

REPORT OF CABINET

(Meetings held on 8 March and 4 April 2007)

1. UNDERTAKING A GREEN AUDIT OF NEW FOREST DISTRICT COUNCIL – SCOPING PAPER (REPORT A – 8 MARCH 2007) (MINUTE NO. 100)

Arising from a Notice of Motion received by the Council at their meeting in October 2006 the Council agreed that a comprehensive Green Audit should be undertaken, to begin within 6 months. The Audit will cover all aspects of the Council's operation and review Council policy aimed at improving the performance of the authority in terms of protecting the environment. The Council at their meeting in December received a further Notice of Motion relating to the Council making financial provision to address any urgent issues relating to climate change.

The Cabinet has subsequently agreed arrangements for the undertaking of a green audit of the Council. The audit will focus on the use of non renewable resources and pollution of the environment; the service provider/enabler and community leadership roles of the Council and the nine main themes that will represent the work to be undertaken over the next 21 months.

The audit will provide a better understanding of the issues, current performance, best practice and opportunities for improvement. It will also provide the basis for the Council to develop a strategic response to the challenge of climate change. The audit will produce improvement plans to mitigate the effects of climate change and also make sure the Council is planning to adapt to the impact of climate change. This will put the Council in a strong position to respond to any specific requirements coming out of national initiatives such as the Climate Change Bill.

The Council's own carbon footprint currently stands at 7,655 tonnes of carbon dioxide emissions. Nearly 6000 tonnes of that comes from the Council's offices, health & leisure centres, sheltered housing schemes, depots, public conveniences and public lighting. The remainder (22%) comes from vehicle emissions. In addition to that overall figure, commuting by Council employees accounts for about 700 tonnes of CO₂.

Although a significant figure, and one which could be improved on through a combination of raising awareness, changes in attitudes, use of technology, revised service practices etc, the really significant emission figures are in the community. The average UK citizen is responsible for 11.81 tonnes of carbon emissions annually. The size of the district's population means that the residents alone account for over 2 million tonnes of CO₂ each year. Each day mankind is responsible for about 70 million tonnes of global warming pollution but as local authorities and others across the UK, Europe and the world are focusing on that as an issue, everyone's contribution counts.

Although the prime focus of the Green Audit is on environmental improvement, many of the outcomes will also contribute towards other agenda; health, poverty, social inclusion, economic development etc and, as energy costs money, if energy is saved then money can also be saved not only for the Council and its taxpayers but also for the residents of the District in the way they live their lives.

The Council is in a good position to build on a strong base. Compared to other local authorities NFDC's current performance shows:

- Household waste recycled is amongst the best 25% for all England districts;
- NFDC's streets are cleaner than the average district streets in England;
- NFDC's electricity and gas consumption, compared against the average for similar buildings, is better than half the districts in England.

The Council has also made progress on the green agenda using a variety of initiatives including:

- Being one of the first local authorities to sign up to green electricity to cover all electricity usage at the Council;
- Having combined heat and power plants at Applemore and Ringwood Health & Leisure Centres to produce the majority of daytime electricity in those centres;
- Solar water heating provided for showers at 3 health & leisure centres;
- Rainwater harvesting in place at Appletree Court for use in the toilets;
- The majority of Council sites having push taps to help control water use;
- Lighting efficiency being a key consideration in maintaining offices and other buildings;
- The monitoring and production of management reports on energy usage across the Council;
- All paper that is used at the Council from a sustainable source or 100% recycled;
- £686,000 of Warm Front money being used to help insulate 786 homes in the district in 2004/05 & 2005/06;
- 5% bio diesel used across the Council's fleet;
- All Council vehicles in either Euro 3 or Euro 4 standard with the option to upgrade to Euro 5 when available;
- 104 recycling centres across the District;
- Recycling collected from every household each week via the clear sack recycling scheme;
- A "Go Green" employee travel plan that encourages employees to use alternatives to the car and not to travel by car alone to work. As part of this improved cycle parking, showers/changing facilities are provided;
- Partnership work is underway to improve pedestrian and cycle links particularly aimed at home to school runs; and
- Lyndhurst, Totton and Fawley are designated as Air Quality Management Areas.

However, members agreed that more can always be done. Whilst what will happen to the climate over the next 20 years cannot be influenced, what happens after that can be influenced by actions now.

The Cabinet agreed that this issue needs to become part of the core thinking of the Council and should have cross party support. Members agreed that there will be joint working across the Council and progress will be made on a unanimous basis. This approach will give officers the certainty to prioritise resources on a long term basis. The Leader of the Council, the Environment Portfolio Holder and two representatives from the Opposition Group together with officers, will form a working group to recommend the constitution and terms of reference for a Green Audit Project Board together with an Environmental Challenge Group(s) to work with services and other groups. The work to be undertaken will include discussion on budget provision for any urgent issues arising from climate change and the designation of a key contact officer, for recommendation to the Cabinet and the Council.

Members also agreed that the Green Audit Working Group should consider including increased emphasis on public transport; representation of other interested groups on the Project Board and the need to take advantage of scientific knowledge wherever possible. In particular members noted that sustainability was a key consideration in the Planning Core Strategy and that a report would be made to the Cabinet in July to agree the new Strategy document for consultation.

2. CORPORATE ENFORCEMENT POLICY (REPORT B – 8 MARCH 2007) (MINUTE NO. 101)

In April 2000 the Council adopted the Government's Enforcement Concordat as a model of good enforcement. In doing so it signed up to the principles of consistency, fairness, proportionality, transparency and objectivity. Before and since then, various services within the Council have introduced enforcement policies specific to their own services.

The Cabinet has now agreed, in so far as it is empowered to do so by law, subject to some minor amendments to clarify wording, a corporate enforcement policy that sets out the desired standards of conduct and gives a consistent approach across all services. Beneath this policy will sit a number of service led policies which will detail what action should be taken in various circumstances and provide clarity and consistency of approach to those who complain to the Council or those who are subject to enforcement action.

A public leaflet outlining the main principles of the policy will be produced and will also provide an opportunity for feedback.

RECOMMENDED:

That, subject to some minor amendments to clarify wording, the Enforcement Policy as set out in Appendix 1 to Report B to the Cabinet (8 March 2007) be agreed in so far as the Council are empowered to do so by law in respect of those functions for which they are responsible.

**3. DEVELOPMENT IN LYMINGTON - PETITION (REPORT C – 8 MARCH 2007)
(MINUTE NO. 102)**

Following the presentation of a petition to the Council in February the Cabinet considered the comments of the Planning Development Control Committee who had received a report on the matters in the petition that were within their areas of responsibility.

The Planning Development Control Committee advised the Cabinet as follows:

- (a) That work on preparing the 'Core Strategy' for the District will inform longer term decisions about the disposition of housing provision in the area. The Lymington Society (and many other interest groups) will be able to contribute to the analysis of the options through a consultation exercise in the Autumn of 2007;
- (b) In the interim the Council will have full regard to the guidance in PPS (Planning Policy Supplement) 1 and PPS3 that all new development must have regard to and be appropriate in its context; and
- (c) A consultation exercise will be carried out on procedures to be followed by the Planning Development Control Committee. This will be considered by the Committee as part of a thorough review in the Summer of 2007.

In particular the Cabinet noted that under PPS3 the Council now has greater discretion to consider densities of development in particular areas, but only in the context that they can demonstrate a strategy to meet the overall housing numbers required in the district. The work is being progressed through the "Core Strategy".

Members concurred with the views of the Planning Development Control Committee and agreed that the Lymington Society be informed of the processes and encouraged to participate fully in the public consultation arrangements.

RECOMMENDED:

That the work that is being undertaken be noted and that a letter be sent to the Lymington Society on behalf of the Cabinet, setting out the decision making process for the Local Development Framework and encouraging the Society to participate fully in the public consultation arrangements.

**4. KEY ACHIEVEMENTS 2006/07 AND KEY TARGETS 2007/08 (REPORT A –
4 APRIL 2007) (MINUTE NO. 106)**

Each year the Council identifies its key targets for the year ahead and assesses performance against these targets. The targets are designed to reflect the high level/high impact activities that help the Council focus on achieving outcomes and provide an opportunity to promote the Council's work through the Performance Plan and other means.

The 2007/08 key targets are identified in the main through the high priority areas within the service improvement plans for relevant services. They are then discussed with the Portfolio Holder, scrutinised by the relevant review panel and finally agreed by the Cabinet (See report A to the Cabinet and the minutes of the Cabinet meeting on 4 April 2007 for the detail of the individual targets). All the targets will be included in the Council's Performance Plan.

**5. THE COUNCIL'S IMPROVEMENT PLAN (REPORT B – 4 APRIL 2007)
(MINUTE NO. 107)**

The Cabinet has considered progress against the various areas in the Council's Improvement Plan. Improvement planning is an important aspect for any successful organisation. The Improvement Plan does not stand still but develops as new challenges present themselves.

The Improvement Plan is updated and reviewed on a regular basis and acts as a focus for key corporate improvement issues facing the authority. It works with the four year Corporate Plan and the annual Performance Plan, which remain the key corporate planning documents of the authority. The Improvement Plan also plays a role in the Council's Direction of Travel Assessment.

**6. COMMERCIAL SERVICES DIRECTORATE – SERVICE PLAN 2007/08
(REPORT C – 4 APRIL 2007) (MINUTE NO. 108)**

The Cabinet has approved the 2007/08 Service Plan for the Commercial Services Directorate. The Partnership between NFDC and TVBC was created in September 2002. The Partnership constitution requires that both parent authorities agree an annual business plan.

Members noted the key targets and objectives for the coming year. These include, for the New Forest elements of the Partnership, the following key issues:

- Final ratification for the future direction and development of the Partnership following the formal partnership Review project undertaken in 2006/07;
- Development of the new Street Scene section involving the bringing together of the street cleansing, building cleaning and public convenience functions into one business unit;
- Implementation of the Council's responsibilities under the Clean Neighbourhoods and Environment Act;
- The permanent recruitment to the Waste Managers post and the continued development of the service to optimise the collection of domestic waste and recyclables to meet local and national targets; and
- The transfer of responsibility for the delivery of additional housing planned and reactive maintenance work by the Building Works team from Housing.

7. LEISURE FUNDAMENTAL SERVICE PLAN AND REVIEW (REPORT D – 4 APRIL 2007) (MINUTE NO. 109)

The Cabinet has considered a fundamental review of the Leisure Services Directorate and how it operates. The review has informed a Service Plan that looks across the whole Service, identifying what needs to be improved and how this could be done. It sets a direction for the next four years.

The Review has focused on two main elements – organisational improvement, using the "Towards and Excellent Service" (TAES) criteria, and investigation of the procurement options for the Health and Leisure Centres and the Tourism Service using the corporate model.

The TAES was externally assessed and a very positive result was received however, this was not treated complacently and a full Improvement Plan has been produced. In terms of procurement, the Review has reached the stage of identifying options and the following three options will be investigated further:

- In-house provision with an Improvement Plan
- Tender for an external business partner
- Tender for an external Trust partner

For the Tourism Service, whilst there were eight options at the outset, the Review has shown that only one route, that of in-house provision with an Improvement Plan building on the current levels of partnering and externalisation, seems viable at this stage. However, there is a need to conclude the scoping of the service and the detail of its procurement.

The final outcome of the Review and an assessment of all the options will be reported to the Cabinet in September. In the meantime, the Cabinet has endorsed the direction of the procurement review and agreed the adoption of the Leisure Service Plan, subject to a review in September to take into account the outcomes of the procurement review.

8. LOCAL LAND CHARGES FEES (REPORT E – 4 APRIL 2007) (MINUTE NO. 110)

The maintenance of the Land Charges Register and the provision of information to persons who wish to search it is a statutory function of the district council. In the 2007/08 financial year there will be significant changes to the financial regulations, access to information governing the provision of search information, and the way in which the information is procured. The charge for the statutory search of the Land Charges Register (LLC1) will no longer be set by the Government but by each individual authority.

NFDC is a very efficient Land Charge Authority with almost all formal searches dealt with in 5 working days (97%) and 99.7% within 10 working days, the national benchmark. Notwithstanding this, the Council has been losing work to personal search agents over the last 3 years.

From 1 June 2007 house sellers will be required to produce a Home Information Pack (HIP) before they can put their house on the market. This means that the stage at which a land charge search will be carried out will change. Various organisations such as estate agents and solicitors are looking at producing these packs and many of these may be personal search agents who may take up a greater share of the market.

The Cabinet has considered a number of options to maintain the Council's position in the market place including reducing the fee for a local authority search. Overall the position is still unclear and a number of assumptions have had to be made which can only be validated once the HIPs have come into effect and the financial rules finalised. However, the Cabinet is of the view that to do nothing will result in a substantial loss of the current market share to personal search providers.

After detailed consideration the Cabinet therefore

RECOMMENDED

- (i) That with effect from 1 May 2007 the fee for a full local authority search be set at £80 (Statutory Search LLC1 and Enquiries of Local Authorities CON29);**
- (ii) That with effect from 1 May 2007, the fee for the LLC1 (alone) be set at £40;**
- (iii) That the fee be refunded if NFDC cannot respond to the search within 10 working days of receiving the request;**
- (iv) That officers continue to work to define the full cost of the land charge search service and how this is broken down between its various components; and**
- (v) That a review of the situation be reported to Cabinet in October 2007 or sooner if the finalised financial rules along with the results of the work at (iv) above, suggest that the recommended approach is not sustainable.**

**9. MEALS ON WHEELS CHARGES 2007/08 (REPORT F – 4 APRIL 2007)
(MINUTE NO. 111)**

The Cabinet has considered a proposal to increase the New Forest District Council Meals price by 10p to £2.90 for 2007/08. Hampshire County Council has already set the county price meal at £2.90 for the forthcoming year.

RECOMMENDED:

That the meals on wheels price be set at £2.90 for 2007/2008.

**Cllr M J Kendal
CHAIRMAN**