

15 JUNE 2007

**NEW FOREST DISTRICT COUNCIL**

**GENERAL PURPOSES AND LICENSING COMMITTEE**

Minutes of a meeting of the General Purposes and Licensing Committee held at Appletree Court, Lyndhurst on Friday, 15 June 2007.

- p Cllr L R Puttock (Chairman)
- p Cllr A E J Shotter (Vice-Chairman)

**Councillors:**

- p G C Beck
- p J A G Hutchins
- p Mrs P Jackman
- p Mrs M McLean
- p J Penwarden
- p M P Reid
- p A W Rice TD

**Councillors:**

- p W S Rippon-Swaine
- p R F Scrivens
- p Mrs B Smith
- p M S Wade
- p S S Wade
- p P R Woods

**Officers Attending:**

Mrs M Dunsmore, A Hetherington, D Jordan and M Powell, and, for part of the meeting, Miss G O'Rourke.

**Also in attendance:**

Mr G Flexman – Town Clerk, New Milton Town Council  
Cllr Mrs Valyia-Schooling – New Milton Town Council

**7. MINUTES.**

**RESOLVED:**

That the minutes of the meetings held on 16 March and 21 May 2007, having been circulated, be signed by the Chairman as correct records.

**8. DECLARATIONS OF INTEREST.**

Cllrs Beck, Hutchins, Rice and Woods - Minute No 10.

**9. PUBLIC PARTICIPATION.**

No issues were raised during the public participation period.

**10. STREET TRADING – WEDNESDAY MARKET IN STATION ROAD, NEW MILTON (REPORT A).**

Cllrs Beck, Hutchins, Rice and Woods declared personal interests in this item as members of New Milton Town Council. They considered that such interests were prejudicial and left the meeting prior to discussion of the item.

In order to allow maintenance work to the B3058 Station Road South to be carried out during July 2007, and the continuation of the street market, the Committee at its meeting on 16 March 2007 had considered the temporary relocation of the market to the eastern side of the northern part of Station Road.

Following agreement at the last meeting, a notice of intent had been published in the local press on 31 March. The Committee considered representations received following publication of the notice. The Committee heard from the Clerk of New Milton Town Council who advised that on 21 May he had met with some of the Station Road north traders to hear their grievances, as well as individual objections raised by some shopkeepers.

Members were informed by the Town Clerk that on 3 June, the Chief Executive of Southern Market Traders had arranged for 24 stalls to be put in place along the eastern side of Station Road north to give an indication of how the market would look in its proposed temporary location. The Town Council had discussed outstanding issues with traders following this demonstration as part of its ongoing consultation process.

Members were informed that the Recreation Ground had been considered as an alternative location but was found to be unsuitable as a venue for the temporary market, especially if it rained as traders and vehicles would be unable to gain access to or egress from the site. The Clerk therefore requested that the Committee agree to the temporary relocation of the market to Station Road North. He confirmed that work would commence in August, and it was hoped that it would be completed by November/December.

Cllr Mrs Valyia-Schooling, of New Milton Town Council also addressed the Committee on the temporary relocation of New Milton street market. She raised some concerns regarding the safety of pedestrians and potential parking problems, which she felt would be exacerbated by the market traders' lorries unloading and loading of goods onto stalls. Local shop traders had expressed their fears that the disruption of the lorries would drive trade away. Members considered that the proposed temporary traffic regulation order to be made by the County Council would adequately address these problems.

The Committee, although expressing some concerns regarding public safety, largely felt that these could be addressed by the Town Council's Market Manager imposing appropriate health and safety measures, in addition to the traffic regulation order.

**RECOMMENDED:**

- (a) *That, subject to the making of a temporary Traffic Regulation Order, if appropriate, by Hampshire County Council, the area of Station Road, New Milton north of the junction with Ashley Road and south of the junction***

*with Osborne Road/Whitefield Road be designated a consent street within the meaning of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982, with effect from 25 July 2007; and*

- (b) *That, if the above designation is approved:*
- (i) *the current legal agreement between this Council and New Milton Town Council continue to apply in the event that the market is temporarily relocated, and that the Head of Legal and Democratic Services be authorised to agree with the Town Council any amendments to the wording of the agreement that she considers are required as a result of the relocation; and*
  - (ii) *following completion of the works to Station Road South, a further report be brought to the General Purposes and Licensing Committee as to whether the designation of Station Road North should continue or be revoked.*

**11. HEALTH & SAFETY SERVICE PLAN AND ENFORCEMENT POLICY 2007/08 (REPORT B).**

Members considered the Service Plan and Enforcement Policy in detail and asked a number of questions.

Members discussed key performance indicators for the service and whether trend information had highlighted a reduction in the number of visits parallel to the number of accidents. Officers informed members that the Fit 3 Strategy in place across the County analysed ill health and injury data across sectors and used this data to allocate resources to those activities where accidents and injuries most commonly occurred. The programme used evidence-based data to target resources at reducing occurrences of incidents. The service hoped to model campaigns on the Fit 3 Strategy with the aim of addressing local accidents, injury rates and priorities.

Members considered the impact of the smoke free legislation on the resources of the service. The Authority had been awarded £69,450 for 2007/2008 by the Department of Health to assist in the enforcement and education of the smoke free legislation. A portfolio holder decision had recently been published to agree the appointment of an officer on band 6, which was the current band for Environmental Health technicians, for a 6 month temporary contract. The work plan would be designed to meet the needs of what was very new legislation and would have to include a significant amount of evening visits to both enforce and react to complaints.

The remainder of the funding would also cover overtime costs for the new officer and other Environmental Health officers. A further £3,000 would also go towards providing street cigarette bins across the District. In terms of the impact of the new legislation on long term funding, members were informed that the implementation programme was phased in order to adequately gauge future resource needs.

Members congratulated officers on the success of the training sessions on the smoke free legislation held across the District. They felt that future sessions to members should be held giving a progress update on how the implementation of the legislation was progressing.

Members also considered that it would be helpful for officers to provide information at a future meeting on the resource and enforcement issues surrounding the Licensing Act 2003 and the Gambling Act 2005.

In respect of page 20 of the draft Service Plan at paragraph 10, Conclusion, it was suggested that the word 'generally' of the first sentence be deleted.

**RESOLVED:**

- (a) That, subject to the above amendment, the Health and Safety Service Plan be approved;
- (b) That the revised Health and Safety Enforcement Policy be approved;
- (c) That, insofar as it relates to the terms of reference of the Committee, Members receive an update on the progress of the implementation of the Health Act 2006 at the September Committee meeting; and
- (d) That members receive an update on the resources and enforcement issues relating to the Licensing Act 2003 and Gambling Act 2005 at a future meeting.

**12. LEAD SCRUTINY MEMBERS.**

Officers gave members a brief overview of the Council's performance planning cycle and opportunities for members to input into this process. In monitoring the performance of Services, Lead Members would need to liaise with Service Heads throughout the year and report back to the Committee on any issues as appropriate.

Some members felt that the lead member role provided an opportunity for members to learn more about services and the work of officers. They felt that the time invested in the role was rewarding in terms of its educational value. However, members recognised that the scrutiny process and its success was not consistent across the Committees and Panels.

**RESOLVED:**

That the following Councillors be appointed as Lead Scrutiny Members: -

- (i) Cllrs Hutchins & Shotter – Licensing Services; and
- (ii) Cllr Penwarden plus one other nominated representative – Health & Safety Service Plan.

CHAIRMAN