

14 OCTOBER 2019

**NEW FOREST DISTRICT COUNCIL**

Minutes of a meeting of the New Forest District Council held in the Council Chamber, Appletree Court, Lyndhurst on Monday, 14 October 2019

- \* Cllr Allan Glass (Chairman)
- \* Cllr Derek Tipp (Vice-Chairman)

**Councillors:**

- \* Alan Alvey
- \* Diane Andrews
- \* Ann Bellows
- \* Sue Bennison
- \* Geoffrey Blunden
- \* Hilary Brand
- \* Alex Brunsdon
- \* Fran Carpenter
- \* Louise Cerasoli
- \* Mark Clark
- \* Rebecca Clark
- \* Steve Clarke
- \* Jill Cleary
- \* Anne Corbridge
- \* Keith Craze
- \* Kate Crisell
- \* Jack Davies
- \* Steve Davies
- \* Arthur Davis
- \* Sandra Delemare
- \* Philip Dowd
- \* Jan Duke
- \* Barry Dunning
- \* Jacqui England
- \* Andrew Gossage
- \* Michael Harris
- \* David Harrison
- \* David Hawkins
- \* Edward Heron

**Councillors:**

- \* Jeremy Heron
- \* Alison Hoare
- Maureen Holding
- \* Christine Hopkins
- \* Mahmoud Kangarani
- \* Joshua Kidd
- \* Emma Lane
- \* Martyn Levitt
- Alexis McEvoy
- \* Ian Murray
- \* Alan O'Sullivan
- \* Stephanie Osborne
- \* Neville Penman
- \* Caroline Rackham
- Alvin Reid
- \* Joe Reilly
- \* Barry Rickman
- Tony Ring
- \* Steve Rippon-Swaine
- \* David Russell
- \* Ann Sevier
- \* Mark Steele
- \* Michael Thierry
- Beverley Thorne
- \* Neil Tungate
- \* Alex Wade
- \* Malcolm Wade
- \* Christine Ward
- \* John Ward

\*Present

**Officers Attending:**

Bob Jackson, Grainne O'Rourke, Colin Read and Matt Wisdom.

**Apologies:**

Apologies for absence were received from Cllrs McEvoy, Reid, Ring and Thorne.

Cllr Lane left the meeting at 7.05 pm.

**39 MINUTES**

Cllr Rackham asked if in future, supplementary questions and answers in respect of Portfolio Holder Questions could be recorded in the minutes. The Chairman confirmed that this would be the case.

**RESOLVED:**

That the minutes of the meeting held on 9 September 2019, be confirmed.

**40 DECLARATIONS OF INTERESTS**

There were no declarations of any disclosable pecuniary interests, or any other interests by Members.

**41 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman reported on the following recent engagements:-

September

- 4 Attended the presentation of the Queen's Award for Voluntary Service at the National Coastwatch Institution at Calshot

October

- 1 Attended the annual public meeting of New Forest Disability Information Service, one of the Chairman's chosen charities
- 3 Attended the launch of the Olivia Inspires charity

The full list of engagements would be available to view in the upcoming Council Information Bulletin.

**42 LEADER'S ANNOUNCEMENTS**

The Leader of the Council reported on the following:-

**Local Plan Review**

Members were reminded that the draft Local Plan was agreed and submitted to Government in 2018 and went through its independent examination in the Summer.

The Leader was pleased to report that the planning inspectorate had supported the strategy for the future of the area, having confirmed that the new Local Plan could be made 'sound' with the inclusion of some minor changes.

The inspectorate agreed with the broad spatial strategy for development, on the overall scale and locations for housing and employment land provision.

In turn, this was confirmed as an endorsement of the high priority the Council has placed on protecting the Green Belt and finding the right balance between meeting housing needs and protecting the environment.

Looking ahead, the Council and the planning inspectors would now agree a timetable to make the changes to the Local Plan and publish them before Christmas 2019. The inspectors would then consider the consultation feedback and issue a final written report before the new Local Plan could be adopted around Spring 2020.

Once adopted, the new Local Plan would become the statutory basis for making planning decisions in the New Forest District outside of the National Park. Policies in the emerging Local Plan already had significant weight for planning decision making as a result of this.

#### **43 REPORT OF CABINET**

The Leader of the Council presented the report of the Cabinet meeting held on 2 October 2019, and moved the adoption of the recommendations. Cllr E Heron seconded the motion.

##### **RESOLVED:**

That the report be received and the recommendations be adopted.

#### **44 REPORT OF GENERAL PURPOSES AND LICENSING COMMITTEE**

Cllr Clarke presented the report of the General Purposes and Licensing Committee meeting held on 13 September 2019, and moved the adoption of the recommendations. Cllr Tungate seconded the motion.

##### **RESOLVED:**

That the report be received and the recommendations be adopted.

#### **45 REPORT OF HR COMMITTEE**

The Leader of the Council presented the report of the HR Committee meeting held on 19 September 2019, and moved the adoption of the recommendations. Cllr Steele seconded the motion.

##### **RESOLVED:**

That the report be received and the recommendations be adopted.

#### **46 REPORT OF THE ENVIRONMENT OVERVIEW AND SCRUTINY PANEL - CLIMATE CHANGE MOTION**

Cllr Rippon-Swaine presented the report of the Environment Overview and Scrutiny Panel meeting held on 19 September 2019, and moved the adoption of the recommendations. Cllr Bennison seconded the motion.

Cllr M Wade, who had moved the original motion relating to Climate Change, expressed his disappointment that the Council looked not to declare a Climate Emergency. A number of other Members spoke in support of declaring a Climate Emergency.

A number of Members highlighted the importance of tracking the future progress made against the proposed Environment Action Plan and supported this particular recommendation arising from the Task and Finish Group and Panel.

**RESOLVED:**

That the report be received and the recommendations be adopted.

**47 QUESTIONS**

There were none.

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

Questions were put and answered under Standing Order 22A as follows:-

- Cllr M Wade to the Portfolio Holder for Environment and Regulatory Services, Cllr Hoare, on a Climate Emergency.
- Cllr Rackham to the Portfolio Holder for Community Affairs, Cllr Andrews, on Modern Slavery.
- Cllr M Clark to the Portfolio Holder for Environment and Regulatory Services, Cllr Hoare, on Cold Ironing.
- Cllr Harrison to the Leader of the Council, Cllr Barry Rickman, on Post-Brexit Emergency Funding.
- Cllr Dowd to the Portfolio Holder for Finance, Investment and Corporate Services, Cllr J Heron, on Universal Credit.
- Cllr Osborne to the Portfolio Holder for Environment and Regulatory Services, Cllr Hoare, on Recycling.
- Cllr A Wade to the Portfolio Holder for Finance, Investment and Corporate Services, Cllr J Heron, on Funding Cuts announced by Hampshire County Council.
- Cllr Brand to the Portfolio Holder for Planning and Infrastructure, Cllr E Heron, on Section 106 Funds.
- Cllr Blunden to the Portfolio for Finance, Investment and Corporate Services, Cllr J Heron, on Council Tax Exemptions for Care Leavers.
- Cllr Carpenter to the Portfolio Holder for Planning and Infrastructure, Cllr E Heron, on Green Credentials.

Note – a copy of the full questions and replies are appended to these minutes.

**49 NOTICE OF MOTION**

In accordance with Standing Order 21, Cllr J Davies moved the following motion:-

*“This Council notes that:*

*This Council operates on a Cabinet System with Overview and Scrutiny Committees providing scrutiny of decisions made by the Cabinet Members and Officers.*

*The Chairs of each Overview and Scrutiny Committee are appointed by the Ruling Administration.*

*This always leads to the Chairs of each Overview and Scrutiny Committee being from the Ruling Administration.*

*This Council believes that:*

*The ability of those members of the council who do not represent the ruling administration to effectively scrutinise the decisions of the ruling administration is vital to ensuring representative and effective decision-making.*

*The most effective way of ensuring proper scrutiny of decisions made by the ruling administration is for Overview and Scrutiny Committees to be chaired by councillors not from the ruling administration. There are many examples of these such arrangements, such as: Stratford-upon-Avon District Council, Swale Borough Council, and Warwickshire County Council.*

*With Opposition Members chairing scrutiny committees, the Council can ensure that any issues with this Council's decisions can be raised before a decision is made rather than after the decision has been enacted.*

*This Council calls for:*

*The Chairs of each Overview and Scrutiny Committee to be proposed by the Leader of the Council in consultation with the Leader/s of the Opposition Group/s with the Chairs of each Overview and Scrutiny Committee being members of the Opposition Group/s."*

Cllr A Wade seconded the motion.

The Chairman confirmed that, in his opinion, it was conducive to the despatch of business to deal with the motion at this Council meeting. He invited the Leader of the Council to respond initially.

The Leader of the Council spoke against the motion, highlighting that the election of the Chairman and Vice-Chairman of Committees and Panels was a matter for each Committee and Panel, with the election taking place at the meetings immediately following the Annual Council meeting in May.

Cllr Harrison spoke in support of the motion, highlighting that, in his opinion, the constructive challenge facilitated by Overview and Scrutiny Panels was best led by Members not of the ruling administration. A number of Members supported this view, citing the importance of good scrutiny.

Contrary views to those expressed by the motion were made by a number of Members, highlighting the duty of all Members, regardless of political group, in holding the executive to account.

Cllr E Heron moved that the question now be put. Cllr Cleary seconded the motion. This motion was carried.

Cllr J Davies, as the mover of the original motion replied to the debate and encouraged Members to support the motion.

The motion was put to the vote and lost.

**50 MEMBERSHIP OF COMMITTEES AND PANELS**

There were no changes.

CHAIRMAN

## FULL COUNCIL – 14 OCTOBER 2019 – QUESTIONS TO PORTFOLIO HOLDERS UNDER STANDING ORDER 22A

### Question 1

#### **From Cllr Malcolm Wade to the Portfolio Holder for Environment and Regulatory Services, Cllr Alison Hoare**

Now that you have supported the Environment Panel's decision to not support declaring a Climate Change Emergency and against a back ground of worldwide concern with very many councils in the UK and the UK government itself having a different view to your decision how can you promise those concerned about the impact of climate change in the New Forest District you are taking it as seriously as councils in other less environmentally sensitive areas?

*Answer:*

*Thank you for this question, it allows me to reinforce the decision made by the Environment Overview and Scrutiny Panel as previously noted on this agenda, which I fully support.*

*It is my intention to produce an Environment Action Plan, to look at the issues that are affecting all of us, such as our use of plastics, fuel and energy usage and especially the vehicles that we use for our day to day activities.*

*We will be developing an Environment Plan and an Air Quality Strategy. I also want to look at our purchasing policy, to ensure we use local firms and sustainable products where ever possible. I want this Council to be judged by our actions and not our words.*

*Having listened to Cllr M Wade's passionate speeches on this issue, it does come as a surprise to me that Hythe and Dibden Parish Council are yet to declare a Climate Change emergency, as Cllr Wade is Chairman of the Parish Council.*

*In my role as Portfolio Holder for Environment and Regulatory Services, I will do my utmost to ensure that this Council is seen in the future as an excellent example of how things can be done to protect the environment for generations to come. Something I personally truly believe in.*

*Note – in response to a supplementary question in relation to the carbon footprint of New Forest District Council and the New Forest area, the Portfolio Holder confirmed that this was currently being calculated to provide a benchmark for future progress.*

### Question 2

#### **From Cllr Caroline Rackham to the Portfolio Holder for Community Affairs, Cllr Diane Andrews**

The Local Government Association recently released guidance for local councils to ensure they are doing all they can to disrupt modern slavery, including the County Lines schemes, overcrowded sublets, poor working conditions etc.

Could the Leader of the Council please outline what is being done to ensure that as a Local Council NFDC is doing everything possible across the council to discover those living as modern slaves in our area and disrupt the systems allowing them to be exploited, for instance through licencing and housing?

Answer:

*Everything possible is exactly what we have been doing.*

*We have not waited for “recently released guidance” we have been proactive since early 2018, already aware that this was a growing problem. As Chairman of the New Forest Strategy and Delivery group I can assure members that with our strategic partners, raising the profile and understanding of Modern Slavery is a priority. All council staff are fully trained with enhanced training for those in high risk areas such as Environmental health, Licensing and Housing departments. It was our Officers who devised and implemented an e-learning package across Hampshire specifically for Licensed Drivers on safeguarding which incorporates modern slavery.*

*NFDC are the only Community Safety Partnership who have permanent representation and participation on Hampshire, Portsmouth, Southampton and IOW Modern Slavery Partnership, a local NF forum was established to cascade training and to ensure the New forest remains a hostile environment for the exploitation of vulnerable individuals. Of interest, the Council's procurement department implement robust standards when commissioning to ensure the supply chains remain free from the risk of modern slavery or trafficking.*

*To understand better what we do, I invite you to meet me at 11.00am on 18th October at Portsmouth Guildhall square where our modern Slavery Partnership will be launching a theatre production to mark Anti-Slavery Day. Actors will portray real life cases of slavery to raise awareness of some of the key signs that someone may be being exploited and how to report any concerns. It will highlight how slavery could be happening in the cities, towns and villages across Hampshire. There will be performances throughout the day between 10am and 3.15pm. Please if you have any more concerns contact me directly. Don't wait for a council meeting, this is something all councillors should be aware of and be fully informed.*

*Note – in response to a supplementary question in relation to a proposed Officer Coordinator role, the Portfolio Holder confirmed that this could be looked into through the New Forest Community Safety Partnership.*

### **Question 3**

**From Cllr Mark Clark to the Portfolio Holder for Environment and Regulatory Services, Cllr Alison Hoare**

Cold ironing is the process of providing shore power to cover the energy demands of ships calling at ports. Southampton handles 900,000 vehicles per year. It is also a large turnaround cruise port, with around 2 million passengers annually and is home to the UK fleets of the largest cruise line operators in the world.

It has the second largest container terminal in the UK. This huge turnaround of continually running vessels within a port just a short distance away from our New Forest coastline is causing serious emission issues.

Could the Council immediately press through it's connections within the Waterside business forum, and encourage through its relationship with other local authorities that the Port of Southampton operator ABP and Southampton City Council, move to implement in the short term a shoreside power infrastructure enabling berthed ships to switch their engines off and reduce the amount of damaging particulates that continue to drift across the New Forest towns and villages?



Such a technological solution can eliminate the emissions of auxiliary engines at berth, resulting in a global reduction of emissions if the grid powering the ships is an environmentally friendly energy. This is beginning to be seen as common practice across the west coast of the United States and closer to home in ports such as Hamburg and Antwerp.

*Answer:*

*New Forest District Council is working closely with Southampton City Council with regard to air quality matters; we are both committed to working with Associated British Ports to reduce emissions of pollutants, including those from Cruise Ships.*

*At previous Port Consultative meetings both I and my counterpart at Southampton City Council have called for ship to shore charging to be implemented.*

*In the 2018 Cleaner Air for Southampton Strategy by Associated British Ports, they have committed to understanding the benefits of shore power for cruise vessels and to be the first UK port to install shore power for cruise vessels by 2020.*

*Note – in response to a supplementary question in relation to the greater use of the Southampton Port over the next five years, the Portfolio Holder confirmed that this issue remained of great importance to her, as both Portfolio Holder for the Environment and Ward Councillor for Marchwood.*

#### **Question 4**

##### **From Cllr David Harrison to the Leader of the Council, Cllr Barry Rickman**

I wonder if Cllr Barry Rickman can follow up on the previous question regarding the use of post-Brexit emergency funding to give additional help to food bank services likely to be overworked and for transition funding for small businesses who are likely to struggle with increased prices? Can he please let us know what the Brexit budget is now to be spent on?

*Answer:*

*As a Council we are preparing for leaving the European Union. This includes our own organisations readiness as well as helping to ensure our local community both residents and business are also supported through the changes ahead.*

*When I answered a similar question at the last Council meeting I informed all members that we had received £52,452 from the government as a contribution to any costs incurred. At the time I told members that other than officer time no costs had been incurred.*

*I can now update you that the Portfolio Holder for Finance, Investment and Corporate Affairs is using £5,000 of the government funds to support the Citizen Advice New Forest by providing them with a contribution towards the set up costs of the additional work they envisage incurring to deal with Settled Status. This is the application process by which EU Citizens will need to apply to live and work in the UK following Brexit.*

*As members are aware our small businesses are very important to us and we currently support a number with business rate relief or through economic development projects we support. We understand that businesses face many challenges and I am confident the Portfolio Holder for Finance, Investment and Corporate Affairs and the Portfolio Holder for Economic Development will continue to provide support as appropriate.*

*With regard to foodbanks we currently work with them, providing training, welfare advice and information. We signpost customers to foodbanks where appropriate, and continue to provide support to those experiencing financial difficulties or those affected by welfare reforms. We will continue to do this.*

*Note – in response to a supplementary question in relation to the best use of the remaining funds, the Leader of the Council confirmed that foodbanks and Brexit funding were two distinct issues that he would continue to regularly update the Council on.*

## **Question 5**

### **From Cllr Philip Dowd to the Portfolio Holder for Finance, Investment and Corporate Services, Cllr Jeremy Heron**

Can the Portfolio Holder explain how the effects of Universal Credit are monitored in the District?

Answer:

*Universal Credit is a central government benefit and is administered directly by them however we are aware of the impact that these changes have on some of the most vulnerable within our community and have been proactive in providing support.*

*We work closely with Citizens Advice New Forest and the Department for Work and Pensions, and have worked with partners to regularly host training and awareness sessions across the district, bringing organisations together to update them on changes, including explaining complex issues, giving advice and tips on how to claim and maintain a claim, share good practices and to facilitate networking and signposting.*

*We support claimants across the district who are experiencing difficulties by giving advice and information, and support those that are vulnerable by visiting them in their home and helping with claiming Universal Credit, either online or by phone, as well as being proactive in awarding Discretionary Housing Payments. Where we are aware of a problem we use our good working relationship with the DWP and escalation routes to try and resolve matters as quickly as possible.*

*For those with council tax or rent arrears, where we are able to engage with residents we will work with them. Further support is given as we visit all new tenants and now have a tenancy support worker to support vulnerable tenants.*

*Note – in response to a supplementary question in relation to any noted increased use of foodbanks, the Portfolio Holder confirmed that this was not his area of responsibility.*

## **Question 6**

### **From Cllr Stephanie Osborne to the Portfolio Holder for Environment and Regulatory Services, Cllr Alison Hoare**

Considering HCC's recent suggestion that they may request funding back from NFDC for inadequate recycling, can the Portfolio Holder please explain what measures are in place to reduce the amount of plastic used locally as well as measures to increase recycling?

Answer:

*New Forest District Council is currently considering the impacts of the announcement made by HCC regarding the removal of payments for recycling and fines for contamination. Along with the Government's new emerging waste strategy, these will be key drivers for this council in the development of our new waste strategy, which will aim to promote waste reduction and increase the range and amount of products recycled. Our waste and recycling team work hard to deliver guidance to residents regarding which items can be recycled. The most recent campaign was "6 in the sack". This has been promoted through our web pages, social media posts and videos, information offices, vehicle panels, leaflets and on the recycling bags we are hoping to have another big campaign over Christmas.*

*I think that much of the action on plastic needs to come from national level. Extending the producer's responsibility for packaging and the introduction of a plastic tax are important actions that we hope will encourage businesses to use more recycled material and help move our country towards a more circular economy.*

*Note – in response to a supplementary question in relation to waste reduction, the Portfolio Holder highlighted the work ongoing to develop a new Waste Strategy.*

#### **Question 7**

#### **From Cllr Alex Wade to the Portfolio Holder for Finance, Investment and Corporate Services, Cllr Jeremy Heron**

What impact will NFDC suffer as a result of funding cuts announced by HCC? Can we have details of the affected areas?

Answer:

*Had any member of the opposition party attended Cabinet on the 2nd of this month you would have been aware that the Portfolio Holder for the Environment outlined the potential budget implications to this Council associated with the changes to waste and recycling, being brought forward by Hampshire County Council. The Portfolio Holder quantified the values which can be summarised that it currently stands that an estimated £680,000 of income that would no longer be passed to the District Council, and the potential for a contaminated waste charge of circa £120,000 per annum. The Portfolio Holder went on to express the view that with change comes opportunity and that this Council would be vigorously exploring all such opportunities.*

*With regard to the impact that this will have on the Councils over all finances, you are aware that this administration has once more set out a fully funded budget for 2019/20 and, as the Portfolio Holder for Finance, I will continue to monitor any potential changes and these will, at the appropriate point, be incorporated within the Medium Term Financial Plan.*

*Chairman, I find it slightly ironic that, at last months full Council, the opposition were championing that the £1.9 million revenue receipt, from the sale of St John's Street car park be targeted to Hythe and Dibden and, at the following months meeting are concerned at a potential unexpected cost of £800,000.*

*It is good news for our residents that this is a Conservative run administration and therefore subject to prudent financial management rather than some ad hoc, spend*

*what you have and panic at any unexpected costs, financial system that would be operated if the Liberal Democrats were running the Council.*

*Note – in response to a supplementary question in relation to the Council's stance against further cuts by Hampshire County Council, the Portfolio Holder highlighted the approach taken across the New Forest area to hold other public bodies to account in a collaborative manner.*

### **Question 8**

**From Cllr Hilary Brand to the Portfolio Holder for Planning and Infrastructure, Cllr Edward Heron**

I would ask Cllr Edward Heron as Portfolio Holder for planning and infrastructure how much section 106 money is currently being held by NFDC? How much of those funds are time limited and within the last year has any monies been handed back to developers as time ran out for it to be spent?

Can he break it down even further and let the Council know from which developments monies are currently being held and how much?

*Answer:*

*We are holding just over £5,175,000 in Section 106 payments. Of this, £810,000 is time limited.*

*No money has been returned to developers within the last year.*

*Regarding a breakdown of the monies held, I would refer Councillor Brand to the report to Cabinet of the 4th February 2015 and the figures contained within appendices one and two. I have asked that an update to these be prepared and circulated to all Members.*

### **Question 9**

**From Cllr Geoffrey Blunden to the Portfolio Holder for Finance, Investment and Corporate Services, Cllr Jeremy Heron**

It is well documented that Care Leavers can be particularly vulnerable to financial hardship and poverty. The Children's Society in various reports demonstrates their financial vulnerability and how Council Tax debt can escalate quickly increasing these pressures.

I note a number of local authorities have or are considering exempting Care Leavers from Council Tax until the age of 26.

Can the Portfolio Holder confirm that the 2019 Council Tax Task and Finish Group are considering a Council Tax Exemption to Care Leavers, as part of their terms of reference?

Answer:

*This issue was highlighted in response to report entitled “Wolf At The Door” and I can confirm that, as it did in 2018, the 2019 Task and Finish Group has given full consideration to this very important issue.*

*In 2018, the Task and Finish Group were of the opinion that this Council needed to provide help and support for all its vulnerable residents, whatever walk of life they came from and regardless of any label. It agreed that this would be best delivered through the Council Tax Reduction Scheme and Exceptional Hardship Scheme.*

*Once again we have reviewed our policies and again it was decided that the most effective delivery model was through maintaining our focus on the existing Council schemes and offered appropriate financial support to all those in our community in greatest need and not through isolating individual groups, such as Care Leavers, through specific exemptions.*

*This Council committed to ensuring that its reduction and exceptional hardship schemes continue to offer suitable and appropriate levels of financial support to those liable to pay Council Tax and who are most in need.*

#### **Question 10**

**From Cllr Fran Carpenter to the Portfolio Holder for Planning and Infrastructure, Cllr Edward Heron**

It was made clear, through a developer's answer to my question at our last planning meeting, that the homes they wanted to build, substantial in number, had very few green credentials at all. No eco-heating, no electric charging points, no consideration of building materials used. Nothing. Unfortunately, the application was passed.

How will this council ensure, through the Local Plan, supplementary documents or other available planning means, that all new homes built in the district, from now, will be built to a standard that will help us and the government achieve environmental and carbon emissions goals, for 2050 or sooner, that are crucial to tackling climate change?

Answer:

*The Council is committed to delivering sustainable development within the District.*

*The new Local Plan sets out standards for water efficiency and requires provision to be made to enable convenient installation of charging points for electric vehicles.*

*All new development within the District will respond to the guidance set out in the 2019 NPPF and Planning Practice Guidance, particularly the Guidance on Climate Change published in March of this year.*

*The National Design Guide published on the 1st October sets out how, through good design, community resilience and climate adaption can be achieved.*

*Now that we have confirmation from the Planning Inspector that the Local Plan can progress towards formal adoption with no major changes, I will be working with the Planning team to agree what Supplementary Planning Documents, or other planning*

*tools, need be updated or put in place to ensure that we achieve quality development in the District, that meet our environmental and carbon objectives.*