

REPORT OF CABINET

(Meetings held on 4 January and 1 February 2006)

1. CALSHOT TOILETS – PETITION (REPORT A – 4 JANUARY 2006) (MINUTE NO. 88)

The Cabinet has confirmed their previous decision to construct and maintain one public convenience at Calshot Spit, situated at Hill Head car park.

At the Council meeting in December 2005, a petition was presented asking the Council to reconsider the decision to close the toilets at Spit End, Calshot. In accordance with Standing Orders that petition stood referred to the Cabinet for consideration.

At their meeting in January the Cabinet heard from a local councillor and beach hut owners who made representations and detailed their reasons for wanting the toilets kept open.

The Cabinet discussed the issues in detail and considered maps that displayed the relative distances from beach huts to toilets at Milford-on-Sea and Calshot. Members noted that at Milford-on-Sea there was a greater distance to the nearest toilet than there was at Calshot.

In 1998 a project board, comprising district and local members, had recommended a programme of toilet closure and refurbishment of which the Calshot proposals were one element. The Cabinet confirmed that on the one occasion in the year when it was known that Calshot would be unusually busy i.e. Fireworks at Cowes, the Council would provide additional portable toilets.

Members noted that the Council had approached the National Park Authority to explore the possibility of them funding the provision of toilet facilities to provide additional capacity during the summer months. However, the National Park had said that they were not able to offer grant aid or fund projects at present but may revisit the matter at some point in the future.

2. HOUSING REVENUE ACCOUNT ESTIMATES FOR 2006/07 (REPORT B – 4 JANUARY 2006) (MINUTE NO. 89) AND (REPORT D – 1 FEBRUARY 2006 (MINUTE NO. 103)

At their meeting in January the Cabinet considered the draft Housing Revenue Account (HRA) for 2006/07 together with the anticipated impact of the draft 2006/07 Subsidy Determination on the Council's 2006/07 HRA estimates.

The Cabinet noted that the Tenants had expressed concern over the proposed increase of £2.40 per week in garage rents. Whilst the Tenants accepted the reasons for the Council seeking to raise garage rents, they felt that the increase should be phased in over more than one year in order to spread the burden.

The Cabinet agreed that the proposal should be deferred until the Tenants' Representatives and the Housing, Health and Social Inclusion Review Panel had had the opportunity to consider the matter further and make a recommendation on how they would wish the garage rent increase to be financed.

At their meeting in February, the Cabinet considered the updated Housing Revenue Account estimates with the details of the most recent variations. They noted that the Housing, Health and Social Inclusion Review Panel proposed that the increase in garage rents be phased in over a 3-year period, reducing the increase in 2006/07 from 50% to 20%. The remainder of the increase would be phased in over the following two-year period, subject to a review of the effect on demand and an analysis of other potential changes in the HRA budget situation. As a result, that would reduce the anticipated income for 2006/07 by £144,000, which would be met by adjusting the allocation to the HRA major repairs reserve. Mrs White, the Tenants' representative, said that the Tenants were appreciative of the opportunity to phase in the increase.

RECOMMENDED:

- (a) That Service charges in line with the detailed proposals in Report B to the Cabinet in January 2006 be agreed;**
- (b) That an average increase of 4.3% in rents for 2006/07; in line with rent restructuring guidelines be approved;**
- (c) That an increase of 96p per week in garage rents (plus VAT for garages let to non-council tenants) be approved;**
- (d) That the allocation of the revised surplus amount of £128,000 to the Major Repairs Reserve be approved; and**
- (e) That the updated budget as set out in the amended Appendix 1 as circulated to the Cabinet at their meeting on 1 February 2006 be approved.**

3. GENERAL FUND REVENUE BUDGET AND CAPITAL PROGRAMME 2006/07 (REPORT C – 4 JANUARY 2006) (MINUTE NO. 90) AND (REPORT E – 1 FEBRUARY 2006) (MINUTE NO. 104)

At their meeting in January the Cabinet considered the work that had taken place on the expenditure plan proposals since their meeting in November, together with the provisional revenue grant settlement and service development proposals.

The Chairman said, at that time, that the anticipated increase in Council Tax for 2006/07 would be in the region of 2.75%. The average council tax rise for the district over the previous few years had been in the region of 4%. Whilst the Revenue Support Grant for 2006/07 was an increase on previous years, there were still funding shortfalls as a result of previous low settlements.

In the light of previous years settlements a prudent view had been taken in preparing the 2006/07 budget. However, in the light of a higher Revenue Support Grant than had been anticipated it was now possible to consider all the growth bids and savings that had been put forward.

The Finance and Support Portfolio Holder said that he was sorry that the National Park Authority had not joined in partnership with the Council on the planning function. Such a partnership would have saved the taxpayer money both nationally and locally. Even with relatively low levels of inflation the Council had to find an additional £1m each year to balance the budget simply to stand still. Whilst the Portfolio Holder was pleased at the 4.7% increase in Revenue Support Grant he reiterated that there was still a shortfall in grant level as a result of previous low settlements.

During January the budget proposals were again considered by the committees and review panels.

The Cabinet, at their meeting in February considered the final draft General Fund revenue and capital budgets for the financial year 2006/07.

The Cabinet noted that the final Revenue Support Grant figure was £6,000 lower than anticipated. This was not a significant amount and the Cabinet agreed that the budget provision of £120,000 proposed within the contingency fund for Electoral Services and the Disability Discrimination Act be reduced by £6,000 to £114,000. The exact budgetary requirements for those areas were as yet unknown. That funding would be reviewed later in the year in the light of operational changes and costing of works to ensure an appropriate level of resource.

Members noted that there is a net growth in the General Fund Revenue budget in 2006/07 of 8.05%. The increase is largely due to an increase in spending on concessionary travel, however, this was balanced by grant funding.

In considering the comments from Review Panels and Committees, the Cabinet agreed that, additional funding to provide extra staffing resources to assist with pre-planning application advice was required within the Economy and Planning Portfolio. The Cabinet did not however agree that charges should be introduced for this advice to mitigate part of the cost of the service. If further discussions with the National Park over some joint planning were successful, funding might be released that could be redirected to cover this service.

In terms of income, members noted that less long-term parking clocks had been sold than was originally envisaged. However, it was still very early in the process to draw any firm conclusions. Additional car park wardens had been employed and would enforce parking restrictions in side roads.

RECOMMENDED:

- (a) That the General Fund budget for 2006/07 be set at £21.009m;**
- (b) That the Council tax be agreed at £140.99 for a Band D property for 2006/07;**

(c) That the site licence fees and service charges at Stillwater Park be increased by 3.0%; and

(d) That the Capital Programme for 2006/07 be agreed as £13.385m.

4. DISPOSAL OF LAND AT TRAFALGAR HOUSE, SEWARD ROAD, HYTHE (REPORT D – 4 JANUARY 2006) (MINUTE NO. 91)

The Cabinet has considered the disposal of land at Trafalgar House, Seward Road, Hythe to Hyde Housing Association for the development of 18 affordable homes for low cost home ownership. The new homes will be allocated to applicants from the Council's Homesearch Register.

The property currently on the land is empty and will be demolished. The new development will comprise 6 x 1 bed flats and 12 x 2 bed flats. The proposal is subject to planning consent being granted to Hyde Housing Association and to their successful bid to the Housing Corporation for funding.

The proposed scheme will make a valuable contribution towards meeting local housing need and that balances the loss of the temporary accommodation previously on the site.

RECOMMENDED:

(a) That the land at Seward Road, Hythe is transferred leasehold to Hyde Housing Association for £1;

(b) That the transfer will only proceed provided that planning consent is granted to Hyde Housing Association to develop the site for affordable housing; and

(c) That consideration be given to demolition of the existing flats in order to redevelop.

5. PEOPLE STRATEGY 2005/2008 (REPORT E – 4 JANUARY 2006) (MINUTE NO. 92)

The Cabinet has agreed a revised People Strategy for 2005/2008. The People Strategy describes the Council's approach to managing and developing people, and is key to achieving the Council's aims under the organisation of excellence. The Council has previously been complimented, as part of the CPA and IIP processes, on their human resource strategies and, in particular, on their flexible working policies.

Members welcomed the People Strategy that will enable managers to continuously measure workforce skills and address any gaps through training. In particular, members noted the importance of health and safety awareness being built into the management process and being the responsibility of every employee, manager and member.

The Council are involved in partnership working on a county wide basis to look at collaborative approaches to advertising and recruitment methods. This will promote the Council to a wider group of potential employees whilst at the same time achieving budget reductions.

6. INDEMNITIES FOR MEMBERS AND OFFICERS (REPORT F – 4 JANUARY 2006) (MINUTE NO. 93)

The Cabinet has reviewed the Council's existing policy on indemnities in the light of new legislation. Members agreed that the most appropriate course of action was to adopt a scheme based on the new Regulations, but including wider powers to indemnify members and officers where those were currently part of the Council's existing policy and were still permissible.

In particular, the Cabinet is recommending that an Indemnity should be provided to members for the defence of proceedings under the national Code of Conduct subject to the member reimbursing the Council if it is found that they were in breach of the Code. Members and officers should also continue to be indemnified for the cost of defending criminal proceedings relating to Health and Safety at Work, Data Protection, and related provisions, without them being required to repay the cost of their defence if found guilty providing that they acted in good faith.

The new Regulations specify that, when sitting on an outside body with decision making powers, members and officers are only covered by the Council's indemnity if the Council had appointed them to that body. It is therefore important to ensure that the Cabinet makes all such appointments.

Members also recommended that the Leader of the Council should be an additional consultee in any decision by the Chief Executive to grant indemnities within the terms of the approved policy.

RECOMMENDED:

(a) That, subject to

(i) an Indemnity being provided to members for the defence of proceedings under the national Code of Conduct; and

(ii) members and officers continuing to be indemnified for the cost of defending criminal proceedings relating to Health and Safety at Work, Data Protection, and related provisions, without them being required to repay the cost of their defence if found guilty providing that they acted in good faith;

an indemnity policy as set out in Appendix 2 to Report F to the Cabinet be approved; and

(b) That the Chief Executive, in consultation with the Leader, the Finance and Support Portfolio Holder, the Director of Resources and the Head of Legal and Democratic Services, be delegated power to grant indemnities within the terms of the approved policy.

7. THE FOOD HYGIENE (ENGLAND) REGULATIONS 2006 – DELEGATION OF POWERS (REPORT G – 4 JANUARY 2006) (MINUTE NO. 94)

From 1 January 2006, new hygiene enforcement powers were introduced in the Food Hygiene (England) Regulations 2006. The Cabinet has therefore agreed new delegations to officers, as set out in Section 3 of Report G to the Cabinet on 4 January 2006, to reflect the changes in this new legislation.

8. IMPORTED FOOD REGULATIONS – DELEGATION OF POWERS (REPORT H – 4 JANUARY 2006) (MINUTE NO. 95)

The Cabinet has agreed changes to delegations to reflect new legislation relating to imported food and to give additional powers for the control of illegal imports. The new delegations are set out in Section 2 of Report H to the Cabinet on 4 January 2006. In view of the new arrangements, the existing delegations under The Products of Animal Origin (Third Country Imports) (England) (No 3) Regulations 2004 are deleted.

9. DELEGATIONS TO OFFICERS – ROAD TRAFFIC ACT 1991 – DECRIMINALISED PARKING ENFORCEMENT (4 JANUARY 2006) (MINUTE NO. 96)

The Cabinet has agreed new delegations to officers under the Road Traffic Act 1991 – Decriminalised Parking Enforcement, which has just come into effect. The delegations are detailed in the Cabinet minutes (4 January 2006 - Minute No. 96)

10. DISTRICT OWNED STREET LIGHTING – PRIVATE FINANCE INITIATIVE BID (REPORT A – 1 FEBRUARY 2006) (MINUTE NO. 100)

The Cabinet has considered the implications of participating in an HCC Private Finance Initiative bid to improve the condition and effectiveness of highway lighting. Members considered the advantages and disadvantages of joining such an initiative but felt that, in view of the tight timescale, there was insufficient time and information to evaluate the options and they could not make a binding decision at the current time. They have responded to HCC indicating the Council's interest in participating in the PFI bid but not if it involves making an irrevocable decision before more information is available.

Subject to this being acceptable, the Council will proceed on the basis that it seeks to include its street lights in the larger settlements (including Totton, Marchwood, Hythe, Dibden Purlieu, Holbury, Fawley, Blackfield, Lymington, Pennington, Hordle, Milford-on-Sea, Ashley, New Milton, Barton-on-Sea, Ringwood and Fordingbridge) in the PFI bid.

Members felt it was important to retain local control over the standard of lighting. They expressed some concern that a PFI contract may reduce lighting options and choices, and there may be implications for additional and/or taller street lights in sensitive areas such as the National Park and Conservation areas. They have therefore included this in their comments to HCC and are urging them to ensure that

any PFI partner is not given a free hand to decide the extent and type of replacement lighting installed and that appropriate consultations are undertaken. The Cabinet has also commented to HCC that they are concerned about the road safety implications if a PFI proposal results in inconsistent standards of lighting within the same settlement.

Lighting in district owned car parks will not be included in any PFI bid and members felt that it might be more appropriate for NFDC to independently pursue one contract that covered all lighting within the district. They have therefore asked officers to identify options for procuring the maintenance of, and electricity for, its street lights etc (including all those in the National Park, car park lighting and other "non-highway" lighting) that will not be included in any PFI and report their conclusions to the Economy and Planning Portfolio Holder.

The Cabinet has also asked that the Economy and Planning Review Panel consider any further detailed technical reports and make recommendations back to them as appropriate.

11. TREASURY MANAGEMENT STRATEGY 2006/07 REPORT (REPORT B – 1 FEBRUARY 2006) (MINUTE NO. 101)

The Cabinet has considered a strategy for the treasury function of the Council for 2006/07. Members noted the detail of the financing of the Capital expenditure for 2006/07 and the borrowing and investment of funds.

The Strategy gives the Council the option to undertake prudent borrowing if required. Members noted that this might be financially advantageous to the Council in the light of the current low interest rates.

RECOMMENDED:

- (a) That the prudential indicators at appendix 1 to Report B to the Cabinet be approved;**
- (b) That the treasury management strategy and the treasury prudential indicators at appendix 2 to Report B to the Cabinet be approved; and**
- (c) That the treasury strategy for 2006/07 as set out in Report B to the Cabinet be approved.**

12. FINANCIAL REPORT – FORECAST FULL YEAR AND ACTUAL FOR THE PERIOD APRIL 2005 TO DECEMBER 2005 (REPORT C – 1 FEBRUARY 2006) (MINUTE NO. 102)

The Cabinet has considered the forecast budget variations of all portfolios and committees from the approved original estimates for 2005/06.

The total new variations to December 2005 show an estimated decrease in expenditure of £94,000, bringing the total reported variations for the year to a net reduction in expenditure of £186,000.

For capital expenditure - Other Services (excluding housing), the new variations show a decrease in 2005/06 expenditure of £299,000, but excluding some items of rephasing, virement, developers' contributions and external funding, there is an increased call on the Council's capital resources of £245,000. For Housing capital expenditure the new variations show a decrease in 2005/06 expenditure of £300,000.

The reported variations on the Housing Revenue Account show a reduction of £568,000 in the overall planned 2005/06 expenditure.

The Commercial Services budget shows a net surplus of £48,000 for the period April to November 2005. The estimated allocation of this will be a £42,000 surplus paid to the General Fund and a £6,000 surplus paid to the Housing Revenue Account.

The Cabinet has therefore agreed, subject to the recommendation below, the revised General Fund budget, the revised capital expenditure and the revised Housing Revenue Account as set out in Appendices 1, 2 and 3 to Report C to the Cabinet. They have also agreed the actual expenditure to profiled budget positions of the General Fund, Capital Programme and Housing Revenue Account as set out in those appendices.

RECOMMENDED:

That the following supplementary estimates be approved:

- ***An additional £17,000 in respect of Refuse Collection (Special Collections (see Appendix 7 of Report C to the Cabinet)***
- ***£128,000 in respect of the Ringwood Health and Leisure Centre Refurbishment project (see Appendix 4 of Report C to the Cabinet)***
- ***£31,000 in respect of Health and Safety Compliance expenditure (see Appendix 6 of Report C to the Cabinet)***
- ***An additional £18,000 in respect of Stopples Lane (see Appendix 5 of Report C to the Cabinet)***

13. BROOKS CLOSE, RINGWOOD – DISPOSAL OF LAND (REPORT F – 1 FEBRUARY 2006 (MINUTE NO. 105))

The Cabinet has considered the disposal of land at Brooks Close, Ringwood to Swaythling Housing Society (SHS) to enable the development of 2 affordable homes for rent to applicants from the Council's Homesearch register.

Members noted that this proposal, together with the following three on the Cabinet agenda, were part of a policy to provide additional affordable housing in the west of the district. Development land in this part of the district is scarce and expensive and therefore Council owned garage sites are being evaluated for their development potential. Funding from the Housing Corporation will provide the resources to take the projects forward. The land will be transferred to a Housing Society at a nominal cost of £1 with covenants written into the land transfer to restrict the use to affordable housing.

Some local members opposed the development. They were of the view that Ringwood was overcrowded and the area of land, whilst not designated as public open space, was used as 'amenity space'. Some members felt that its loss would be detrimental to the area. Other local members accepted that there would be a loss of 'amenity space', but supported the proposal in view of the housing need in the area.

The Cabinet noted that planning permission for 2 homes on the site had been granted in September 2005 and full consultation had taken place through the planning process.

RECOMMENDED:

That the land between nos 6 & 8 and 19 & 20 Brooks Close, Ringwood, as outlined in Appendix 1 to Report F to the Cabinet, be transferred leasehold to Swaythling Housing Society (SHS) at a nominal cost of £1, the transfer being subject to the planning consent that has already been granted to SHS to develop the site for affordable housing.

14. OLD BARN CLOSE, RINGWOOD – DISPOSAL OF LAND (REPORT G – 1 FEBRUARY 2006) (MINUTE NO. 106)

The Cabinet considered the disposal of land at Old Barn Close, Ringwood to Hampshire Voluntary Housing Society (HVHS) to enable the development of 2 affordable homes for rent to applicants from the Council's Homesearch register.

A local member addressed the Cabinet and said that Ringwood Town Council were not in favour of the disposal of this area of land for housing.

Mrs White, Tenants' Representative expressed some concern over the loss of garage parking that would result from this proposal, and other similar proposals elsewhere on the agenda. She fully accepted the need for more affordable housing but said that the policy of selling garage sites to provide housing, needed to be balanced against problems that might result from additional cars parked on the highway.

The Cabinet noted that HCC, in conjunction with HVHS, had undertaken a parking survey and had advised on the amount of parking re-provision that had to be provided. The Housing Portfolio Holder said that he understood the concerns raised relating to parking provision. Each individual site that came forward would be considered on its merits.

RECOMMENDED:

That the land at Old Barn Close, Ringwood (as outlined in Appendix 1 to Report G to the Cabinet) be transferred to Hampshire Voluntary Housing Society (HVHS) at a nominal cost of £1, the transfer being subject to planning consent being granted to HVHS to develop the site for affordable housing.

15. SPITTLEFIELDS, RINGWOOD – DISPOSAL OF LAND (REPORT H – 1 FEBRUARY 2006) (MINUTE NO. 107)

The Cabinet considered the disposal of land at Spittlefields, Ringwood to Hampshire Voluntary Housing Society (HVHS) to enable the development of 3 two-bedroom bungalows for affordable rent to applicants from the Council's Homesearch register.

RECOMMENDED:

That the land at Spittlefields, Ringwood (as outlined in Appendix 1 to Report H to the Cabinet) be transferred to Hampshire Voluntary Housing Society (HVHS) for a nominal cost of £1, the transfer being subject to planning consent being granted to HVHS to develop the site for affordable housing.

16. WAVERLEY CLOSE, FORDINGBRIDGE – DISPOSAL OF LAND (REPORT I – 1 FEBRUARY 2006) (MINUTE NO. 108)

The Cabinet considered the disposal of land at Waverley Close, Fordingbridge to Hampshire Voluntary Housing Society (HVHS) to enable the development of 1 two-bedroom bungalow for rent to an applicant from the Council's Homesearch register.

RECOMMENDED:

That the land at Waverley Close, Fordingbridge (as outlined in Appendix 1 to Report I to the Cabinet) be transferred leasehold to HVHS for a nominal cost of £1, the transfer being subject to the planning consent that has already been granted to HVHS to develop the site for affordable housing.

17. BLASHFORD LAKES STRATEGIC MANAGEMENT PLAN (REPORT J – 1 FEBRUARY 2006) (MINUTE NO. 109)

The Cabinet has agreed a Strategic Management Plan for Blashford Lakes for use as informal guidance to assist in the management of the lakes and the immediate environment and in the determination of planning applications within the study area. The Cabinet has also agreed Terms of Reference for both the Blashford Lakes Consultative Forum and the Blashford Lakes Strategic Management Plan Steering Group.

**Cllr M J Kendal
CHAIRMAN**

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