Council's recycling percentages.

A member said that it had been reported that the Government were proposing to reduce recycling targets for local authorities. She hoped that the proposed garden waste collection scheme would still go ahead even if it were not required to meet recycling targets. The Portfolio Holder confirmed that the garden waste scheme would proceed and be rolled out incrementally across the district. Glass would then be the only recyclable not collected at the kerbside.

RESOLVED:

That the reports of the Cabinet dated 3 November and 1 and 31 December 2004 be received and the recommendations adopted.

44. GENERAL PURPOSES AND LICENSING COMMITTEE.

The Chairman presented the reports of the General Purposes and Licensing Committee dated 12 November and 30 November 2004. On the motion that the reports be received and the recommendations adopted it was:

RESOLVED:

That the reports of the General Purposes and Licensing Committee dated 12 November and 30 November 2004 be received and the recommendations adopted.

45. NFDC/TVBC COMMERCIAL SERVICES JOINT COMMITTEE.

The Vice-Chairman of the Joint Committee presented the report of the NFDC/TVBC dated 2 December 2004. On the motion that the report be received it was:

RESOLVED:

That the report of the NFDC/TVBC Joint Committee date 2 December 2004 be noted.

46. PORTFOLIO HOLDERS' QUESTION TIME.

Cllrs Kendal and Rice declared personal interests (Question No. 4) as members appointed to the Environment Agency. They did not consider their interests to be prejudicial and remained at the meeting.

Question No. 1 from : Cllr M S Wade to Cllr Beck (Crime & Disorder Portfolio Holder)

"Can you advise what this Administration is doing currently to have CCTV installed in Hythe and New Milton ?"

Answer:

The Portfolio Holder replied that, in 2002 Totton, Lymington and Ringwood were provided with a monitored CCTV system funded by a government grant of £1m. Hythe, New Milton and Fordingbridge, which had similar crime and anti-social behaviour problems, did not have such systems and it was not expected that Government capital grants would be available for schemes to be implemented in these towns. Lyndhurst was linked to a system that was operated in the main village centre car park.

However, notwithstanding that, the Portfolio Holder said that the Council were well aware of its commitment and responsibilities within the Corporate Plan and would continue to work with partners to deliver the Community Safety Strategy that aimed to reduce the fear of crime and create safe communities.

To this end the Council were constantly keeping under review CCTV technical developments and discussions were currently being held with other CCTV users, consultants and mobile CCTV suppliers to research all the various avenues that might be open to the Council.

The Portfolio Holder then went on to explain the issues surrounding various solutions. Mobile CCTV vehicles were difficult in terms of training and staffing and supervising. If not properly used they could be instrumental in legal cases being brought against the Council. Deployable but temporarily fixed CCTV units were available with many different operating systems.

Some companies had been found to make performance claims that could not be substantiated. With the New Forest being a large area of some 300 square miles it was highly unlikely that full coverage would ever be achievable for live transmission purposes as line of sight was often a key factor.

The Portfolio Holder said that obviously all commissioning and transmission needed to be considered in terms of feasibility and costs.

In answer to a supplementary question regarding budgetary provision the Portfolio Holder said that, in partnership with the Hampshire County Council, he was continuing to look for the best way forward.

Question No. 2 from : Cllr Mrs McLean to Cllr Thierry (Environment Portfolio Holder)

“As he believes that this is an effective way of putting important messages across to the public, does the Portfolio Holder agree that putting messages relating to home safety and crime prevention on refuse sacks would be a good use of council resources?”

Answer:

The Portfolio Holder replied that messages on refuse sacks was an effective way of communicating with residents and an effective way of reaching customers to whom the Council provided a service. He acknowledged that there had been some humour with the introduction of the pink refuse sacks but he felt that it was an effective way of attracting residents' attention to the changes to the household refuse collection service over the Christmas period.

Currently the policy was to continue to use refuse sacks for refuse and recycling messages. The Portfolio Holder said that there was still far too much refuse going into the waste stream that could be recycled. It was important to 'capture' every item that could be recycled or re-used and to encourage composting rather than sending rubbish to landfill or the new incinerator facility at Marchwood.

Having conflicting messages printed on sacks might mean that residents would not take notice of any of them. However he agreed that the suggestion from the Councillor was an interesting one and he would keep the matter under review.

In response to a supplementary question the Portfolio Holder replied that the change to the pink sacks had been received well and some residents had said that pink sacks were more visible and therefore better from a health and safety point of view.

Question No. 3 from : Cllr Hale to Cllr Greenfield (Housing Portfolio Holder)

“The Government has made much of its desire to see action taken on the issue of abandoned vehicles. Is the Portfolio Holder committed to ensuring that our local authority housing land is kept clear of this ever increasing nuisance?”

Answer:

The Portfolio Holder replied that the Council removes abandoned vehicles in accordance with the Refuse Disposal (Amenity) Act 1978. This meant that the Council had to be sure that the vehicle was definitely abandoned before it was removed. If a vehicle was taxed, had a Statutory Off Road Notice or had been claimed by the owner then it was not abandoned and could not be removed by the Council.

The Clean Neighbourhoods Bill, which was new Legislation going to Parliament this session, would give local authorities the power to remove 'nuisance vehicles'. However until that legislation was enacted there was little the Council could do about 'nuisance vehicles' that were claimed by their owners.

The Portfolio Holder reported that so far in the current financial year, the Council had removed 251 abandoned vehicles. Since the Voluntary Surrender Scheme was introduced in November 2003, 808 'end of life' vehicles had been taken away by the Council. This scheme was still free of charge to the customer.

The Council had just installed a direct computer link with the DVLA in Swansea to trace the keepers of abandoned vehicles which would help deal with the problem.

In a supplementary question the Portfolio Holder was asked if there were any other ways of dealing with the problem for example, did the Council as landowner have any rights to remove vehicles that were not technically abandoned.

The Portfolio Holder replied that the Council were using all the powers they could. There were remedies such as anti social behaviour orders and demoted tenancies that were available but care was needed in their use. Overall the Portfolio Holder was of the view that it was better to make full use of the current Refuse Disposal (Amenity) Act 1978 and wait for the new legislation to see what effect that could have.

Question No. 4 from: Cllr Dr Whitehead to Cllr Thierry (Environment Portfolio Holder)

"The Environment Agency has chosen to call the winterbourne running through Rockbourne Damerham and Martin as Sweatsford Water, and designate it a main river. This defines the people living on the side of the bourne in Rockbourne, or over the pipe through which it runs in Martin, as riparian owners with all the responsibilities that entails. Could the portfolio holder for the environment tell the residents what benefits will accrue from this designation?"

Answer:

The Environment Portfolio Holder replied that the Council provided an array of services covering land drainage and flooding issues through its Engineering Group. The plotting, administration and response to flooding by New Forest District Council was the envy of many other authorities. The land drainage team were involved in an extensive range of projects that aimed to reduce the risk of flooding and work in partnership with others to seek to improve the identification and resolution of drainage and flooding problems.

With the agreement of Cllr Dr Whitehead, the Portfolio Holder agreed to provide a detailed written response to her on this specific issue.

47. THE COUNCIL TAX 2005/2006 SETTING THE TAX BASE (REPORT B).

Members considered the calculation of the Council Tax Base in so far as it related to the Council function.

RESOLVED:

That the Council be recommended, in so far as it is empowered to do so by law, to approve the calculation of the Council Tax Base for the year 2005/06 as set out below.

- (a) the calculation of the Council's tax base for the year 2005/06 be approved; and
- (b) pursuant to this report and in accordance with the Local Authorities (Calculation of Council Tax Base) (Amendment) Regulations 2003, the amount calculated by this Council as its council tax base for the year 2005/06 be as follows and as detailed in Appendix 1 to Report B to the Council.

PARISH/TOWN	TAX BASE 05/06
Ashurst & Colbury	920.5
Beaulieu	516.0
Boldre	1060.3
Bramshaw	341.6
Bransgore	1852.8
Breamore	179.0
Brockenhurst	1766.6
Burley	777.1
Copythorne	1215.0
Damerham	235.1
Denny Lodge	155.4
East Boldre	397.8
Ellingham, Harbridge & Ibsley	591.0
Exbury & Lepe	113.3
Fawley	4820.8
Fordingbridge	2296.7
Godshill	213.3
Hale	268.0
Hordle	2389.8
Hyde	501.9
Hythe & Dibden	7649.0
Lymington & Pennington	6791.8
Lyndhurst	1378.0
Marchwood	1979.6
Martin	189.3
Milford on Sea	2662.5

PARISH/TOWN	TAX BASE 05/06
Minstead	368.6
Netley Marsh	821.5
New Milton	10712.6
Ringwood	5326.3
Rockbourne	166.6
Sandleheath	267.3
Sopley	305.2
Sway	1627.3
Totton & Eling	9725.5
Whitsbury	100.5
Woodgreen	249.3
Whole District	70932.9

48. CHANGE OF DATE OF COUNCIL MEETING.

RESOLVED:

That, in order to accommodate the Council Tax setting meeting of the County Council, the date of this Council's meeting in February 2005 be changed from Monday 21 February 2005 to Wednesday 23 February 2005.

CHAIRMAN

(DEMOCRAT/CL131204/MINUTES.DOC)