

15 MAY 2006

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 15 May 2006.

Councillors:

p G Abbott
p K F Ault
p K E Austin
p C Baker
p G C Beck
p Mrs J L Cleary
e 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
e Mrs L P Francis
p P C Greenfield
e 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
e Mrs M Humber
p J A G Hutchins
p M J Kendal
p Mrs B M Maynard
p Mrs M McLean
p M J Molyneux
p Mrs P A Wyeth

Councillors:

p R J Neath
p G J Parkes
p Sqn Ldr B M F Pemberton
p J Penwarden
p L R Puttock
p A W Rice TD
p B Rickman
e Mrs M J Robinson
e B Rule
D J Russell
p T M Russell
p D N Scott
e N E Scott
p Lt Col M J Shand
p S A Shepherd
e Mrs B Smith
p Mrs S I Snowden
p M H Thierry
e A R Tinsley
p D B Tipp
p C R Treleven
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

Officers Attending:

D Yates, N J Gibbs, J Mascal, D Atwill, Ms J Bateman, Mrs M Dunsmore, Miss G O'Rourke and Mrs R Rutins.

The Chairman of the Council, Cllr Pemberton, in the Chair.

1. ELECTION OF CHAIRMAN.

Cllr Kendal moved that Cllr D N Scott be elected Chairman of the Council for the ensuing municipal year. The motion was seconded by Cllr Tipp.

RESOLVED:

That Cllr D N Scott be elected Chairman of the Council to continue in office until his successor becomes entitled to act as Chairman at the next annual meeting of the Council.

Cllr Scott took the chair and made the declaration of acceptance of office, which was formally witnessed by the Chief Executive.

Cllr Pemberton invested the Chairman with the Chain and Badge of Office and presented Mrs Scott, the Chairman's consort, with a bouquet of flowers.

On behalf of the employees, the Chief Executive congratulated the Chairman on his election.

The Chairman thanked his fellow members for his election.

The Chairman announced that his chosen charities for the year would be The Minstead Training Project, the 2nd New Forest North (Stanley's Own) Scout Group and Bramshaw Riding for the Disabled.

The Minstead Training Project was an independent charity, providing education and training in work, life and social skills for people with learning difficulties. The project accommodated 12 residential students from across the country and 36 day students, aged between 16-19. Training offered included work experience and placements in catering, horticulture and woodwork, with Furzey Gardens in Minstead as their showcase.

Stanley's Own Scout Group was founded in 1910 and today had 100 members aged 6-25.

Bramshaw Riding for the Disabled was an independent charity, which catered for 22 disabled people from across the region.

The Chairman thanked members for his election and said that he was looking forward to his year in office.

2. VOTE OF THANKS TO CLLR B M F PEMBERTON.

The Chairman of the Council moved a vote of thanks to the outgoing Chairman, Cllr Sqn Ldr Pemberton.

The Chairman, in paying tribute to Cllr Pemberton, said that he had enjoyed his year as Vice-Chairman, and thanked Cllr Pemberton for his kind friendship, support and advice.

Members spoke in support of the motion. They said that Cllr Pemberton and his consort Cllr Ford had worked very hard. They had represented the people of the New Forest very well whilst at the same time continuing to work hard for their constituencies. Other members commented on the happy memories of the past year and congratulated Cllr Pemberton and his consort for a job well done.

The Chief Executive expressed his thanks to Cllr Pemberton for all his hard work during his year as Chairman.

It was seconded and

RESOLVED:

That the thanks and best wishes of the Council be recorded to Cllr Pemberton for his service during his term of office as Chairman of the Council.

Cllr Pemberton thanked members for their kind wishes. He also paid tribute to his consort Christine and colleagues across the Council for their kind support. The Chairman gave further thanks to colleagues in helping to raise over £5,000 for his chosen charities, First Opportunities Group and New Forest and Romsey Victim Support.

3. APPOINTMENT OF VICE-CHAIRMAN.

It was moved by Cllr Kendal and seconded by Cllr Woods that Cllr W H Dow be appointed Vice-Chairman of the Council for the ensuing municipal year.

It was seconded and

RESOLVED:

That Cllr W H Dow be appointed Vice-Chairman of the Council to hold office until immediately after the election of the Chairman at the next annual meeting of the Council.

Cllr Dow made the declaration of acceptance of office, which was formally witnessed by the Chief Executive. The Chairman invested Cllr Dow with his Badge of Office and presented Mrs Dow, the Vice-Chairman's Consort, with a bouquet of flowers.

Cllr Dow thanked members for their support and said that he was looking forward to the year as Vice-Chairman.

4. APPOINTMENT OF LEADER OF THE COUNCIL.

The Chairman reported that Cllr Weeks had been appointed as Leader of the Liberal Democrat group and welcomed him to his new role.

The Leader of the Council paid tribute to the former leader of the Liberal Democrat group, Cllr Mrs Robinson, for the challenging but constructive way in which she had led the opposition on the Council. Other members thanked her for her hard work and valuable contribution during her years as leader of the group.

It was proposed, seconded and

RESOLVED:

That Councillor Kendal be appointed Leader of the Council for the ensuing municipal year.

5. MINUTES (PAPER A).

RESOLVED:

That the minutes of the meeting held on 24 April 2006, having been circulated, be signed by the Chairman as a correct record.

6. POLITICAL REPRESENTATION ON COMMITTEES.

The Leader of the Liberal Democrat Group expressed concern that the current numbers of Committee, etc., places and the subsequent allocation of those places to the political groups resulted in the Liberal Democrat group having fewer seats on Committees and Panels in percentage terms than their percentage of seats on the full Council. He proposed the following motion that was seconded by Cllr Dunsdon:

“The Council notes that the seats currently allocated to the political groups on committees and panels result in a significant level of disproportionality both in terms on individual review panels and as a body, as defined within Section 15 of the Act and as such agrees the following:

- That the current arrangements remain in place until the next meeting of the Council being held on the 26th June 2006
- That a full review of representation takes place and that an arrangement better reflecting the political membership of the authority be brought to that Council meeting for approval”.

Cllr Weeks argued that increasing or decreasing the size of the Review Panels by one would enable better proportionality to be achieved. He reported that other authorities altered the size of their Committees and Panels in order to achieve a better distribution of seats across political groups. His view was that this was required in order to give effect to the legislative requirement that the political balance across Committees, Panels, etc. reflect as near as possible the political balance on the Council as a whole.

The Head of Legal & Democratic Services advised that the current arrangement of seats on committees and panels was in accordance with Section 15 of the Local Government and Housing Act 1989. The Council was under no legal obligation to alter the size of committees or panels to achieve better proportionality.

The Leader of the Council said that the Council had decided in the past to reduce the number of seats on some committees and panels to ensure they worked more efficiently. As the political representation was in accordance with the Act, a change would seem unreasonable.

Some members spoke in favour of Cllr Weeks' motion as they considered that better proportionality could easily be achieved, resulting in a fairer allocation of places to the Liberal Democrat Group.

Other members felt that, as the Council had decided on the size of its Committees and Panels as the most appropriate number to undertake the work required of them and because there was there was a clear legal position, with which the Council complied, there was no valid reason for change.

Cllr Weeks' motion was put to the vote and was lost.

RESOLVED:

That, in accordance with Section 15(1)(b) of the Local Government and Housing Act 1989, the position in relation to the representation of political groups on committees and panels be noted.

7. COMMITTEES, PANELS AND OUTSIDE BODIES.

RESOLVED:

That the following changes in membership of committees, panels and outside bodies be agreed: -

(a) Appeals Committee

That Cllr Cracknell be appointed in place of Cllr Penwarden;

(b) Corporate Overview Panel

That Cllr Weeks be appointed in place of Cllr Baker;

(c) Economy & Planning Review Panel

That Cllr Pemberton be appointed in place of Cllr Hoy;

(d) Housing, Health & Social Inclusion Review Panel

That Cllr Pemberton be appointed in place of Cllr Hibbert;

(e) Industrial Relations Committee

That Cllr Dow be appointed in place of Cllr Wise, and that Cllr Hutchins be appointed as a substitute for the Conservative Group;

(f) Leisure Review Panel

That Cllrs Tipp and S Wade be appointed in place of Cllrs Cracknell and Weeks;

(g) Solent Forum

That Cllr Rice be appointed to the vacancy; and

(h) South East Employers' Organisation

That Cllr Ward be appointed to the vacancy.

8. CONSTITUTION OF CABINET AND PORTFOLIOS.

RESOLVED:

That the number and content of Cabinet Portfolios be as shown in Appendix 1 to these minutes.

9. REPORT OF STANDARDS COMMITTEE.

Cllr Hutchins, Chairman of the Standards Committee, presented the report of the meeting held on 12 May 2006.

On the motion that the report be received and the recommendations adopted, it was

RESOLVED:

That the report be received and the recommendations adopted.

CHAIRMAN

Attachment: Minute 8 – Appendix 1

CABINET PORTFOLIOS

1. The functions of the Cabinet shall be divided into Portfolios agreed by the Council.
2. The Leader shall allocate responsibility for each Portfolio to a Member of the Cabinet who shall be known as a Portfolio Holder.
3. The Portfolio Holder shall provide the political vision and leadership for each of the services contained within his/her Portfolio.
4. The responsibilities of the Portfolio Holders for the functions and services contained within each of the Portfolios approved by the Council, and referred to below, shall be as described in the Annexes to this Chapter:-

Policy and Resources

Functions and Services included:

- Corporate and Community Plans
- Best Value
- Political and Management Structures
- Financial Strategy and Budget Targets
- Public Relations
- Human Resources
- Information and Communications Technology
- Land and Buildings Asset Management
- Commercial Services – including catering services
- Capital and Revenue Budgets
- Council Tax and Benefits
- National Non-Domestic Rates – including Discretionary Non-Domestic Rate Relief
- Service Specific Grants (including CAB and Community First)
- Central Support Services, including –
 - Accountancy
 - Information Services
 - Legal and Democratic Services
 - Exchequer Functions
 - Chief Executive's Administration

Crime and Disorder

Functions and Services included:

- Crime and Disorder
- Community Safety

- Emergency Planning
- Road Safety
- Service Specific Grants

Environment

Functions and Services included:

- Sustainability co-ordination
- Refuse Collection
- Street Cleaning
- Grounds Maintenance
- Recycling
- Public Conveniences
- Cemeteries
- Coastal Protection
- Land Drainage and Sewerage (other than in the public health context)

Housing

Functions and Services included:

- Housing Strategy
- Housing Investment Programme
- Housing Service Delivery
- Improvement Grants

Economy and Planning

Functions and Services included:

- Planning Strategy
- Development Plans
- Economic Development
- Building Control
- Transportation
- Car Park Management
- Concessionary Travel
- Highways Agency and Highways Development Control Advice
- Street Naming and Numbering
- Local Land Charges

Leisure

Functions and Services included:

- Arts
- Play
- Sport
- Recreation
- Tourism

- Museums
- Galleries
- Libraries
- Adult Learning
- Youth Work
- Open Space
- Leisure related and other non-service specific and core funding grants (excluding CAB and Community First)
- Eling Tide Mill/Toll bridge

Health and Social Inclusion

Functions and Services included:

- Personal Health
- Social Inclusion
- Service Specific Grants
- Environmental Health Services
- The Council's Health and Safety Responsibilities as an Employer

(Annuals/2006/CL150506.doc)