

10 SEPTEMBER 2010

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, 10 September 2010.

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

Councillors:

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

Councillors:

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

Officers Attending:

Ms T Harwood, Mrs R Rutins, Ms M Stephens, D Yates and for part of the meeting P Weston.

14. MINUTES.

RESOLVED:

That the minutes of the meeting held on 11 June 2010 be signed by the Chairman as a correct record.

15. DECLARATIONS OF INTEREST.

No declarations of interest were made by members in connection with any agenda items.

16. PUBLIC PARTICIPATION.

Mr D Shearing, Hackney Carriage and Private Hire Owners' Association, for Minute No. 17.

17. HACKNEY CARRIAGE FARES (REPORT A).

The Committee considered the request by the Hackney Carriage and Private Hire Owners' Association to increase the general tariff for Hackney Carriages in the District by 10%.

The last tariff change had come into effect on 18 March 2008. It was the policy of the Committee to review the tariffs a maximum of every two years and to increase tariffs by inflation based on the index produced in the monthly digest of statistics for motoring expenditure. This showed that from September 2007 to May 2010 fuel and other motoring costs had increased by 23.51%.

Mr D Shearing, Vice-Chairman of the Hackney Carriage and Private Hire Owners' Association was in attendance and addressed the Committee. He reported that the Association at their last meeting in April had unanimously voted in favour of a 10% overall increase in fares. He said that whilst this would make the New Forest more expensive than neighbouring authorities at present, other Councils in the area would be considering requests for an increase in tariffs in due course.

The Committee supported the proposals set out by the Hackney Carriage and Private Hire Owners' Association. They expressed the view that the request for a tariff fare increase of 10% was reasonable in the circumstances. They noted that the tariffs set by the Council were the maximums and that it was common for licence holders to discount fares.

RESOLVED:

That the request from the New Forest Hackney Carriage and Private Hire Owners' Association for a 10% increase in the general taxi fare tariff as set out in Appendix A to these minutes be agreed.

Action: Paul Weston

18. SEXUAL ENTERTAINMENT VENUE (REPORT B).

The Committee considered adopting section 27 of the Policing and Crime Act 2009. This introduced a new category of sex establishment called 'sexual entertainment venue', which, if adopted by a local authority, required premises that provided 'relevant entertainment' to obtain a sex establishment licence.

The aim of the new legislation was to ensure there were effective controls available to local authorities when licensing such establishments. There were no establishments meeting the description of a sexual entertainment venue within the New Forest District area at present.

Members agreed that the amendments to the legislation should be adopted to ensure that the Council had adequate control on these types of establishments if a licence application was submitted in the future.

RESOLVED:

That the amendments to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, insofar as they relate to the licensing of sexual establishment venues, be adopted.

Action: Paul Weston

19. COMMUNITY GOVERNANCE REVIEW (CGR) – GODSHILL (REPORT C).

The Committee considered the outcome of the Godshill Community Governance Review (CGR) which dealt with a request by Godshill Parish Council to change the boundaries of Godshill with Breamore and Fordingbridge, as well as the proposal to change the boundaries of the Fordingbridge, Forest North West and Downlands & Forest District Wards so that these were coterminous with the proposed new parish boundaries.

In accordance with the legislative requirements, terms of reference for the review were published and two stages of consultation were undertaken. All residents responding to the consultation supported the changes. Breamore Parish Council also supported the proposals insofar as they affected their boundary. The National Park Authority, Hampshire County Council and Fordingbridge Town Council did not object.

The Committee was of the view that, in the light of the local support, the requested changes to Godshill's boundaries with Breamore and Fordingbridge should be agreed. In coming to their conclusion the Committee was satisfied that the changes would reflect the identities of the communities affected and ensure effective and convenient local government.

It was noted that, if the Council agreed the final proposals and recommendations, these would be published and those who had an interest would be informed of them. A Reorganisation Order to effect the changes in the boundaries would then be made. Changes to the District ward boundaries had to be made by the Boundary Committee for England and application would be made to them to deal with these as "consequential amendments" to the making of the Reorganisation Order in time for the May 2011 elections.

RECOMMENDED:

- (a) That, for the reasons set out in Appendix 1 to these minutes, final proposals and recommendations to change the boundaries of Godshill with Breamore and Fordingbridge, as shown on the map attached as Annex A to Appendix 1, be published and that steps be taken to ensure that those who may have an interest are informed of them;**
- (b) That there be no change in the names of the Breamore, Fordingbridge or Godshill Parishes/Town arising from this review;**
- (c) That Breamore Parish, Fordingbridge Town and Godshill Parish continue to have councils, with no adjustment in the sizes of the councils;**
- (d) That the Head of Legal and Democratic Services be authorised to make a Reorganisation Order to give effect to the changes set out above; and**
- (e) That the Boundary Committee be requested to amend the boundaries of the Forest North West, Fordingbridge and Downlands & Forest District Wards so they are coterminous with the changes in the parish boundaries.**

Action: Rosemary Rutins

20. INCREASE IN NUMBERS ON EAST BOLDRE PARISH COUNCIL – COMMUNITY GOVERNANCE REVIEW (REPORT D).

The Committee considered the progress of the Community Governance Review (CGR) in East Boldre.

On 11 September 2009 the Committee agreed to a request from East Boldre Parish Council to undertake a CGR of the parish council with a view to increasing the numbers of members from 5 to 7. The review had been published on the Council's website and consultation had been undertaken with residents. No responses had been received.

The Committee agreed that final recommendations be published.

RESOLVED:

- (a) That draft proposals to increase the number of members on East Boldre Parish Council from 5 to 7 be published; and
- (b) That the matter be further considered by the Committee at its next meeting.

Action: Rosemary Rutins

21. REVIEW OF POLLING DISTRICTS AND POLLING PLACES (REPORT E).

The Committee considered the following three issues:–

- (a) whether to commence the next general review of polling districts and polling places in the District in advance of the timetable required by legislation;
- (b) the continued use of the smaller polling stations in the District; and
- (c) the allocation of voters to The Grove, St John's Street, and the Community Centre, Brinton Lane, in Hythe.

All local authorities were under a legal duty to review their polling districts and polling places at least once every four years. The Council completed its review in 2007 which meant that the next review should be completed by the end of 2011.

The Electoral Commission had however recommended to Councils that they take immediate steps to begin their reviews due to the problems encountered in some areas at the May 2010 elections. The Council had not experienced any of these problems. However, members agreed to commence a review early so that preliminary consultation could take place prior to the next elections. The Committee also agreed that a Working Party be established to consider the wider review and report back to the Committee.

The Committee considered the low usage polling stations in the District, together with the direct staffing and hire costs of each. Some members expressed the view that whilst the Council should encourage voter turnout, it should consider the continue use of these low usage stations within the wider review. It was suggested that officers approach the hirers of the low usage premises identified in an effort to negotiate lower hire charges, and also to obtain comparative costs of postal votes with other local authorities. reconsider their hire charges.

The Committee supported the proposed changes to the allocation of voters the Hythe Community Centre and The Grove.

RESOLVED:

- (a) That a general review of polling districts and polling places commence before the end of 2010, and that a Working Party be established to oversee the review and to make recommendations to the Committee;
- (b) That the Working Party comprise five members, four from the Conservative Group and one from the Liberal Democrat Group;
- (c) That Cllrs Beck, Mrs Jackman, Rice, Rippon-Swaine and S Wade be nominated to serve on the Working Party;
- (d) That the review includes the continued use of the smaller polling stations in the District;
- (e) That the terms of reference of the Working Party be:

To oversee the review of the polling districts and polling places in New Forest District under Section 16 of the Electoral Administration Act 2006 and to make recommendations to the General Purposes and Licensing Committee; and
- (f) That it be recommended to the Returning Officer that HI voters be reallocated to the Community Centre in Brinton Lane, Hythe.

Action: Rosemary Rutins

22. CLLR SHOTTER

Members requested that the Chairman, on behalf of the Committee, write to Cllr Shotter, who had been unwell, conveying their best wishes for a speedy recovery.

23. CONSULTATION ON EMPOWERING INDIVIDUALS, FAMILIES AND LOCAL COMMUNITIES TO SHAPE AND DETERMINE LOCAL LICENSING.

The Chairman reported, as a matter of urgency, that the Council had responded to the consultation on the above, that a copy of the consultation, together with the Council's response, was available in the Members' Room.

CHAIRMAN

(GPLC100910)

Attachment: Minute 19 – Appendix 1

**PROPOSED AMENDMENT OF BOUNDARIES OF GODSHILL
PARISH WITH FORDINGBRIDGE AND BREAMORE**

**STATEMENT OF REASONS FOR MAKING
REORGANISATION ORDER**

Background

1. At the request of Godshill Parish Council, New Forest District Council has undertaken a Community Governance Review of the area of Godshill Parish. The terms of reference for the review were:–
 - (a) To review the boundary of the parish with Fordingbridge, with a view to establishing whether the development known as Crystal Hollow should more appropriately be located in Godshill rather than Fordingbridge;
 - (b) To review the boundary of the parish with Breamore, with a view to establishing whether the triangular piece of land to the west of the River Avon and the property known as “Armsley” should transfer to Breamore;
 - (c) That the review be undertaken in accordance with the provisions of the Local Government and Public Involvement in Health Act 2007 and any statutory guidance.
2. In agreeing to undertake the review, the Committee was mindful that, if the parish boundaries were changed, it would be logical to amend the boundaries of the Fordingbridge, Forest North West and Downlands & Forest District wards so that they were coterminous with the new parish boundaries.

First Steps and Initial Submissions

3. The review was published on the Council’s website on 13 May 2010. Details of the review were sent in writing to all households in Godshill and those residents of Fordingbridge along the B3078 Southampton Road between the boundary with Godshill and Avonside Farm (including Crystal Hollow). The town and parish councils affected, the National Park Authority, Hampshire County Council and others considered to have an interest in the matter were also consulted. 12 written expressions of support, including 8 of the 10 Crystal Hollow households, were received from local residents. There was one objection, which was subsequently withdrawn. Breamore Parish Council supported the proposals insofar as they related to their area. Fordingbridge Town Council, the New Forest National Park Authority and Hampshire County Council raised no objection.
4. Having considered the representations, New Forest District Council is satisfied that Crystal Hollow residents’ community identity lies more with Godshill than with Fordingbridge. It also considers that effective and convenient local government would be achieved by Crystal Hollow falling within Godshill. With regard to the boundary with Breamore, New Forest District Council is satisfied that the existing boundary is a historic anomaly, and considers that the boundary should follow the River Avon. The land that will transfer to Breamore Parish is pasture land with no dwellings or buildings, and the Council is satisfied that there will be no adverse effect on local governance or community identity issues.

Draft Proposals

5. The following draft proposals were published on 18 June 2010 and affected persons/bodies were again informed in writing:
 - (a) To amend the boundary of Godshill with Fordingbridge so that the settlement known as Crystal Hollow falls within Godshill Parish;
 - (b) To amend the boundary of Godshill with Breamore at the property known as “Armsley” so that the boundary follows the River Avon. This means that the triangular piece of land to the west of “Armsley” will fall within Breamore Parish.
 - (c) To amend the boundaries of the Fordingbridge, Forest North West and Downlands & Forest District wards so that these are coterminous with the proposed new parish boundaries.

6. One letter of support, from a Godshill resident, was received.

Final Proposals

7. New Forest District Council is satisfied that the changes set out in its draft proposals will –
 - Reflect the identities and interests of the community and will result in improved community cohesion;
 - Ensure that community governance in the area is effective and convenient
 - Accord with Government guidance with regard to the physical boundaries between parishes.

8. The Council has therefore confirmed as its final proposals and recommendations the draft proposals set out in paragraph 5 above. These are shown on the map attached to this statement as Annex A. In addition, the Council has agreed that the three affected parishes continue to have councils, with no changes in the sizes of the councils.

9. Following compliance with the requirements relating to publication of the final proposals and recommendations, the Council has authorised the making of a Reorganisation Order to give effect to its final recommendations.

10. New Forest District Council will request the Boundary Committee for England to make the changes to the Fordingbridge, Forest North West and Downlands & Forest District Wards as consequential amendments to the making of the Order, so that these may be brought into effect for the May 2011 elections.

