



**New Forest**  
DISTRICT COUNCIL

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# Council Meeting Agenda

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**7 September 2015**



# SUMMONS

To All Members of the Council

You are hereby summoned to attend a meeting of the District Council to be held in the Council Chamber, Appletree Court, Lyndhurst on Monday, 7 September 2015, at 6.30 pm



**Dave Yates**  
Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA  
[www.newforest.gov.uk](http://www.newforest.gov.uk)

This Agenda is also available on audio tape, in Braille, large print and digital format

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# AGENDA

## Apologies

**1. MINUTES** (Pages 1 - 6)

To confirm the minutes of the meeting held on 13 July 2015 as a correct record.

**2. DECLARATIONS OF INTEREST**

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

**3. CHAIRMAN'S ANNOUNCEMENTS**

**4. LEADER'S ANNOUNCEMENTS**

5. **REPORTS OF CABINET (Pages 7 - 10)**

Cabinet            5 August 2015 & 2 September 2015 (to follow)

6. **APPOINTMENT OF CHIEF EXECUTIVE (HEAD OF THE COUNCIL'S PAID SERVICE)**

The selection process for the above post took place on the 5 August 2015. The Member Panel appointed by the Council on 13 July to make a recommendation on an appointment was chaired by the Leader of the Council, Cllr Barry Rickman, and comprised Cllrs E Heron, S Beeton, J Binns, J Cleary, J Heron, B Andrews and A McEvoy, advised by the Head of Human Resources, Manjit Sandhu. The Leader of the Opposition Group, Cllr David Harrison, was unable to attend due to other commitments.

Further to Standing Order 15A.2 - the Panel recommends that Robert Jackson, currently the Council's Executive Director (S151 Officer), be appointed as the Council's Chief Executive and Head of the Council's Paid Service with effect from 24 October 2015.

7. **QUESTIONS UNDER STANDING ORDER 22**

8. **QUESTIONS TO PORTFOLIO HOLDERS UNDER STANDING ORDER 22A**

To ask questions of Portfolio Holders. Questions received will be tabled at the meeting. (Members are reminded that questions must be submitted to the Chief Executive or to the Head of Legal and Democratic Services by not later than noon on Friday 4 September 2015.)

9. **DELEGATION OF POWERS TO OFFICERS - SMOKE FREE LEGISLATION**

Local Authorities have powers and responsibilities under various legislation relating to smoke free premises and vehicles. Delegation arrangements were agreed by the Cabinet but certain legislation is now excluded from being a Cabinet function. The Council is therefore requested to approve appropriate delegations.

**RECOMMENDED:**

***That the following officers be delegated power to take all necessary action under the legislation stated***

**Legislation**

***Health Act 2006, Part 1, Chapter 1, paras 1-12 and Schedules 1 and 2  
Smoke Free (Premises and Enforcement) Regulations 2006  
Smoke Free (Exemptions and Vehicles) Regulations 2007  
Smoke Free (Penalties and Discounted Amounts) Regulations 2007  
Smoke Free (Vehicle Operators and Penalty Notices) Regulations 2007  
Smoke Free Signs Regulations 2012  
Smoke-free (Private Vehicles) Regulations 2015 and any replacement legislation***

**Officers**

***Head of Public Health & Community Safety;  
Environmental Health Manger;  
Environmental Protection Manager;  
Senior Environmental Health Officers;  
Environmental Health Officers;  
Environmental Health Technicians;  
Housing Strategic Services Manager;  
Housing Grants & Improvement Manager;  
Building Surveyors (Improvement)***

**10. CHANGE OF MEETING DATES 2016/17**

In order to enable reports from the September and December meetings of the Cabinet to be submitted to the Council in September and December 2016, the Council is requested to amend its meeting dates in those months.

***RECOMMENDED:***

***That the meetings of the Council scheduled for 5 September and 5 December 2016 be moved to 12 September and 12 December 2016.***

**11. MEMBERSHIP OF COMMITTEES AND PANELS**

To consider any changes to the membership of Committees or Panels that might be proposed by the political groups.

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

# Agenda Item 1

13 JULY 2015

## NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held in Council Chamber, Appletree Court, Lyndhurst on Monday, 13 July 2015

Cllr Mrs A Hoare (Chairman)

\* Cllr G C Beck (Vice-Chairman) (in the Chair)

### Councillors:

- \* A R Alvey
- \* Mrs D E Andrews
- \* W G Andrews
- \* P J Armstrong
- \* Mrs S V Beeton
- \* Ms R Bellows
- \* Mrs S M Bennison
- \* J E Binns
- \* G R Blunden
- \* D A Britton
- \* Mrs D M Brooks
- \* Mrs F Carpenter
- \* Mrs L D Cerasoli
- \* S J Clarke
- \* Mrs J L Cleary
- \* I C Coombes
- \* Ms K V Crisell
- \* S P Davies
- \* A H G Davis
- \* W H Dow
- \* Ms L C Ford
- \* R L Frampton
- \* A T Glass
- \* L E Harris
- \* M R Harris
- \* D Harrison
- \* J D Heron
- \* E J Heron
- \* Mrs M D Holding

### Councillors:

- \* Mrs P Jackman
- \* M J Kendal
- Mrs E L Lane
- \* Mrs P J Lovelace
- \* B D Lucas
- \* Mrs A E McEvoy
- \* A D O'Sullivan
- \* J M Olliff-Cooper
- \* N S Penman
- \* A K Penson
- \* D M S Poole
- \* L R Puttock
- \* B Rickman
- \* W S Rippon-Swaine
- \* Mrs A M Rostand
- D J Russell
- \* Miss A Sevier
- M A Steele
- \* M H Thierry
- \* Mrs B J Thorne
- \* D B Tipp
- \* D N Tungate
- \* A S Wade
- \* R A Wappet
- \* J G Ward
- \* Mrs C V Ward
- \* M L White
- C A Wise
- \* Mrs P A Wyeth

\*Present

### Officers Attending:

D Yates, R Jackson, J Mascal, Miss G O'Rourke, Mrs R Rutins and Ms M Stephens.

### Apologies:

Cllrs Mrs Hoare (Chairman of the Council), Russell, Steele and Wise.

**12 MINUTES****RESOLVED:**

That the minutes of the meeting held on 18 May 2015 be signed by the Chairman as a correct record.

**13 DECLARATIONS OF INTEREST**

Cllr Kendal disclosed an interest in Minute 16 (Report of Audit Committee dated 26 June 2015).

The Chief Executive reported that all members of the Council who were members of Hampshire County Council had been granted dispensations to speak and to vote on Item 2 of the Report of the General Purposes & Licensing Committee dated 26 June 2015.

**14 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman's engagements undertaken since the last meeting of the Council were reported in the monthly Information Bulletin. The following were highlighted:

**Death of former Councillor Derek Burdle**

Members were informed that former Cllr Derek Burdle who had represented what was then the Netley Marsh ward on the District Council from 1974 – 2003 had passed away in June. Cllr Burdle had been Chairman of the District Council from 1989 – 1991 and Chairman of the then Development (now Planning Development Control) Committee from 1983 – 1989. He had served on numerous other Committees of the District Council, including Policy & Resources, Leisure Services, Environment Services and Strategic Growth in Totton.

**Armed Forces Day**

On Monday 22 June, the Chairman of the Council had raised the Armed Forces Day flag at Appletree Court, Lyndhurst. The Vice-Chairman and the Chief Executive had also been present.

**New Forest Show**

Members were reminded that the New Forest Show would take place on 28 - 30 July. This was a significant event for the District. The District Council's stand would be themed 'Join the Adventure, Alice in Leisureland'. The stand would showcase the Council's five health and leisure centres. Members were encouraged to attend.

**15 LEADER'S ANNOUNCEMENTS****Devolution for Hampshire**

The Leader referred to his recent email to councillors and staff regarding the Hampshire and Isle of Wight Local Government Association (HIOWLGA) proposal for Hampshire-wide devolution.

The email explained that the Council was joining 14 other Councils across Hampshire and the Isle of Wight to propose a Hampshire-wide devolution deal to the Government.

HLOWLGA at its meeting on 19 June had unanimously agreed to support a proposal covering Hampshire County Council, the 11 district councils and the unitary councils of Portsmouth, Southampton and the Isle of Wight Council, as the basis for developing devolution for the area.

The Leader of the County Council, Cllr Roy Perry, had written to Greg Clark MP, Secretary of State for Communities & Local Government, saying the Councils would prepare a devolution submission that would build on the strong partnership working that already existed across the area. The Leader of the Council had joined other local authority Leaders in supporting this proposal.

If successful, a “Combined Authority” would be established. This was not a new layer of Government, but would mean that the Government would devolve powers and funding, to allow greater local control over matters such as skills, transport, economic prosperity, infrastructure, and health and social care. Proposals would be built on the existing partnerships, powers and responsibilities of the local authorities and would be submitted to the Government by the end of July 2015. The proposals would not involve any change to local boundaries, but the changes would allow councils to make savings through administrative efficiencies and economies across the public sector. Once further details of the Hampshire-wide proposal were known, the Cabinet would discuss these at future meetings, where members’ views would be welcomed.

#### **Promotion of the New Forest as a Tourism Destination**

Members were shown the New Forest – Timeless Peace and Love SkyAd campaign which was running from 23 June to 20 July. The campaign, developed by the Council in partnership with New Forest Tourism Association and the National Park Authority, aimed to target 141,000 couples in Greater London. These potential visitors all owned a Sky box and met the Experian socio-economic profile of using public transport and enjoying rural adventures.

#### **Promotion of the New Forest Show**

The television advert for this year’s New Forest Show which had recently been shown on Meridian T.V was played to members. The advert was also available online via the Show’s official website. Statistics had indicated that online tickets sales for the show increased dramatically following the airing of the advert. The Leader encouraged members to attend this year’s show.

## **16 REPORTS OF COMMITTEES AND CABINET**

### **Report of Audit Committee**

Cllr Kendal disclosed an interest in this item as an Executive Member for Hampshire County Council. He concluded that there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

Cllr O’Sullivan, Chairman of the Audit Committee, presented the report of the meeting held on 26 June 2015.

On the motion that the report be received, it was:

### **RESOLVED:**

That the report be received and noted.

**Report of General Purposes and Licensing Committee**

It was noted that members of the Council who were members of Hampshire County Council had been granted dispensations to speak and to vote on the matter of the review of electoral boundaries in Hampshire County Council.

Cllr Clarke, Chairman of the General Purposes & Licensing Committee, presented the report of the meetings held on 12 & 26 June 2015.

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

**RESOLVED:**

That the report be received and the recommendations adopted.

**Report of Cabinet**

The Leader of the Council, as Chairman of the Cabinet, presented the report of the meeting held on 3 June 2015.

On the motion that the report be received it was:

**RESOLVED:**

That the report be received and noted.

**17 RECRUITMENT OF CHIEF EXECUTIVE**

The Council considered the appointment process for the post of Chief Executive owing to the retirement of the current Chief Executive in October 2015.

The Leader of the Council moved the following amendment: -

That recommendation 5.1(c) be amended to read as follows:

“That an Appointment Panel consisting of the Cabinet (the Leader and the Deputy Leader of the Council, together with the Portfolio Holders for Finance & Efficiency; Housing & Communities; Environment; and Health & Leisure) and the Opposition Group Leader, **together with two non-executive members appointed by the Leader**, and supported by the Head of Human Resources, be appointed to make a recommendation to the Council”.

The motion was seconded.

Upon a vote it was:

**RESOLVED:**

That, subject to the above amendment, the recommendation be agreed.



**18 QUESTIONS UNDER STANDING ORDER 22**

There were none.

**19 QUESTIONS TO PORTFOLIO HOLDERS UNDER STANDING ORDER 22A**

**Question 1:** from Cllr Harrison to Cllr Rickman, Leader of the Council

“Would the Leader agree that in developing the case for devolution of powers, such as major transport infrastructure, from central government to a local combined authority, it would be a good idea to include the example of the Waterside Railway and the ambition to return it to a passenger service?”

**Answer:**

The Leader of the Council welcomed Cllr Harrison’s support for a combined local authority being given greater freedoms over transport spending but did not wish to make any reference to specific schemes at this stage. In the event that the powers were devolved, it was likely that a range of proposals for transport funding would come forward which could be comprehensively appraised by people with detailed local knowledge in due course.

**20 MEETING DATES FOR THE 2016/17 MUNICIPAL YEAR**

**RESOLVED:**

That meetings be held on the following Mondays at 6.30 pm:-

- 16 May 2016 (Annual meeting, already agreed)
- 11 July 2016
- 5 September 2016
- 17 October 2016
- 5 December 2016
- 20 February 2017
- 10 April 2017
- 15 May 2017 (Annual Meeting)

**21 MEMBERSHIP OF COMMITTEES AND PANELS**

**RESOLVED:**

That Cllr Olliff-Cooper be appointed to the Planning Development Control Committee in place of Cllr Thierry.

Chairman

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## REPORT OF CABINET

(Meeting held on 5 August 2015)

### 1. HAMPSHIRE AND ISLE OF WIGHT DEVOLUTION PROPOSAL (REPORT ITEM 4)(MINUTE NO. 11)

At their meeting in August the Cabinet decided to invite a full discussion, at this meeting of the Council, of the proposals that are being developed for the submission of a bid to the Government for additional powers to be devolved to Hampshire and the Isle of Wight. Following the meeting in August the situation has evolved considerably, with the publication of the draft prospectus to support the bid to Ministers. The prospectus will have been debated at the September meeting of the Cabinet and an update to this report will be circulated after that meeting, setting out any recommendations that may come forwards.

The Government has established three main criteria that all bids must meet in order to be considered:

- There must be unanimity amongst all the Councils covering the proposed administrative area;
- There must be demonstrable ambition to deliver the stated objectives; and
- There must be support from the business community

In bidding for additional powers the authorities must demonstrate how, under the new arrangements, they will be more effective in achieving government priorities on issues such as additional house building and also improve the efficiency of the delivery of the devolved services, such as transport and economic development. This will require the establishment of a Combined Authority to operate the additional powers, but which will not act as a new “super authority” that would take over all the existing functions and structures of the authorities in the area. The current indications are that there is scope for flexibility in the arrangements chosen. While City areas seeking devolved powers will need to have an elected Mayor, it is current understanding that rural areas such as this will not need to adopt that model of governance, provided they can demonstrate a structure that is practical, efficient and effective. The Hampshire and Isle of Wight Association of Local Authorities already has strong working relationships, with various partnerships operating successfully, and it is important that these continue to operate without interference. The existing pattern of partnership working does however establish some foundations on which a wider collaborative framework can be developed. The strong working relationships that already exist with both the Enterprise M3 and Solent Local Enterprise Partnerships are also valuable in the process of securing approval for suitable governance arrangements.

The Leadership Group which has been developing the bid initially prepared a Statement of Intent, signed by all the Authorities and the LEPs, demonstrating the support of the business community, as required.

The Statement of Intent focussed on 4 main areas of activity:

1. Significantly accelerating housing delivery, including starter and rural affordable homes, and accelerating brownfield development through a joint

investment fund; a Hampshire and Isle of Wight Land Board; and a joint strategic planning approach building on partners' existing powers.

2. Raising productivity in both the Enterprise M3 and Solent LEP areas through investment in the world-class marine and aerospace clusters and university research centres; integrating skills arrangements to support the employer-led development of a highly skilled workforce; consolidating the business support programme; new innovation and growth hubs; and new Enterprise Zones.
3. Investing in the infrastructure needed to provide better access to the global gateway ports and airports supporting the wider UK economy, and to London and the Thames Valley; enabling large-scale housing delivery; boosting digital connectivity for business and in rural areas; and securing greater energy self-sufficiency; and
4. Transforming public service delivery by creating a new model for health and social care integration; sharing more services, premises and staff locally; and delivering a secure financial future for the Isle of Wight.

It is understood that Greg Clark MP, Secretary of State for Communities and Local Government, has been positive in his responses so far to the Leader of Hampshire County Council. In the light of these positive responses the Leadership Group prepared the prospectus to support the bid. This prospectus is supported by a technical document for consideration by Government Officials.

## **2. A PARTNERSHIP PLAN FOR THE NATIONAL PARK AUTHORITY (REPORT ITEM 5)(MINUTE NO. 12)**

The Cabinet is recommending that this Council endorses the Partnership Plan which has been produced by the New Forest National Park Authority to update their 2010 Management Plan.

The National Park Authority has taken a collaborative approach to the production of this Plan, which is now in the form of a joint plan produced by a partnership group drawn from many of the statutory bodies in the Forest. A number of non-statutory organisations have also been involved and will be taking the lead on some specific actions. There is therefore a much greater level of ownership and commitment from key local and regional organisations.

The Partnership Plan has been subject to two rounds of consultation, with the response to the latest round being generally supportive. Members at the Cabinet meeting welcomed the collaborative approach that had been adopted by the Park Authority and the consequent support that the plan had attracted both from Forest organisations and the public.

### ***RECOMMENDED:***

***That the Council endorse the Partnership Plan for the New Forest National Park.***

**3. FINANCIAL MONITORING REPORT – FORECAST OUTTURN (BASED ON PERFORMANCE TO END OF JUNE 2015) (REPORT ITEM 6)(MINUTE NO. 13)**

The Cabinet has been updated on the Council's financial performance to the end of June 2015. A number of additional expenditure items have been identified since the budget was agreed, in particular from the rephasing of projects into the current financial year, increasing the General Fund requirement to £19.595 million. Details of all identified additional expenditure and other variations are set out in section 3 of the report. The additional expenditure items have been approved.

Similarly, the rephasing of a number of capital projects has increased the capital programme budget from £18.516 million to £21.037 million. Full details are set out in section 4 of the report, with variations to the Housing Revenue account in section 5.

In general terms the Council is performing much as expected. All the significant variations in expenditure have come from the rephasing of projects, which has no net effect on the Council's budget, being merely a matter of timing. A limited number of additional expenditure items inevitably come forwards at this time of year, while it is too early for trends to be analysed to confirm potential savings that may be possible. The current situation raises no concerns that this Council's financial performance will adversely affect budget development for 2016/17.

**Councillor B Rickman  
CHAIRMAN**

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