

31 JULY 2006

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 31 July 2006

- p Cllr D N Scott - Chairman
- p Cllr W H Dow - Vice-Chairman

Councillors:

- p 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 L T Dunsdon
- p M H G Fidler
- p Ms L C Ford
- e Mrs L P Francis
- e P C Greenfield
- p R C H Hale
- p C J Harrison
- p D Harrison
- p F R Harrison
- p L Harris
- p J D Heron
- 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
- e M J Molyneux
- p R J Neath

Councillors:

- 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
- p Mrs M J Robinson
- p B Rule
- p D J Russell
- p T M Russell
- p N E Scott
- e Lt Col M J Shand
- p S A Shepherd
- p Mrs B Smith
- p Mrs S I Snowden
- p M H Thierry
- p A R Tinsley
- p D B Tipp
- p C R Treleaven
- 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, J Mascall, C Malyon, Mrs M Dunsmore, Miss G O'Rourke and Mrs R Rutins.

15. DECLARATIONS OF INTEREST.

Cllrs Dunsdon and M S Wade declared interests in minute 20.
Cllr Mrs Smith declared an interest in minute 24.

16. MINUTES (PAPER A).

RESOLVED:

That the minutes of the meeting held on 26 June 2006, having been circulated, be signed by the Chairman as a correct record.

17. BY-ELECTION FOR DISTRICT COUNCIL TOTTON WEST WARD – 20 JULY 2006 – REPORT OF THE RETURNING OFFICER (REPORT B).

The Chairman welcomed Cllr Harris to his first meeting of the Council following his election on 20 July.

RESOLVED:

That the report of the Returning Officer on the By-Election for the District Council's Totton West Ward be noted.

18. CHAIRMAN'S ANNOUNCEMENTS.

(a) Successful Improvement Partnership Bid

The Chairman congratulated the Leader of the Council on his appointment as Vice-Chairman of the Hampshire and Isle of Wight Local Government Association and as Chairman of the Hampshire and Isle of Wight Improvement Board.

The previous week the Leader had led a delegation of all the South East Improvement Boards which had been successful in securing capacity building funding of £8.8m for the South East for the period up to 2008. The funding included £1.3m for Hampshire and Isle of Wight authorities, which also included the New Forest National Park Authority.

(b) David Atwill – Vice-Chairman Local Government Communications

The Chairman announced that David Atwill, Head of Communications, had been elected Vice-Chairman of the National Local Government Communications Association (LG Comms). He would become Chairman in 2007.

LG Comms represented all the local authorities in the United Kingdom and led the way in achieving excellent communications in local government and advancing the interests of those people and organisations that Local Government served.

(c) New Forest Show 2006

The Chairman thanked the officers, especially David Atwill, and members who had helped to make the New Forest Show 2006 such a success for the Council.

Over 16,000 people had passed through the New Forest District Council stand which had offered a variety of activities.

(d) Mrs Manjit Sandhu/Mrs Jayne Griffiths

The Chairman was pleased to announce that Mrs Manjit Sandhu had been appointed Head of Human Resources. Mrs Sandhu had been the Human Resources Manager for five years. Members wished her well in her new post.

Mrs Sandhu would succeed Mrs Jayne Griffiths who had worked for the Council for 18 years but who was leaving the council at the end of August to emigrate to Australia.

The Chairman and Councillors wished Mrs Griffiths and her husband every success in their new venture.

19. REPORT OF CABINET.

Cllr Kendal, the Leader of the Council and the Chairman of the Cabinet, presented the report of the meetings held on 7 June and 3 July 2006.

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

(a) Annual Audit and Inspection Letter

The Leader of the Council reported that the Audit Commission had been highly complimentary about the Council's performance in 2004/05. The Commission had said that they had seldom delivered such a positive report on an authority. The Leader thanked the Director of Resources, officers, Cllr Wise, and members of Committees and Panels for their contributions to the Council's achievements.

(b) Annual Efficiency Statement

A member questioned when the referendum promised by the Leader about a wheeled refuse bin system would take place. The Leader said that the matter under discussion related to the Council's broader financial framework. The referendum would not take place during the current financial year and therefore no financial provision had been made. The Environment Review Panel would consider a report on this issue at their November meeting.

(c) Financial Strategy 2006/2010

A member expressed the view that the Housing Capital Strategy had not been given the consideration and analysis it deserved in the light of the importance of affordable housing as a key priority for the

District. It was moved and seconded that the Financial Strategy be referred back to the Cabinet to take greater account of the housing needs within the District.

The Leader responded that the Cabinet had given full consideration to the matter.

Upon a vote, the amendment was lost.

RESOLVED:

That the report be received and the recommendations adopted.

20. REPORT OF GENERAL PURPOSES AND LICENSING COMMITTEE.

Cllr Dunsdon declared a personal interest in item 2 (Review of Flexible Working) as a relative worked for the Authority. He did not consider his interest to be prejudicial. He remained at the meeting. There was no discussion or voting on the item.

Cllr M S Wade declared a personal and prejudicial interest in item 2 (Review of Flexible Working) as a family member worked for the Authority. He left the meeting during consideration of that item.

Cllr Dow, Chairman of the Committee, presented the report of the meeting held on 16 June 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.

21. REPORT OF COMMERCIAL SERVICES JOINT COMMITTEE.

Cllr Thierry, Vice-Chairman of the Joint Committee, presented the report of the meeting held on 8 June 2006.

A member raised a concern regarding the postponement of a meeting of the Joint Scrutiny Committee on 6 July 2006. This meant that the report before the Council had not been subject to the usual scrutiny process. It was noted that the Scrutiny Committee had had to be postponed due to unavoidable absence of members which had meant that the meeting would not have been quorate.

On the motion that the report be received, it was

RESOLVED:

That the report be received.

22. QUESTIONS UNDER STANDING ORDER 22.

There were none.

23. NOTICE OF MOTION.

The Chairman reported that the subject matter of the motion was an Executive function and therefore should stand referred to the Cabinet. However, as the deadline for response to the Lyons Review was 31 July 2006, and with the agreement of the Cabinet, the Chairman decided under Standing Order 41.2 to allow the motion to be dealt with at this meeting of the Council.

Councillor Weeks moved the following motion standing in his name:-

“This Council notes that the Review of Local Government Finance by Sir Michael Lyons is currently collecting evidence, and therefore resolves to submit its views to him immediately after tonight’s meeting (the closing date is 31 July), as follows:

- (1) That the proportion of local authority expenditure covered by locally-determined taxation needs to be substantially increased to strengthen the capacity of the local democratic system to deliver public services in accordance with the expressed wishes of the local communities it serves;
- (2) That the National Non Domestic Rate (the Business Rate) should be re-localised, with an appropriate equalisation mechanism, as a step towards freeing local government from the present excessive central government control, and to provide an incentive for local economic growth and investment; and
- (3) That the unfair Council Tax should be abolished, and replaced by a tax based on the ability to pay, and that the Council commends to the Review the introduction of a Local Income Tax as by far the best way to achieve that aim”.

Councillor Weeks, in moving the motion said that, of the £21 million required to run the Council, £10 million came from council tax, £9 million from non-domestic rates and the balance from other Government funding, including the rate support grant. Although the Council provided the infrastructure to support business, and collected £39 million in business rates, it received only £9 million of this back. Local Government was heavily reliant on funds from Central Government, but it was felt that monies collected locally should be available for use locally. He added that a survey undertaken in the Ringwood North ward of the District had indicated that council tax payers wanted council tax to be abolished and replaced with a tax based on the ability to pay.

In seconding the motion, Cllr Baker said that council tax and non-domestic rates paid for a large proportion of Central Government initiatives. Britain was the most centralised state in the European Union. Central Government

raised 94% of all tax in Britain, compared with an average of 52% across the EU states. He felt that there should be more flexibility to allow monies raised locally to be spent locally. The needs and wants of local constituents could be satisfied with a local income tax and could lead to enhanced local democracy because locally elected councils would be more accountable for the monies raised and spent.

The Leader of the Council said that he felt that a local income tax would not provide the results suggested by the Liberal Democrat Group. Flexibility to Councils to set their own rates of tax would be impractical. While a local tax on income would be to the benefit of people on fixed or low incomes, it would disadvantage many such as young couples or families who had two incomes but often very large outgoings and low disposable incomes. He moved that paragraph (3) of the motion be replaced by the following:

- (3) That the Council requests that the Lyons Review considers measures within the council tax and benefits regime to reduce the affect of council tax on deserving pensioners and others on low incomes.

The amendment was seconded.

Some members spoke in support of the amendment stating that creating a local income tax would be unfair and undemocratic. Individuals on low incomes and therefore exempt from paying local taxes would be able to influence service provision to which they were not contributing. Younger working people on higher incomes, but who also had higher outgoings, would be supporting services for others. This would mean that people in employment would be penalised and might create an incentive not to work. Any local income tax would have to be collected by employers. This would be extremely difficult if different authorities had different rates of income tax and would be an unfair burden on businesses. By comparison, a property based tax was relatively easy to collect. A local income tax would not be appropriate in areas with a low proportion of earners and Central Government would have to intervene.

Contrary to this, other members were of the view that introducing a local income tax would provide greater responsibility and freedom to the local authority as well as helping to restore local democracy. Collecting taxes after means testing, which would be the case with a local income tax, would be fairer.

The Leader of the Council stated that the fundamental problem associated with council tax was that Central Government was using the monies raised locally to fund Government programmes and initiatives. Major changes therefore needed to be made in the way Central Government funded services. He felt it far better to address hardship cases arising from the current council tax by an improved benefits system. Changing the council tax to a local income tax would penalise working people with low disposable incomes.

In replying to the debate, Cllr Weeks said that it was clear from the debate on the motion that members from both political parties represented on the Council wished to achieve the same aim of reducing the effect of council tax on pensioners and those on low incomes. He felt a local income tax was

the most sensible method of achieving that goal. By attaching a tax based on earnings automatically applied means testing on ability to pay. He felt that members of the public would be happier with a local income tax rather than the current tax based on property values.

Upon a vote, the amendment was carried.

Upon a further vote, the substantive motion was agreed.

24. PORTFOLIO HOLDERS' QUESTION TIME.

Cllr Mrs Smith declared a personal and prejudicial interest in question 2 as a family member made use of the Stocklands Centre in Calmore, which was the subject of the tabled question. She left the meeting during consideration of that item. With the consent of the Chairman, this question, submitted by Cllr Mrs Smith's name, was asked by Cllr Mrs Robinson.

Question No. 1 from: Cllr C J Harrison to Cllr Rickman (Leisure Portfolio Holder)

"At the last portfolio holders' question time I asked you a question about Dibden Golf Centre and was severely criticised by you for not attending any focus meetings at the golf centre. Do you now agree that in the last three years I have never received a list of meeting times for focus meetings or any invitations, also I have never received in that time one agenda or one set of minutes?"

Answer

The Portfolio Holder apologised to Cllr C Harrison for the lack of invitations to the Dibden Golf Centre meetings. It was his understanding that invitations to meetings were sent to one member from each of the three local wards. He further stated that members of the opposition group, despite open invitations, rarely attended the meetings. He encouraged their involvement.

Question No. 2 from: Cllr Mrs Robinson to Cllr Mrs Holding (Health and Social Inclusion Portfolio Holder)

"Councillor Holding might have become aware very recently, of proposals which might mean closure of Stocklands, in Calmore, a residential care home for elderly people, also providing day care for the elderly, to give their carers a break.

In addition, I understand that the Meals-on-Wheels service for New Forest District, relies on Stocklands for heating and packing meals, ready for collection and distribution by the volunteers who deliver them.

Will she give a firm undertaking to contact the Cabinet member at the County Council, responsible for Adult Care Services, and seek an unconditional guarantee that the Meals-on-wheels service, which is provided to some of our most frail and vulnerable senior citizens, will continue?"

Answer

The Portfolio Holder stated that the Stocklands building was now considered unfit for purpose. The building was thirty-five years old and currently had forty-two patients, many of whom suffered from dementia needing specialist care. The current bedrooms needed alterations in order to accommodate equipment for the care of those patients. A consultation was currently taking place which highlighted the current funding problems experienced at Stocklands. The consultation included communications with patients, family members and staff.

The Portfolio Holder further reported that she regularly met with the County Council Executive Member for Adult Care Services on matters affecting the New Forest. The heating and packaging of Meals on Wheels was prepared in Stocklands, these were crucial to many residents of the New Forest. Contingency plans had been put into place should meal preparation have to be removed from Stocklands. The Portfolio Holder reassured members that what ever decision was made regarding the future of Stocklands, Meals on Wheels would continue to be provided. The needs and welfare of the residents of the Forest would be upheld. She went on further to say that the Leader of the opposition group had been personally invited to visit the site.

Cllr Mrs Robinson further questioned whether the wellbeing of the patients would be taken into consideration should they be moved. In response the Portfolio Holder stated that as yet no decision had been made, however continued discussion would take place with patients' family members.

Question No. 3 from: Cllr Hale to Cllr Beck (Crime and Disorder Portfolio Holder)

"Will the Portfolio Holder use whatever influence he has with the local police to address the worries of residents in Fordingbridge who are concerned at the reduction in community policing in the town. Can he obtain a guarantee that it is intended to return the community beat officer, currently assigned to office duties through injury, back to the Fordingbridge beat as soon as is practicable?"

Will he also assess the impact on the policing of Fordingbridge, of the reduction in the overall number of police officers in the North West of the district, due to the reallocation of resources within Hampshire, and make the appropriate representations?"

Answer

The Portfolio Holder replied that it was common practice for him to regularly meet with the four Sector Police Inspectors with the District as well as meeting with the Commander of the Western Operational Command Unit. Officers responsible for the area had advised that Fordingbridge was and would remain a two officer beat. One of the officers covering the area was

currently on restricted duties pending an operation. The Inspector, due to staff shortages, was unable to replace the officer. The Inspector was aware of the concerns of the Town Council and the wider public and was therefore committed to providing extra patrols when possible. This would be in addition to the normal policing of the town.

Patrols in the area now included the deployment of the Special Constabulary both on foot and in high visibility 'impact vans' to combat anti-social behaviour. Crime levels within the town remained low, however the police would be advising members of the public to come forward with information regarding knowledge of criminal damage. The Inspector was currently exploring every avenue to curb anti-social behaviour, including the option of imposing ASBO's and ABC's on individuals.

During April 2006 New Forest, Eastleigh and Test Valley Basic Command Units amalgamated to form the Western Operational Command Unit. Reorganisation would continue with the introduction of Neighbourhood Policing during October. It was also anticipated that thirty-two Community Safety Officers would be deployed within the New Forest Policing District during spring 2007.

Cllr Hale queried whether support would be offered to those who wished to take a firm stance against anti-social behaviour and questioned whether the Portfolio Holder would be prepared to meet residents within Fordingbridge to discuss problems currently being experienced. In response the Portfolio Holder stated that he would do everything in his power to mitigate the concerns of local residents and was always ready to meet local people who had concerns over crime and disorder issues.

25. APPOINTMENTS TO COMMITTEES AND PANELS.

The Leader of the Liberal Democrat Group queried whether it was fair for the Conservative Group to fill the vacancy on the Crime & Disorder Review Panel caused by the resignation of a Conservative member, particularly as the vacancy on the Council had been filled by a member of the Liberal Democrat Group. He felt that the vacancy on that Panel should be filled by a Liberal Democrat member.

It was reported that Cllr Harris had made a formal request for a review of the allocation of seats to the political groups. An item in this regard would be included on the agenda for the next meeting of the Council.

RESOLVED:

- (a) That Cllr C Baker be appointed to the Corporate Overview Panel in place of Cllr Mrs Humber;
- (b) That Cllr Harris be appointed to the General Purposes and Licensing Committee in place of Cllr D Harrison;
- (c) That Cllr Tipp be appointed to the Crime and Disorder Review Panel; and

- (d) That Cllr Pemberton be appointed to the Planning Development Control Committee in place of Cllr Dow.

26. POINT OF ORDER – FORM OF ADDRESS COUNCIL MEETINGS.

Cllr Hale raised a point of order regarding the form of addressing Councillors and officers at meetings of the Council, as well as at other Authority meetings. The Chairman suggested that members email their views to him .

27. MEETING DATES FOR THE 2007/08 MUNICIPAL YEAR.

That meetings be held on the following Mondays at 6.30 p.m.:

21 May 2007 (already agreed)
25 June 2007 (special meeting to agree the Performance Plan)
30 July 2007
17 September 2007
29 October 2007
17 December 2007
25 February 2008
21 April 2008
19 May 2008 (annual meeting)

CHAIRMAN