

13 SEPTEMBER 2005

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Tuesday, 13 September 2005.

- p Cllr Sqn Ldr B M F Pemberton - Chairman
- p Cllr D N Scott - 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 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
- p 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
- e J A G Hutchins
- p M J Kendal
- p Mrs B M Maynard
- p Mrs M McLean
- e M J Molyneux

Councillors:

- 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
- e D J Russell
- p T M Russell
- p N E Scott
- p Lt Col M J Shand
- e S A Shepherd
- e Mrs B Smith
- p Mrs S I Snowden
- p M H Thierry
- p A R Tinsley
- p D B Tipp
- p C R Treleaven
- e Mrs B Vincent
- p M S Wade
- p S S Wade
- p G M Walmsley
- p J G Ward
- p A Weeks
- e Dr M N Whitehead
- p C A Wise
- p P R Woods
- p Mrs P A Wyeth

Officers Attending:

D Yates, C Malyon, J Mascall, Miss G O'Rourke, Mrs R Rutins and J Ward.

24. MINUTES (PAPER A).

RESOLVED:

That the minutes of the meeting on 18 July 2005, having been circulated, be signed by the Chairman as a correct record.

25. DECLARATIONS OF INTEREST.

The following members declared interests in the items mentioned:

Cllrs C J Harrison, Mrs McLean, Parkes, Mrs Robinson, M S Wade and S S Wade - Item 1 of the Report of the Cabinet dated 3 August 2005 – Land at Challenger Way, Dibden.

Members of the Planning Development Control Committee – item 1 of the Report of the Cabinet dated 3 August 2005 – Land at Challenger Way, Dibden. These members were advised that it was not necessary to disclose personal interests in this matter but that they needed to keep an open mind on the matter until such time as it came before the Planning Development Control Committee.

Cllrs Mrs Holding, Mrs Robinson and T Russell – item 1 of the report of the Cabinet dated 7 September 2005 – Consultation on Community Services for Older People.

Cllr C J Harrison - item 2 of the report of the Cabinet dated 7 September 2005 – Setting the cost of parking clocks for the period 1 January – 31 December 2006.

Cllrs D Harrison, Rice and Weeks – any matter relating to Hampshire County Council.

26. CHAIRMAN'S ANNOUNCEMENTS.

The Chairman reported with regret the recent death of Mrs Brenda Coyston who had been employed since 2001 as a Word Processor Operator in the Community Services Directorate. Mrs Coyston had been ill for some time and had died peacefully in her sleep.

The Chairman said that the appeal made at the last meeting by Cllr Hibbert for toys and games for the domestic violence refuges in the Forest had been very successful. Cllr Hibbert reported that the response had been overwhelming and all the toys and other items had been very gratefully received. Other items such as prams would also be extremely useful. The appeal would continue on an ongoing basis and any items that could be donated should be left with the Chairman's Personal Assistant.

27. REPORT OF FINAL ACCOUNTS COMMITTEE HELD ON 29 JULY 2005.

Cllr Wise, the Chairman of the Committee, presented the report of the meeting held on 29 July 2005.

On the motion that the report be received and the recommendations adopted:

Item 1 – Amendments to Terms of Reference

Concern was expressed that the adoption of recommendation (ii), which would give the Final Accounts Committee power to review the Council's financial progress during the year including variances from budget, would lead to duplication and confusion with the work of the Corporate Overview Panel. While the reasons why

the Portfolio Holder for Finance and Support wished the Committee to become involved in this monitoring role, it was felt that the matter should be deferred for further consideration to find a more appropriate way to meet the Portfolio Holder's aspirations in this regard. A formal proposal, duly seconded, to this effect was made.

The Chairman of the Corporate Overview Panel reported that he was satisfied that the recommendations before the Council would not undermine the work of that Panel.

The Chairman of the Committee, in replying to the debate, said that the change sought was simply to enable the Committee to meet twice more per year to ensure that members developed a better understanding of the Council's accounts. This would inevitably involve looking at variances from the approved budget, but it was not intended that the Committee's role would impinge on the work of the Corporate Overview Panel. The Leader of the Council also assured members that there would be no dilution of the role of the Corporate Overview Panel in relation to financial monitoring.

The motion that the matter be deferred was lost.

RESOLVED:

That the report be received and the recommendations adopted.

28. REPORTS OF CABINET - MEETINGS HELD 3 AUGUST AND 7 SEPTEMBER 2005.

Cllr Kendal, the Leader of the Council, presented the reports of the Cabinet dated 3 August and 7 September 2005.

On the motion that the reports be received and the recommendations adopted:

Item 1 (3 August 2005) – Land at Challenger Way, Dibden

Cllrs C J Harrison, Mrs McLean, Parkes, Mrs Robinson, M S Wade and S S Wade declared personal interests in this item as members of Hythe and Dibden Parish Council. Cllr S S Wade declared also a personal interest in this item as a member of Age Concern. They did not consider their interests to be prejudicial and they remained in the meeting. There was no discussion on the item.

Item 1 (7 September 2005) – Consultation on Community Services for Older People

The following members disclosed personal interests in this item:

Cllr Mrs Holding, as the Council's representative on the Board of the New Forest Primary Care Trust

Cllr Mrs Robinson, as the Chairman of an NHS Trust;

Cllr T Russell, as the director of a company providing care to the elderly.

None of these members considered that their interests were prejudicial and they therefore remained in the meeting, took part in the debate and voted.

A draft response to the PCT's consultation document was circulated. This draft had been prepared in consultation with the Opposition Group, following the meeting of the Cabinet. Some views had still to be received, but the Leader of the Council stressed the Cabinet's wish for a unanimous Council response to be submitted as it was intended that Hampshire County Council's Health Overview and Scrutiny Committee be asked to veto the PCT's proposals and attempt to delay a decision until 2008.

The Leader of the Council reported that at a meeting held earlier that day with the Deputy Chief Executive of the PCT, which he had attended in his role as local member for Milford, she had stated clearly that, if Milford Hospital was closed, the PCT's intention was to continue to use the building for medical-related purposes such as day services or day therapy. The Deputy Chief Executive had expressed surprise that the impression had been gained that the PCT wished to dispose of the buildings if any of the hospitals were closed. From this he had been led to believe that none of the hospitals in the District that might be closed as a result of this current exercise would be sold but would be retained for medical purposes.

There was a wide-ranging discussion on the consultation document, with all members speaking expressing views against the PCT's proposals. During the discussion the following points were made:

- (1) specific mention should be made in the Council's response that, in the event of any of the hospitals closing, the buildings should be retained for other community medical purposes. Once sites were lost it was extremely unlikely that they would return to medical use;
- (2) If the PCT gave the assurance set out in (1), there was concern that there would be no guarantee that the position would not change;
- (3) the current proposals were being driven by financial need and in particular the need for the PCT to save between £20 million and £30 million per year. Patient care appeared to be a secondary consideration and the wishes of the community were not being taken adequately into account;
- (4) there were flaws in the PCT's proposed alternative means of providing the service, by care in the home via community-based teams. There was doubt that this alternative would be cheaper than caring for people in hospitals, and members felt sure that there would be extreme difficulty recruiting people to these teams;
- (5) any closures that might be decided upon should not be effected until alternative service delivery was in place. However, this had not been the experience at the Fenwick Hospital in Lyndhurst where the hospital had been closed, ostensibly for a four month period, without any alternative arrangements having been made;
- (6) if the PCT had not been able to invest in new style services before now, there were serious questions that these would ever be achieved;

- (7) some land on which the community hospitals were situated might have been the subject of bequests, such as that at Tatchbury where the land had been bequeathed for express health use. Sight should also not be lost of the fact that many community hospitals had been constructed with considerable public donation;
- (8) there was concern that of the original five options in the consultation document only two remained;
- (9) although the consultation document had been titled "Community Services for Older People", the community hospitals dealt with patients of all age ranges and not just older people;
- (10) the total effect of bed closures, including those in Southampton, on residents of the district should be evaluated;
- (11) the PCT had changed its mode of consultation and was now concentrating on small groups rather than large public meetings. It appeared that PCT officers had the impression that opinion was changing, whereas this was certainly not the view of councillors;
- (12) the fact that it was proposed to refer the matter to Hampshire County Council's Overview and Scrutiny Committee was welcomed. It appeared from the figures available to the District Council that the PCT had had substantially increased funds made available to it by the Government but also that their costs had increased in excess of this extra funding. Serious questions needed to be asked and the County Council's Overview and Scrutiny Committee should do this; and
- (13) the PCT staff who had taken considerable time and trouble to embark on the consultation exercise and who had taken a lot of personal criticism should be thanked for their efforts.

RESOLVED:

- (a) That the substance of the draft response to the PCT's consultation document, rejecting all options set out in the consultation document, be approved, subject to further amendments agreed by the Leader of the Council in consultation with the Leader of the Liberal Democrat Group; and
- (b) That the Council's response be sent to the Chairman of Hampshire County Council's Health Overview and Scrutiny Committee.

(The above resolution was adopted unanimously.)

Item 2 (7 September 2005) – Setting the Cost of Parking Clocks for the Period 1 January to 31 December 2006

Cllr C J Harrison declared a personal interest in this item as the proprietor of a shop in the District. He did not consider that such interest was prejudicial and he remained in the meeting for the consideration and voting on this item.

In proposing the recommendations, the Leader of the Council stressed that the recommendations were aimed at encouraging use of town and village shops to keep town and village centres vibrant, while discouraging congestion in long-stay car parks. The fact that the District Council was taking over enforcement of on-street parking with effect from January 2006 would make it easier to deal with any displacement parking activity. Therefore the rise in the cost of parking clocks and the introduction of the district-wide clock should be seen as a package of measures aimed at more effective management of traffic. Efforts were being directed at dealing with demand. The Leader reported the New Forest Business Partnership had endorsed the proposals. The Lymington Chamber of Commerce had supported the proposals and he understood that the Ringwood Chamber of Commerce had also expressed support. He explained that if the recommendations were approved, the operators of the Hythe Ferry would be consulted on how best to deal with their particular situation. It was hoped to publicise the ferry in the west of the district. Detailed consultation would also be held with community centres around the district to establish the most appropriate arrangements in public car parks that served their needs.

Members of the Opposition Group referred to the fact that a previous Conservative administration had abandoned car parking charges introduced by a former Liberal Democrat administration. They referred to statements made by that Conservative administration to the effect that car parking charges were not warranted. They said that the current proposals demonstrated a reversal of the views expressed and undertakings given to New Forest residents when charges were abandoned. It was said that greater consultation should have taken place with businesses and other local people before the current proposals were published. The timescale now being set was too short to get meaningful responses.

Conservative Group members said that the proposals before the Council were not aimed at revenue generation but rather effective traffic management. They were in response to changing needs and circumstances.

In replying to the debate, the Leader of the Council reminded members that the charging regime introduced in 2004 had been part of the Conservative Party's manifesto for the 2003 elections. The charging scheme had arisen from a best value review in which members of the Liberal Democrat Group had participated, and on the advice of consultants.

RESOLVED:

That the reports be received and the recommendations adopted, subject to the amendment of the recommendation on Item 1 of the report of 7 September 2005 – Consultation on Community Services for Older People – set out above.

29. QUESTIONS UNDER STANDING ORDER 22.

There were none.

30. QUESTIONS TO PORTFOLIO HOLDERS UNDER STANDING ORDER 22A.

Question No. 1 from: Cllr Mrs McLean to Cllr Thierry (Environment Portfolio Holder)

“How can the Portfolio Holder for the Environment justify the imposition of a £15 collection charge for one bulky household item from 1 April, when it would have been £15 for five items before 1 April?”

The Portfolio Holder responded that the charges were set by market forces. For example, a local operator in Hythe would charge £30, in Lymington £35, in Southampton £45 and in Ringwood £25, to remove a single item. The £15 charge levied by the District Council was therefore reasonable.

In a supplementary question Cllr Mrs McLean asked what the cost would be to the Council to clear dumped items and to deal with the anti-social behaviour acts that arose from dumped items.

The Portfolio Holder said that there was a need to differentiate between domestic dumping and commercial and trade waste fly tipping. In the New Forest District a large percentage of fly tipping had not originated from within the district.

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

“Could the Portfolio Holder please explain, BRIEFLY, the stage reached regarding a switch from plastic refuse sacks to wheelie bins?”

The Portfolio Holder responded that a cross-party project board had been established to evaluate a change from refuse sacks to wheelie bins.

In a supplementary question, Cllr Hale asked that the Portfolio Holder bear in mind at all times the possible environmental impact on the street scene of wheelie bins. He understood that each property would be provided with at least two wheelie bins. Many properties, especially those in the older areas, had no bin storage facilities and wheelie bins would have to be stored at the front of properties, with detrimental visual effects. In response, the Portfolio Holder said that Cllr Hale’s statement was based on a number of assumptions which pre-empted the work of the project board. He suggested that the outcome of the project board’s work be awaited.

Question No. 3 from: Cllr D Harrison to Cllr Mrs Holding (Portfolio Holder, Health & Social Inclusion)

“Will the Portfolio Holder name and shame the local restaurant that was recently caught, by our Environmental Health Officers, serving up cat meat?”

In reply, the Portfolio Holder assured Cllr Harrison that no restaurant in the New Forest District had been caught serving cat meat, neither had any restaurant in the Forest been found to have done so during at least the last 31 years. All restaurants in the Forest were regularly inspected by Environmental Health Officers to ensure that they maintained high standards and she was very happy to eat in any restaurant in the New Forest as she was confident that standards were high.

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

“Would Councillor Thierry agree that every excuse has been used to close the Calshot Spit Public Conveniences, including its structural soundness, the unpopularity of Calshot Beach to visitors, the lack of use during peak times, and blaming the Environment Agency, when the reality is that despite large increases in NFDC beach hut rents you are simply not prepared to maintain the public convenience that beach hut owners and the wider public use?”

The Portfolio Holder said he would not review the situation. Work on new toilets had already commenced at Hill Head and although he would have liked to have seen the toilets built in a more central location for beach hut owners, because of the constraints and uncertainties he firmly believed that the position selected was the best available. He stressed that the toilet was a seasonal one, not used as heavily as conveniences in other parts of the district, but he did appreciate distance was an issue for some beach hut owners. He understood that officers were seeking to negotiate with the Calshot Activities Centre to make the toilets at the centre available to beach hut owners.

31. PLANNING DEVELOPMENT CONTROL COMMITTEE – TERMS OF REFERENCE.

The Council considered an amendment to the Terms of Reference of the Planning Development Control Committee.

RESOLVED:

That the terms of reference of the Planning Development Control Committee be amended as follows:

In paragraph 1 - after “.....Habitat Regulations 1984”, add “...Planning and Compulsory Purchase Act 2004”; and

In paragraph 2 - after “.....Planning (Hazardous Substances) Act 1990”, add “the Planning Compulsory Purchase Act 2004 and any related or amended statutes”.

32. URGENT ITEM – APPOINTMENT OF SUBSTITUTE MEMBER OF INDUSTRIAL RELATIONS COMMITTEE.

The Chairman permitted this item to be considered as a matter of urgency.

It was reported that the Conservative Group wished to appoint Cllr Dow to the vacant position of substitute on the Industrial Relations Committee.

RESOLVED:

That Cllr Dow be appointed as the Conservative Group’s substitute on the Industrial Relations Committee.

CHAIRMAN