

**29 OCTOBER 2007**

**NEW FOREST DISTRICT COUNCIL**

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 29 October 2007.

- p Cllr W H Dow - Chairman
- p Cllr P R Woods - Vice-Chairman

**Councillors:**

- p G C Beck
- p D A Britton
- p Mrs D M Brooks
- p Mrs F Carpenter
- p Mrs J L Cleary
- p D E Cracknell
- p G F Dart
- p S P Davies
- p L T Dunsdon
- p Ms L C Ford
- p H F Forse
- e P C Greenfield
- p C J Harrison
- p D Harrison
- p E J Heron
- p P E Hickman
- Mrs A J Hoare
- p Mrs M D Holding
- p J A G Hutchins
- p Mrs P Jackman
- p M J Kendal
- p C Lagdon
- p Mrs M E Lewis
- p Mrs K J Lord
- p Mrs P J Lovelace
- p B D Lucas
- p Mrs A E McEvoy
- p Mrs M McLean
- p G J Parkes

**Councillors:**

- p Sqn Ldr B M F Pemberton
- p J Penwarden
- p L R Puttock
- e M P Reid
- p A W Rice
- p B Rickman
- e W S Rippon-Swaine
- p Mrs M J Robinson
- p Mrs A M Rostand
- p D J Russell
- p R F Scrivens
- e Lt Col M J Shand
- A E J Shotter
- p Mrs B Smith
- p Mrs S I Snowden
- p A J Swain
- M H Thierry
- p A R Tinsley
- p D B Tipp
- p C R Treleaven
- p F P Vickers
- p M S Wade
- p S S Wade
- p R A Wappet
- p J G Ward
- e A Weeks
- p Dr M N Whitehead
- p C A Wise
- e Mrs P A Wyeth

**Officers Attending:**

D Yates, J Mascal, C Malyon, M Devine, Mrs M Dunsmore and Mrs R Rutins.

**41. MINUTES (PAPER A).**

**RESOLVED:**

That the minutes of the meeting held on 17 September 2007, having been circulated, be signed by the Chairman as a correct record.

**42. DECLARATIONS OF INTEREST.**

Cllr C Harrison Minute No. 44, item 8 of the report of the Cabinet dated 3 October – Hythe Ferry Parking Clock Scheme.

Cllr Rice Minute No. 44, item 10 of the report of the Cabinet dated 3 October – Council Tax on Second Homes.

Cllrs Mrs Holding, Kendal, Rice, Rickman and S Wade for Minute No. 48.

Cllr M Wade for Minute No. 51.

**43. CHAIRMAN'S ANNOUNCEMENTS.**

**Chairman's Civic Day**

The Chairman was happy to report that his Civic Day had again been highly successful. This year, the party visited two of the outstanding locations in the west of the New Forest, namely Breamore House and Somerley House. The warm welcomes that were given at both added to the success of the day.

**Farewell to Nick Gibbs and Chris Malyon**

The Chairman asked members to join him thanking Nick Gibbs, Director of Community Services, for his exceptional contribution to this Council and wishing him well for the future.

Nick, a Welshman who had worked in Scotland before he came to the New Forest as leisure services officer, was an accomplished athlete and had overseen tremendous growth in the health and leisure activities.

When he arrived, the Council had just two recreation centres, at Applemore and New Milton, and an 18-hole golf course at Dibden. Since his arrival, the number of centres had grown to five with the emergence of Ringwood, Totton and Lymington and there had been considerable expansion at Dibden, which now had a nine-hole course and a driving range.

His work had also won him respect nationally and he had served as president of the Institute of Leisure and Amenity Managers and chairman of the Leisure Officers' Association.

In addition to health and leisure services, he had taken on a wider range of duties since joining the Council, with housing, tourism, environmental health and planning also under the umbrella of his community services directorate.

He had also played a major part in the fight against crime in Hampshire and was a former chairman of the Hampshire Drug Action Team and a member of the Hampshire Chief Officers' Group.

Within the Council, he had made many friends outside through his and the Council's involvement in partnership arrangements with other agencies, including the police and health organisations.

As Director of Community Services, Nick had played a central role in making New Forest District Council one of the best in the country and in making the Forest a better place for residents and visitors.

The Chairman asked members to join him in sending Nick and his family the Council's thanks and very best wishes.

The Chairman also announced that the Council was also losing the excellent services of the Director of Resources, Chris Malyon, who was attending his last Council meeting.

Chris had come to the authority as Director of Finance eight years ago from Eastleigh Borough Council.

Chris's role rapidly expanded within the Council and as Director of Resources, he had overseen the development of ICT and property services as well as ensuring that the Council had the best possible advice on its financial strategy.

His role in promoting performance was undoubtedly an important factor in helping the Council obtain excellent status, and he successfully led a pilot for the Use of Resources Assessment, which gave the Council national recognition. Chris was also the current President of the Society of District Council Treasurers.

Chris had made many friends within the Council, and members and officers wished him well as he took up a new challenge in the private sector.

### **New Forest Tourism Success**

The Chairman was delighted to announce that the Council's Tourism service had been shortlisted for one of the world's top tourism awards.

The Council had been short-listed alongside Costa Rica and Sri Lanka's Arugam Bay in the 'best destination' of the Virgin Holidays Responsible Tourism Awards. The New Forest was the only English Authority to have reached the final stages. And the Tourism Destination Manager, Tony Climpson was in the final three of the 'personal contribution' listings. The awards would be announced at a special ceremony in London on 14 November. In addition, the Council's excellent tourism website, [www.thenewforest.co.uk](http://www.thenewforest.co.uk) had been named as the best of its kind in Hampshire.

### **Oakhaven Informal Reception**

The Oakhaven Hospice in Lymington was one of the charities which the Chairman was supporting this year and Councillors had received an invitation to attend an informal reception on Thursday, 1 November. The Chairman looked forward to seeing as many Councillors as possible there.

### **Forthcoming Charity Events**

The Chairman announced forthcoming charity events, including: -

#### Christmas Fair

Sunday 9 December - this year's Christmas Fair at the Lyndhurst Park Hotel from 10.30 till 4.00 pm. The Chairman asked members to come along and support Oakhaven Hospice and Hampshire & Isle of Wight Air Ambulance.

#### Charity Concert

Saturday 24 November 2007 at 7pm at Hyde Church - Charity Concert, organised by the Chairman's wife to raise funds for the two charities mentioned above and also for the Diocese of Kinkiizi, Uganda. The St Nicholas Singers, recently returned from a very successful tour of Ireland, would be performing.

#### Remembrance Day – Sunday 11 November 2007

The Council would be represented at a number of Remembrance Sunday services. The Chairman would be attending the wreath-laying ceremony at the Memorial Gates near Fordingbridge Recreation Ground after which there would be a march to St Mary's Church for a service starting at 10.45am.

Vice Admiral Sir James Weatherall KCVO, KBE, Deputy Lieutenant of Hampshire would also be attending at Fordingbridge and would lay a wreath on behalf of the Hampshire Lieutenancy.

As Vice-Chairman, Cllr Woods would represent the Chairman at the war memorial service at New Milton at 10.30 am.

Cllr Kendal, as Leader of the Council, would attend the service at Keyhaven War Memorial at 2.00pm and at All Saints' Church, Milford –on-Sea at 3.00pm.

## **44. REPORTS OF CABINET AND COMMITTEE.**

Cllr Rice declared a personal interest as the owner of a second home, in item 10 of the Cabinet report dated 3 October – Council Tax on Second Homes. He did not consider the interest to be prejudicial and he remained in the meeting, took part in the debate and voted.

Cllr Kendal, the Leader of the Council and the Chairman of the Cabinet, presented the report of the meeting held on 3 October 2007.

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

**(a) Abandoned Shopping Trolleys**

Some members queried whether Police Community Support Officers (PCSO's) and Accredited Community Safety Officers (ACSO's) could take an active role in assisting with the abandoned shopping trolley problem across the District. The Portfolio Holder for Crime and Disorder noted this suggestion.

**(b) Partnership for Urban South Hampshire – Proposed Governance Arrangements**

The Leader announced that the Cabinet intended to appoint him as the Executive Member on the Joint Committee, with Cllr Treleaven as the deputy. He also announced that the Cabinet would appoint Cllr Vickers as the Council's representative on the Overview and Scrutiny Committee, with Cllr Lagdon as deputy.

**(c) Hythe Ferry Parking Clock Scheme**

During discussion on this item, the arrangements with traders in Beaulieu were raised. Cllr C Harrison declared a personal and prejudicial interest as he owned a business in Beaulieu High Street. He left the meeting during consideration of the item.

In discussing the appropriateness of the suggested scheme currently under public consultation, some members queried whether the Council had undertaken adequate consultation with local district and parish members as well as the wider local community. It was felt by some that the proposed scheme was too complex and could easily confuse the public who could be vulnerable to fines. On the other hand, some members felt that the scheme was a simple one, which had been discussed with key stakeholders including the ferry company and the Parish Council. The changes would not dramatically affect the Parish Council or the people in Hythe.

The Planning & Transportation Portfolio Holder explained that the Council had received representation from the Parish Council suggesting an alternative scheme and that the Cabinet would consider this representation along with others received during the consultation period. The consultation process would end on 5 November after which the Cabinet would make a final decision.

Some members felt that the parking system currently operating in Beaulieu High Street, whereby the Leader of Hampshire County Council had issued local shop keepers with parking permits, allowing them to park in the Council car park should be explored as a possible option for Hythe. It was explained that this system meant that by offering alternative parking to local shop keepers, the High Street was kept free for parking for passing tourists. This system involved limited funds and scope and the view was expressed that it would not be suitable for Hythe owing to the differing characters of the two areas.

The Leader considered that the Council had undertaken sufficient consultation on this matter.

**RESOLVED:**

That the report be received and the recommendations adopted.

**45. REPORT OF COMMERCIAL SERVICES JOINT COMMITTEE.**

Cllr Wise, Chairman of the NFDC/TVBC Commercial Services Joint Committee, presented the report of the meeting held on 14 September 2007.

On the motion that the report be received, it was

**RESOLVED:**

That the report be received.

**46. QUESTIONS UNDER STANDING ORDER 22.**

There were none.

**47. PORTFOLIO HOLDERS' QUESTION TIME.**

**Question from:** Cllr D Harrison to Cllr Mrs Holding (Employment, Health and Wellbeing Portfolio Holder)

"Will the Portfolio holder for Employment, Health and Wellbeing indicate support for the Liberal Democrat campaign to save the Post Offices in the New Forest that are threatened by closure?"

**Answer:**

The Portfolio Holder replied that from 1998 she had represented the Council on the Post and Telecommunications Advisory Committee and had been a member until the Committee was regionalised and moved to Exeter four years later. She had been involved ever since through membership of the Rural Commission, Hampshire Rural Committee and Hampshire and Isle of Wight Local Authorities. The Conservatives had been involved with all aspects of Post Office for a long time.

Several years ago at the Rural Commission the Portfolio Holder had asked Alun Michael the then Minister, if he had any intention of closing rural Post Offices as it had been rumoured in the press. He categorically stated there were no plans and yet within 6 months 50 Post Offices had closed. Last month the Portfolio Holder had attended the Rural Commission in Torquay where she heard the Minister speak and the Programme Director of Post Office Network. The Minister had stated that there would be 2000 Post Offices named on which there would be consultations and these would be

brought forward County by County. Someone pointed that these were already on the internet and asked if it was a fait accompli. No reply was given. The Portfolio Holder asked whether the Post Office should be looked at as a social amenity or purely as a business. The Minister replied that this was the crux of the matter but it was yet to be decided. Hampshire and the Isle of Wight was now in the process of a consultation period.

Eight Post Offices in the New Forest had been earmarked for consultation on closure. The Council's Performance and Development Manager, Keith Smith, had contacted all the Parish and Town Councils and all members and asked for their comments by 16 November. The issue would then be looked at by Cabinet Members and progressed as a Portfolio Holder decision.

The Chief Executives at HLOWLA had already sent a reply to the consultation with their concerns which stated: -

1. That the changes could have a significant impact on the most vulnerable groups in our communities i.e. reduced public transport and the deprivation indices show there was a need for these services.
2. They had suggested that everyone should be within a half and one and a half miles of their local Post Offices as opposed to the suggested 3 miles.
3. Cities and the Isle of Wight were facing significant pressures for growth – an increase for some 6,935 new homes a year to 2026. Services would be needed for the people who lived there.

The Portfolio Holder felt that there was a lack of detail in the proposals that had been produced so far, as all that was being looked at were replacement arrangements rather than any closure proposals themselves. Current usage delivery and an understanding of impacts on individuals and communities were required. All this must be taken into account. Each Post Office should be looked at individually to see what the local people wanted and the Conservative Councillors were already doing this.

Cllr D Harrison thanked the Portfolio Holder for her support on this issue.

**48. NOTICE OF MOTION.**

Cllrs Mrs Holding, Kendal, Rice, Rickman and S Wade declared personal interests in this item as members of the National Park Authority. None of these members considered that their interests were prejudicial and they remained in the meeting, took part in the debate and voted.

Cllr Wise moved the following motion standing in his name:

"I propose that New Forest District Council should:

- (a) Establish a NFDC National Park Members' Working Group drawn from New Forest District Council Members whose wards lie wholly or partly within the National Park; and

- (b) Make a formal request to the New Forest National Park Authority (NPA) that the NPA should involve this Working Party in the formulation of its Local Development Framework (LDF), including consideration of LDF documents prior to public consultation.”

In proposing the motion Cllr Wise expressed his regret and concern that the New Forest National Park Authority had withdrawn from working with the Council on a joint Preferred Options document. He felt that a joint document, covering the entire New Forest district, would have been more inclusive. It was further considered that there were now a number of councillors, whose wards were either wholly or partly within the New Forest National Park, who would not now be able to directly represent the views of their constituents in the formation of the New Forest National Park Preferred Options document. Although the National Park had expressed logical reasons for withdrawing from the joint document, in doing so it had excluded 41 District Councillors from inputting into the document. He felt strongly that a working group of affected members should be formed to ensure that the views of their constituents were adequately represented and that the people of the New Forest were not disenfranchised.

In seconding the motion, Cllr Mrs Robinson said that it was regrettable that the National Park Authority had chosen to withdraw from the joint strategy. She felt that it was paramount that the elected representatives of the people of the New Forest had adequate input into both core strategies. Councillors had responsibility to express the views of their constituents and without this opportunity there would be a democratic deficit. She felt that the suggested Working Party would address this issue.

Other members expressed concern that the National Park Authority had not followed through their offer of joint working. Members were in strong support of the motion.

**RESOLVED:**

- (a) That a National Park Members' Working Group drawn from New Forest District Council Members whose wards lie wholly or partly within the National Park be established; and
- (b) That a formal request be made to the New Forest National Park Authority (NPA), that the NPA should involve the Working Party in the formulation of its Local Development Framework (LDF), including consideration of LDF documents prior to public consultation.

**49. EXCLUSION OF THE PUBLIC AND THE PRESS.**

**RESOLVED:**

That, under Section 100 (A)(4) of the Local Government Act 1972, the public and the Press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A of the Act.

**50. SENIOR MANAGEMENT RESTRUCTURE (REPORT B).**

**RESOLVED:**

That the report be received and the recommendations adopted.

**51. RE-ADMISSION OF THE PUBLIC AND PRESS.**

**RESOLVED:**

That the public and the press be re-admitted to the meeting.

**52. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT.**

(1) Appointment of Executive Directors

As the restructure of the Senior Management of the Council had been approved, the Council discussed the appointment of the two Executive Directors.

In line with the Council's redeployment procedures, and the Chief Executive being satisfied that due process had been followed, the two remaining directors would be redeployed to the Executive Director positions.

**RESOLVED:**

- (a) That the current Director of Resources, Chris Malyon, be appointed to the position of Executive Director with Section 151 responsibilities with effect from 1 November 2007; and
- (b) That the Director of Commercial Services, John Mascal, be appointed to the other position of Executive Director with effect from 1 November 2007.

(2) Appointment of Section 151 Officer

Following the resignation of the previous Director of Resources (now the Executive Director with Section 151 responsibilities), the position of Executive Director with Section 151 responsibilities would become vacant with effect from 30 November 2007. The Council considered the interim arrangements for the Section 151 responsibilities until such time as the vacancy was filled.

**RESOLVED:**

That the following appointments be approved with effect from 30 November 2007:

<b>Power Delegated</b>	<b>Delegation to</b>	<b>Legislation</b>
To be the officer responsible for the financial administration of the authority	Chief Executive, or in his absence, the Assistant Director (Financial Services), or Audit Manager	Local Govt Act 1972 s.151, as amended by Local Government Finance Act 1988 s.114 and Local Government and Housing Act 1989 s.139 and Schedule 5; Local Government Act 1972 s.101.

(3) Pay Award

Cllr M Wade declared a personal and prejudicial interest in this item as his spouse and sons worked for the Council. He left the meeting during consideration of the item.

The negotiations for the pay award with effect from 1 April 2007 might reach a conclusion before the next Council meeting. As such it was,

**RESOLVED:**

That subject to the Pay Panel reaching agreement on a financial settlement that falls within the Council's budget provision, authority to agree the pay award to be backdated to 1 April 2007 be delegated to the General Purposes and Licensing Committee.

(4) Representation on Committees and Panels

The Leader of the Council announced that he had appointed Cllr Heron as Portfolio Holder for Environment following the resignation of Cllr Thierry as Portfolio Holder. The Leader announced that the Cabinet intended to make the following changes to outside bodies at their next Cabinet meeting: -

**Green Audit Project Board**

Cllr Heron in place of Cllr Thierry.

**Project Integra Management Board**

Cllr Heron in place of Cllr Thierry and Cllr Mrs Holding (as Deputy) in place of Cllr Ms Ford.

**NFDC/TVBC Joint Services Committee**

Cllr Heron in place of Cllr Thierry.

In addition, the Leader proposed the further changes to membership of Committees and Panels in light of the appointment of Cllr Heron to the Cabinet, as detailed in the resolution below.

**RESOLVED:**

- (a) That Cllr Mrs McEvoy be appointed to serve on the Corporate Overview Panel in place of Cllr Heron;
- (b) That Cllr Forse be appointed to serve on the Employment, Health and Wellbeing Review Panel in place of Cllr Heron;
- (c) That Cllr Reid be appointed to serve on the Housing Review Panel in place of Cllr Heron; and
- (d) That Cllr Lagdon be appointed to serve on the Crime and Disorder Review Panel in place of Cllr Russell.

**CHAIRMAN**

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