

9 SEPTEMBER 2013

## NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 9 September 2013.

- p Cllr Ms L C Ford – Chairman
- p Cllr Mrs M D Holding – Vice-Chairman

### Councillors:

- p A R Alvey
- p Mrs D E Andrews
- ap G C Beck
- p Mrs S V Beeton
- p Ms R Bellows
- p Mrs S M Bennison
- p J E Binns
- p D A Britton
- p Mrs D M Brooks
- p S J Clarke
- p Mrs J L Cleary
- p G F Dart
- p S P Davies
- p W H Dow
- p A T Glass
- p M R Harris
- p C J Harrison
- p D Harrison
- p E J Heron
- p J D Heron
- ap Miss A J Hickman
- p Mrs A J Hoare
- p Mrs P Jackman
- p M J Kendal
- p A N G Kilgour
- p C Lagdon
- p Mrs M E Lewis
- p Mrs P J Lovelace
- p B D Lucas

### Councillors:

- p Mrs A E McEvoy
- p Mrs M McLean
- p A D O'Sullivan
- p N S Penman
- p J Penwarden
- ap L R Puttock
- p A W Rice
- p B Rickman
- ap W S Rippon-Swaine
- p Mrs M J Robinson
- p Mrs A M Rostand
- p D J Russell
- p R F Scrivens
- p Miss A Sevier
- p M D Southgate
- ap A J Swain
- ap M H Thierry
- p A R Tinsley
- p D B Tipp
- p F P Vickers
- p M S Wade
- p S S Wade
- p R A Wappet
- p Mrs C V Ward
- p J G Ward
- p C A Wise
- p Mrs B M Woodifield
- p P R Woods
- p Mrs P A Wyeth

### Officers Attending:

D Yates, Miss G O'Rourke, Mrs R Rutins and Ms M Stephens

### 19. MINUTES (PAPER A).

#### RESOLVED:

That, subject to it being recorded that Cllr Lucas had apologised for his absence, the minutes of the meeting held on 15 July 2013 be signed by the Chairman as a correct record.

**20. DECLARATIONS OF INTEREST.**

No declarations of interest were made by members in connection with an agenda item.

**21. CHAIRMAN'S ANNOUNCEMENTS.****Council's Success at the New Forest Show**

The Chairman was very pleased to report that the Council had been awarded the best large stand at this year's New Forest Show. The Chairman congratulated and thanked officers for their enthusiasm and commitment in achieving such an outstanding success for the Council.

**The Royal Baby**

On behalf of all New Forest residents, the Chairman had written to the Duke and Duchess of Cambridge to congratulate them on the birth of their son Prince George. The Chairman had received a gracious reply from Kensington Palace, which had been published in the August Information Bulletin.

**Dibden Golf Pro-am**

On Friday 9 August, the annual pro-am golf tournament had taken place at Dibden Golf Centre. The Chairman thanked Mytime Active, the operators of the centre, for continuing the tradition of running the event. The Chairman had been presented with a generous cheque for her two chosen charities. The Chairman thanked staff at Mytime Active and officers of the Council for their efforts in organising this event.

**Civic Day**

The Chairman reported that her Civic Day, held on Thursday 5 September, had been a great success. This year, Ringwood Gateway, the Ringwood Brewery and the Fortune Centre of Riding Therapy in Bransgore had been visited by civic dignitaries from Hampshire and adjacent authorities. The Chairman thanked all involved in the organisation of the day, especially her PA, Donna Langfield.

**Chairman's Charity Evening**

The Chairman had had the pleasure of hosting a charity petanque event on Friday 6 September at the Three Tuns, Bransgore. She thanked Councillors who had attended. The event had raised a total of £80 for her chosen charities.

**22. LEADER'S ANNOUNCEMENTS.****Sale of Electoral Register Details**

The Leader of the Council referred to recent media reports about councils "cashing in" through selling residents' personal details contained in electoral registers. The Leader said that this Council had sold electoral registers because of a legal obligation and not because the Council was "cashing in".

The Electoral Registration Officer was required to prepare two versions of the electoral register, the "full" and the "edited" register.

**The "full" register** contained all electors' names and had, by law, to be available for public inspection. Copies also had to be made available to certain persons and bodies such as elected representatives, political parties and credit reference agencies.

The “**edited**” register contained the names of those electors who had not opted out of their names appearing on this version. The edited register had, by law, to be made available for general sale and could be used for any purpose. The cost of purchasing the edited register was also fixed by law.

This Council had in the past made strong representations to the Government about the edited register. It had been the Council’s view that the register of electors should be used for electoral purposes only and that the register, albeit an edited version, should not be available for sale. However, the legal position was that the Council had to sell the edited version to anyone who paid the prescribed fee.

The Council had also expressed the view that electors should have to consciously “opt in” to appearing on the edited register, not “opt out”. Unfortunately the legal position remained that electors had to “opt out” if they did not want their names to appear on the edited version and therefore sold on.

### **Fluoridation**

As requested by the Council at its last meeting, and because the County Council had been due to debate a notice of motion on the question of the fluoridation of public water supplies, the Leader of the Council had written to the Leader of Hampshire County Council drawing his attention to this Council’s previously expressed strong opposition to fluoridation.

The Leader informed members that at the meeting of the County Council on 18 July the notice of motion had been withdrawn. It had become clear that responsibility for decision-making on fluoridation schemes rested with local authorities, in this case with Hampshire County Council. The status of the previous fluoridation proposals of the South Central Strategic Health Authority had been unclear and the County Council needed to review the extent and existence of earlier decisions taken by the Health Authority and Southern Water. The County Council would consider the matter again when further information became available.

### **Briefing on Economic Growth – 21 October 2013**

The Leader referred to the fact that one of the Coalition Government’s priorities was the promotion of economic growth. He had included economic matters in the Leader’s Portfolio to help ensure that the District Council played a full part, particularly in supporting local businesses. The national strategy for economic growth had led to a number of major changes with the creation of Local Enterprise Partnerships (LEPs) and dramatic changes to Council funding, including the new homes bonus and business rates. The Council’s strategy through support for the New Forest Business Partnership, Brand New Forest and championing of the High Street had been developing well.

So that all members had the opportunity to be briefed on the current situation, the Leader had arranged for a session on economic growth developments to be held at 5.30 pm on Monday 21 October before the next full Council meeting. He urged all members to attend.

**23. REPORT OF CABINET.**

Cllr Rickman, the Leader of the Council and Chairman of the Cabinet, presented the report of the meeting of the Cabinet held on 4 September 2013.

**Item 5 – Partnership for Urban South Hampshire (PUSH)**

Cllr C Harrison requested that the Council appoint a non-executive Member from the Waterside to serve on the PUSH Joint Overview & Scrutiny Committee.

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

**RESOLVED:**

That the report be received and the recommendations be adopted.

**24. QUESTIONS UNDER STANDING ORDER 22.**

There were none.

**25. QUESTIONS UNDER STANDING ORDER 22A.**

**Question 1:** from Cllr Lagdon to Cllr Mrs Cleary, Portfolio Holder for Housing & Communities

"Could the Portfolio Holder for Housing & Communities please tell the Council how the possible closure of the Cranleigh Paddock Specialist Dementia Unit at Lyndhurst by Hampshire County Council (HCC) would affect the sheltered housing unit which this Council has on that site, should the closure go ahead?"

**Reply:**

The Portfolio Holder confirmed that HCC were currently consulting on a proposal to close the dementia unit which was run on a site part owned by HCC and New Forest District Council. The impact of a future closure of the dementia unit would be considered seriously by this Council, to ensure that the sheltered housing unit could operate independently. She confirmed that if HCC decided to close the dementia unit, the building, after having minor repairs, could continue to operate. She said that it was premature to discuss this matter in detail until discussions took place with HCC. However the Portfolio Holder assured members that the interests of tenants and the wider older population of the District remained paramount. Any decision by the District Council on the future of the building would be subject to consideration by the Cabinet and consultation with the existing residents.

**Question 2:** from Cllr C Harrison to Cllr Vickers, Portfolio Holder for Planning and Transportation

"Is the Portfolio Holder aware of the recent High Court ruling on the subject of the income from car park charges? This ruling (based on the Road Traffic Regulation Act 1984), basically states that a local authority must set its parking charges to cover its costs and it is illegal to raise funds from car parking in order to fund other purposes. Do you intend to challenge this ruling in the High Court?"

**Reply:**

The Portfolio Holder said that the High Court ruling referred to by Cllr C Harrison specifically related to charges for a residential on-street permit scheme in Barnet. It was not yet known how the judgement would affect charging in respect of other parking schemes. The Council could not challenge the High Court judgement - only Barnet, against which the judgement had been made, could.

As a supplementary question, Cllr C Harrison asked why, when the Road Traffic Act 1984 provided that car parking charges should be used only to cover costs of providing parking and for related services such as transport schemes, the Council's car parking account showed large surpluses ranging from £790,000 in 2010/11 to an estimated £1.08 million in the current financial year. He asked what these profits had/were being spent on.

The Portfolio Holder replied that the charges made against the Council's car parking account were being reviewed to ensure that all costs of the provision of parking were charged against the account. Also, work was in hand to show clearly the cost of the Council's support of public transport and traffic reduction schemes which could legitimately be offset against any surplus income. He was confident that it could be shown that the Council was not making excessive "profits". He pointed out that car parking income varied from year to year, and was dependent to a large extent on weather conditions.

**26. MEMBERSHIP OF COMMITTEES AND PANELS.**

No changes to committees or panels were proposed by the political groups.

CHAIRMAN