

**17 DECEMBER 2007**

**NEW FOREST DISTRICT COUNCIL**

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 17 December 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
- e H F Forse
- p P C Greenfield
- p C J Harrison
- p D Harrison
- p E J Heron
- p P E Hickman
- p Mrs J A Hoare
- p Mrs M D Holding
- p J A G Hutchins
- p Mrs P Jackman
- p M J Kendal
- p C Lagdon
- e 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
- e J Penwarden
- p L R Puttock
- p 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
- p Lt Col M J Shand
- p 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
- p A Weeks
- e Dr M N Whitehead
- p C A Wise
- p Mrs P A Wyeth

**Officers Attending:**

D Yates, J Mascall, Mrs M Dunsmore and Mrs R Rutins.

**53. DECLARATIONS OF INTEREST.**

Cllrs Britton, Mrs Brooks, Dart, D Harrison, Lagdon, Lucas, Reid, Russell, Scrivens, Shotter, Rice and Weeks declared interests in Minute No 56.

Cllr Kendal declared an interest in Minute No 56.

Cllrs M Wade and S Wade declared interests in Minute No 57.

Cllr Rice declared an interest in Minute No 59.

**54. MINUTES (PAPER A).**

**RESOLVED:**

That the minutes of the meeting held on 29 October 2007, having been circulated, be signed by the Chairman as a correct record subject to the amendment to Minute No. 44, paragraph (c) Hythe Parking Clock Scheme, third paragraph, to read as follows:-

"The Planning and Transportation Portfolio Holder explained that the Council had received representation from the Parish Council suggesting that an alternative scheme should be found".

**55. CHAIRMAN'S ANNOUNCEMENTS.**

**Hampshire and Isle of Wight Local Authorities Survey – Members' Development Courses**

The Chairman requested that members complete the Members' Development Survey which had been sent by email last week and was mentioned in the Group meetings.

Members were reminded that £140,000 had been made available by Central Government for member development events in Hampshire and the Isle of Wight next year. Cllr Kendal was Chairman of the HLOWLA Improvement Board which secured the funding for the project.

**Holly & Ivy Christmas and Charity Lunch – Sunday, 9 December**

The Chairman announced that the Holly & Ivy Charity Christmas fair held at the Lyndhurst Park Hotel had been an outstanding success. Over £1,000 had been raised for the Chairman's chosen charities, Oakhaven Hospice and the Hampshire and Isle of Wight Air Ambulance.

The Chairman expressed his thanks to everybody who had helped to organise the event, especially Councillor Jill Cleary, and thanked all for the tremendous support given to those worthwhile charities so far.

**The New Forest Veterans' Christmas Party – Tuesday, 11 December**

The Chairman had welcomed 40 of the New Forest veterans to a special Christmas Tea Party in the Pantry at Appletree Court on 11 December.

They had appeared to thoroughly enjoy the party and had been delighted to receive the special New Forest Veterans badge which New Forest District Council had made to honour these veterans.

**Christmas**

The Chairman wished everyone a Merry Christmas and a Happy New Year.

**56. REPORT OF CABINET.**

Cllrs Britton, Mrs Brooks, Dart, D Harrison, Lagdon, Lucas, Russell, Reid, Scrivens and Weeks declared personal and prejudicial interests in Item 15 of the Report of the Cabinet dated 5 December as members of Totton and Eling Town Council and, in the case of Cllrs Brooks, Britton and Russell as Trustees of the Eling Tide Mill Trust. They left the meeting during consideration of the item.

Cllrs Rice and Shotter declared personal and prejudicial interests in Item 15 of the Report of the Cabinet dated 5 December as Trustees of Eling Tide Mill Trust. They left the meeting during consideration of the item.

Cllr Kendal declared a personal interest in Item 9 of the Report of the Cabinet dated 5 December as a member of Hampshire Country Council. He did not consider the interest to be prejudicial and he remained in the meeting, took part in the debate and voted.

Cllr Kendal declared a personal interest in Item 13 of the Report of Cabinet dated 5 December as Environment Portfolio Holder for Hampshire County Council. 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 meetings held on 7 November and 5 December 2007.

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

Eling Experience – Cllr Shand as former Chairman of the Eling Tide Mill Trust, commented that he was pleased that the Eling Experience project was progressing after long discussions. He felt that Eling Tide Mill was one of the Council's 'jewels in the crown' and hoped that the Council would continue to support the Mill in the future.

**RESOLVED:**

That the report be received and the recommendations be adopted

**57. REPORT OF GENERAL PURPOSES AND LICENSING COMMITTEE.**

Cllr Puttock, Chairman of the General Purposes and Licensing Committee, presented the report of the meeting held on 16 November 2007.

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

**RESOLVED:**

That the report be received and the recommendations adopted.

**58. QUESTIONS UNDER STANDING ORDER 22.**

There were none.

**59. PORTFOLIO HOLDERS' QUESTION TIME.**

Cllr Rice declared a personal interest as a member of the New Forest National Park Authority (NPA). He did not consider the interest to be prejudicial and he remained in the meeting and took part in the debate.

**Question from:** Cllr Wise to Cllr Treleven (Planning and Transportation Portfolio Holder)

“At its last meeting on 29 October this Council agreed that following the withdrawal of the National Park from formulating a joint Local Development Framework with us, a Working Group should be established so members whose wards lie wholly or partly in the National Park could be involved in the formulation of the Park’s Local Development Framework (LDF).

I am informed that the Chief Executive of the National Park has rejected our written approach.

Does the Portfolio Holder know whether our letter was put to the members of the National Park and would he agree that this rejection could mean the disappearance from the Forest of true democracy and the establishment of rule largely by civil servants responsible to faceless people in Whitehall”?

**Answer:**

The Portfolio Holder replied that the question allowed him to update the Council on the current state of arrangements for joint working with the NPA.

The Chief Executive of the NPA did reply in writing on 21 November to the District Council’s Chief Executive, who had brought the Council resolution of 29 October to her attention. This resolution had requested a District Council member working group to be involved with the NPA LDF preparation. In essence, the NPA Chief Executive stated in her reply that the existing Core Strategy Joint Members Group – consisting of four District Councillors, four National Park Members and one Local Strategic Partnership (LSP) member was sufficient mechanism for such involvement, given the resources of the NPA. There had been and would continue to be workshop groups on specific NPA topics from time to time, to which some District Council Members had been invited. Officers from both Authorities worked together. The Portfolio Holder was not aware how many NPA Members, apart from their Chairman, had seen this exchange of letters.

In parallel with this exchange, the Portfolio Holder had kept in personal contact with the Chairman of the NPA in an attempt to keep the Joint Members' Group alive and functioning constructively. This contact had led to a Joint Members Group Meeting on 29 November, when Members from both the NPA and the District Council expressed a wish to continue active co-operation. The Portfolio Holder had also attended as an observer, a NPA meeting on 6 December, when the NPA response to the Council's draft consultation Core Strategy was discussed. NPA Members agreed at that meeting to continue co-operation and joint working with the District Council.

To assist this co-operation, the NPA Head of Policy and Plans (John Clements), had sent the Portfolio Holder a list of workshop events to which the Portfolio Holder was invited. This list had been circulated to all Councillors by the Leader of the Council. The Portfolio Holder welcomed hearing positively from Members who would like to be involved in the way John Clements described.

The Portfolio Holder was particularly anxious, as were the Council's officers, to achieve a situation where the NPA and the Council had complementary and compatible Core Strategies and Development plan documents, at least by the time both organisations were ready to present the separate submissions for the Examination-in-Public. New Forest residents, be they from the Park or the District, would be highly disillusioned if this were not to be the case. Important strategic matters such as housing and employment required joined up thinking between the two Authorities.

As far as democratic accountability was concerned, National Parks were responsible to Parliament through DEFRA. The New Forest NPA was the Local Planning Authority for the area within the park boundary, and this function was exercised by their Members who were appointed, rather than elected by local residents as was the case for the District.

In response to a supplementary question regarding the proposal by the NPA to designate Boldre Parish a conservation area to the displeasure of the democratically elected Parish Council and because of the rigid restrictions this would place on residents, the Portfolio Holder replied that the designation of Conservation Areas was a task undertaken by Local Planning Authorities of which NPA was one and the District Council another. According to PPG15 Planning and the Historic Environment (Department of Environment & National Heritage, September 1994) there was no statutory requirement to consult but in his view it was highly desirable to do so. Constituents of Cllr Wise who wished to prune their trees for example might be in an analogous situation to shopkeepers in the Conservation Areas of out towns who might wish to change their shop front or signage. Namely, they have to find out if they needed to apply for permission, and if they did need to, they applied in the normal way. If refused they had the right of appeal.

**Question from:** Cllr D Harrison to Cllr Rickman (Leisure, Culture and Youth Matters Portfolio Holder)

"I am more worried than ever about the increasing scientific evidence linking sun bed usage to skin cancer. I want our Health & Leisure Centres to promote good health. I don't believe that sun beds are safe to use. Does the Portfolio Holder agree?"

**Answer**

The Portfolio Holder replied that in response to the increasing concern regarding the links between tanning and skin cancer, the Health and Leisure Centres had introduced a range of safety measures including limiting each user to a maximum of 20 sun beds a year. Clear information on the risks associated with over exposure, clear guidance for users of differing skin types, prescribed exposure times, best practice guidance for sun bed use and stringent maintenance arrangements for equipment were in place. This issue had been examined by the Leisure Review Panel on 13 March and in response to the recommendation and findings of the Panel, as of January 2008 the Centres had raised the limit of sun bed use per user.

A supplementary question was raised regarding the recent comment made by the Chartered Institute of Environmental Public Health that skin cancer was a major problem in Britain and that sun bed usage was a contributor to this which local authorities should not profit from. It was felt that sun beds should phased out. The Portfolio Holder replied that the Council were responding to customer choice but would continue to monitor this issue.

**60. NOTICE OF MOTION.**

Cllr Shotter moved the following motion standing in his name: -

“That New Forest District Council calls on the Local Government Association to make representations to Central Government to review the rules that Government Inspectors use when dealing with applications for Site Operator Licences. In view of the fact that Inspectors only consider the suitability of the site, the Government should:-

- (1) Widen the powers of Inspectors so that they may give consideration to the impact on the local road network and on the local environment; and
- (2) That the consultative stage be extended to include representations from District, Parish and Town Councils (at present only owners of neighbouring properties may comment).”

The motion was seconded.

**RESOLVED:**

That under the provisions of Standing Order 41, the motion be referred to the Cabinet.

**61. THE COUNCIL TAX 2008/2009 SETTING THE TAX BASE (REPORT B).**

Members considered the calculation of the Council Tax Base in so far as it related to the Council function.

**RESOLVED:**

That, in so far as the Council is empowered to do so by law:

- (a) the calculation of the Council's tax base for the year 2008/09 be approved; and
- (b) pursuant to this report and in accordance with the Local Authorities (Calculation of Council Tax Base) (Amendment) Regulations 2003, the amount calculated by this Council as its council tax base for the year 2008/09 be as follows and as detailed in Appendix 1 to Report B to the Council:

<b>PARISH/TOWN</b>	<b>TAX BASE 08/09</b>
Ashurst & Colbury	927.1
Beaulieu	511.3
Boldre	1058.3
Bramshaw	344.7
Bransgore	1864.4
Breamore	184.0
Brockenhurst	1833.7
Burley	784.0
Copythorne	1223.1
Damerham	237.0
Denny Lodge	153.8
East Boldre	393.8
Ellingham, Harbridge & Ibsley	597.6
Exbury & Lepe	114.7
Fawley	4822.8
Fordingbridge	2384.3
Godshill	215.9
Hale	266.2
Hordle	2451.2
Hyde	509.7
Hythe & Dibden	7735.1
Lymington & Pennington	6982.5
Lyndhurst	1389.0
Marchwood	2113.3
Martin	192.4
Milford on Sea	2732.6
Minstead	364.1
Netley Marsh	821.0
New Milton	10887.9
Ringwood	5414.1
Rockbourne	166.0
Sandleheath	275.0
Sopley	301.9
Sway	1669.3
Totton & Eling	9823.0
Whitsbury	103.3
Woodgreen	253.2
<b>Whole District</b>	<b>72101.3</b>

**62. DELEGATIONS OF POWERS TO OFFICERS – GENERAL PROVISIONS (REPORT C).**

Members considered the necessary consequential changes to the general provisions that applied to all delegations following the implementation of the new senior management structure.

**RESOLVED:**

That the General Provisions relating to the Scheme of Delegation of Powers to Officers, insofar as they relate to matters that are the responsibility of the Council, be amended as shown in Appendix 1 to Report C to the Council, with the inclusion under paragraph (f) first line of the words 'Leader of the Council' after the words 'in consultation with'.

**63. EXECUTIVE DIRECTOR APPOINTMENT.**

The Council considered the appointment of an Executive Director.

**RESOLVED:**

That Mr Robert Jackson be appointed to the post of Executive Director and that on take up of his appointment he also becomes Officer Responsible for Financial Administration as defined by the Local Government 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.

CHAIRMAN

(DEMOCRAT/CL171207/MINUTES.DOC)