



New Forest
DISTRICT COUNCIL

Council Meeting Agenda

5 May 2021



SUMMONS

To All Members of the Council

You are hereby summoned to attend a meeting of the District Council to be held on Microsoft Teams - Online on Wednesday, 5 May 2021, at 6.30 pm



Bob Jackson
Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA
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This Agenda is also available on audio tape, in Braille, large print and digital format

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AGENDA

Apologies

1. MINUTES (Pages 7 - 12)

To confirm the minutes of the meeting held on 12 April 2021 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. VOTE OF THANKS TO THE OUTGOING CHAIRMAN

4. OUTGOING CHAIRMAN'S STATEMENT

5. ELECTION OF CHAIRMAN

To elect a Chairman of the Council to hold office until the Annual Meeting in 2022.

Cllr Tipp has been nominated as Chairman for the ensuing year.

6. ADDRESS BY THE CHAIRMAN OF THE COUNCIL

The newly-elected Chairman will address the Council.

7. APPOINTMENT OF VICE-CHAIRMAN

To appoint a Vice-Chairman of the Council to hold office until the Annual Meeting in 2022.

Cllr O'Sullivan has been nominated as Vice-Chairman for the ensuing year.

8. LEADER'S ANNOUNCEMENTS

9. COMMITTEE AND PANEL STRUCTURE (Pages 13 - 16)

RECOMMENDED:

1. That the following Committees and Panels and the number of seats on each body, be approved:-

Committee/Panel	No.
Appeals Committee	20
Audit Committee	8
General Purposes and Licensing Committee	15
HR Committee	8
Planning Committee	20
Community, Partnerships & Wellbeing Overview and Scrutiny Panel	10
Corporate Affairs & Local Economy Overview and Scrutiny Panel	10
Environment & Sustainability Overview and Scrutiny Panel	10
Housing & Homelessness Overview and Scrutiny Panel	10

2. That the terms of reference of the Overview and Scrutiny Panels as circulated with the agenda, be approved; and

3. That the Monitoring Officer be authorised to make the consequential changes to the Constitution arising from the above.

10. ALLOCATION OF SEATS AND APPOINTMENTS TO COMMITTEES AND PANELS (Pages 17 - 20)

To agree the allocation of seats to the political groups on those Committees and Panels to which political balance rules apply, and to approve the appointment of Members to Committees and Panels.

11. MEETING DATES FOR THE 2021/22 MUNICIPAL YEAR

To note that Council meetings for the 2021/22 Municipal Year will take place on the following dates, all commencing at 6.30 pm:-

- 21 June 2021 (Extraordinary Meeting, Provisional)
- 12 July 2021
- 6 September 2021
- 11 October 2021
- 6 December 2021
- 21 February 2022
- 11 April 2022
- 16 May 2022 (Annual Meeting)

12. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

NEW FOREST DISTRICT COUNCIL – VIRTUAL MEETINGS

Background

This meeting is being held virtually with all participants accessing via Microsoft Teams.

A live stream will be available on YouTube to allow the press and public to view meetings in real time and can also be found at the relevant meeting page on the Council's website, with this published agenda.

Principles for all meetings

The Chairman will read out Ground Rules at the start of the meeting for the benefit of all participants. All normal procedures for meetings apply as far as practicable, as the Government Regulations do not amend any of the Council's existing Standing Orders.

The Ground Rules for all virtual meetings will include, but are not limited to, the following:-

- All participants are reminded that virtual public meetings are being broadcast live on YouTube and will be available for repeated viewing. Please be mindful of your camera and microphone setup and the images and sounds that will be broadcast on public record.
- All participants are asked to mute their microphones when not speaking to reduce feedback and background noise. Please only unmute your microphone and speak when invited to do so by the Chairman.
- Councillors in attendance that have not indicated their wish to speak in advance of the meeting can make a request to speak during the meeting by using the "raise hand" feature in Microsoft Teams. Requests will be managed by the Chairman with support from Democratic Services. Please remember to "lower hand" when you have finished speaking.
- The chat facility should not be used unless raising a point of order or providing the wording for a motion.
- All participants are asked to refer to the report number and page number within the agenda and reports pack so that there is a clear understanding of what is being discussed at all times.

Voting

When voting is required on a particular item, each councillor on the committee will be called to vote in turn by name, expressing their vote verbally. The outcome will be announced to the meeting. A recorded vote will not be reflected in the minutes of the meeting unless this is requested in accordance with the Council's Standing Orders.

By casting their vote, councillors do so in the acknowledgement that they were present for the duration of the item in question.

Technology

If individuals experience technical issues, the meeting will continue providing that it is quorate and it is still practical to do so. The Chairman will adjourn the meeting if technical issues cause the meeting to be inquorate, the live stream technology fails, or continuing is not practical.

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Agenda Item 1

12 APRIL 2021

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held on Monday, 12 April 2021

- * 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, Daniel Reynafarje, Andy Rogers, Manjit Sandhu, Claire Upton-Brown, Karen Wardle and Matt Wisdom.

Apologies

There were no apologies for absence received from Members.

130 HIS ROYAL HIGHNESS THE PRINCE PHILIP, DUKE OF EDINBURGH

The Chairman made a statement, a copy of which is outlined below:-

“We learned with great sorrow and profound grief on Friday, of the sad news of the death of His Royal Highness, the Duke of Edinburgh, which will be felt keenly across the nation and beyond.

On behalf of our residents, members and employees, I offer our deepest sympathies to Her Majesty The Queen and the Royal Family. This comes at a time when the nation continues to come to terms with the ongoing grief from the loss of loved ones to the pandemic, and our thoughts and prayers now go out to Her Majesty, The Queen and the rest of the Royal Family in sincere condolence.

Our District has great pride in its royal associations, with a strong history of connections to the monarchy. The District has had the privilege of welcoming His Royal Highness on many visits over the years, which we now remember with warmth and fondness.

In a private ceremony this afternoon within the grounds of Appletree Court, I laid flowers alongside the Deputy Lieutenant for Hampshire, Hallam Mills. These have now been placed in the Council Chamber.

I will be writing to Her Majesty The Queen, to express our deepest sympathies, and our humble and heartfelt condolence for the loss that Her Majesty and the Royal Family are experiencing at this time.”

The Council observed a two minutes silence in memory of His Royal Highness The Prince Philip, Duke of Edinburgh.

131 MINUTES**RESOLVED:**

That the minutes of the meeting held on 25 February 2021, be confirmed.

132 DECLARATIONS OF INTEREST

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

133 CHAIRMAN'S ANNOUNCEMENTS

There were none.

134 ACTING LEADER'S ANNOUNCEMENTS

The Acting Leader of the Council joined with the Chairman in expressing condolences to Her Majesty, The Queen and the Royal Family.

135 REPORT OF THE CABINET

The Acting Leader of the Council presented the report of the Cabinet meeting held on 7 April 2021 and moved that it be received. Cllr Cleary seconded the motion.

Paragraph 3 – Strategic Risk Register

One Member raised concerns on the potential risks in the Leisure and Wellbeing Portfolio with regard to the financial stability of the Council's preferred partner for the future running of the Council's health and leisure centres, including any mitigation measures should the Council be required to take control of the running of the centres in an insolvency situation. The Acting Leader of the Council confirmed that the financial wellbeing of all bidders during the procurement process had been assessed, including the successful bidder in Freedom Leisure. At this stage, there had not been any advice received to identify this as a necessary risk for inclusion in the register. However, all risks within the register would continue to be reviewed regularly by Portfolio Holders and updated where necessary.

RESOLVED:

That the report be received.

136 REPORT OF THE HR COMMITTEE

Cllr Steele presented the report of the HR Committee meeting held on 18 March 2021, and moved the adoption of the recommendations. Cllr Harris seconded the motion.

RESOLVED:

That the report be received and the recommendations be adopted.

137 QUESTIONS

There were none.

138 QUESTIONS TO PORTFOLIO HOLDERS UNDER STANDING ORDER 22A

There were none.

The Chairman confirmed that the questions received had been withdrawn as a mark of respect to His Royal Highness The Prince Philip, Duke of Edinburgh.

139 EARLY RETIREMENT OF EXECUTIVE HEAD OF OPERATIONS (DEPUTY CHIEF EXECUTIVE)

The Chairman moved the recommendations as set out in the report. The Vice-Chairman seconded the motion.

RESOLVED:

That the request from the Executive Head of Operations (Deputy Chief Executive) for early retirement on the grounds of efficiency, be agreed.

140 NOMINATIONS FOR THE OFFICES OF CHAIRMAN AND VICE-CHAIRMAN OF THE COUNCIL

The Chairman invited Members to propose and second the nominations for the offices of Chairman and Vice-Chairman of the Council received in accordance with the Council's Constitution.

Cllr Glass moved that Cllr Tipp be the Council's nomination for the office of Chairman of the Council for 2021/22. Cllr Russell seconded the motion.

Cllr Harrison moved that Cllr Rackham be the Council's nomination for the office of Chairman of the Council for 2021/22. Cllr M Wade seconded the motion.

Put to a secret ballot, Cllr Tipp received a majority of votes.

Cllr Tipp moved that Cllr O'Sullivan be the Council's nomination for the office of Vice-Chairman of the Council for 2021/22. Cllr S Davies seconded the motion.

Cllr Harrison moved that Cllr Rackham be the Council's nomination for the office of Vice-Chairman of the Council for 2021/22. Cllr M Wade seconded the motion.

Put to a secret ballot, Cllr O'Sullivan received a majority of votes.

RESOLVED:

That Cllr Tipp be nominated as Chairman and Cllr O'Sullivan as Vice-Chairman of the Council for the municipal year 2021/22.

141 ELECTION OF LEADER OF THE COUNCIL

Cllr Cleary moved that Cllr E Heron be appointed Leader of the Council for the remainder of the four year period ending May 2023. Cllr Steele seconded the motion.

RESOLVED:

That Cllr E Heron be appointed Leader of the Council for the remainder of the four year period ending May 2023.

142 ADDRESS BY THE LEADER OF THE COUNCIL

The Leader of the Council informed the Council that:-

(a) He had appointed Cllr Cleary as Deputy Leader of the Council and Vice-Chairman of the Cabinet.

(b) The Cabinet Portfolio Holders and their respective Portfolios would be as follows:-

1. Leader – Cllr E Heron
2. Housing and Homelessness Services – Cllr Cleary
3. Planning, Regeneration and Infrastructure – Cllr Andrews

4. Environment and Coastal Services – Cllr S Davies
5. People and Places – Cllr Russell
6. Partnering and Wellbeing – Cllr Steele
7. Business, Tourism and High Streets – Cllr Harris
8. Finance, Investment and Corporate Services – Cllr J Heron

(c) The full content of each Portfolio would be circulated to all Members in due course.

The Leader of the Council placed on record his thanks to Cllr Rickman for his leadership of the Council over the last twelve years.

143 ADDITIONAL MEETING DATE

The Chairman moved the recommendation as revised by the supplementary agenda, that an Extraordinary Council meeting be held at 6.30 pm on Monday 21 June 2021, subject to the outcome of the New Milton Neighbourhood Plan referendum. The Vice-Chairman seconded the motion.

RESOLVED:

That a provisional date of 6.30 pm, Monday 21 June 2021 for an Extraordinary Council meeting, be agreed.

144 MEMBERSHIP OF COMMITTEES AND PANELS

RESOLVED:

That Cllr Tungate be appointed to serve on the Housing Overview and Scrutiny Panel in place of Cllr S Davies and that Cllr Cerasoli be appointed to serve on the Community and Leisure Overview and Scrutiny Panel in place of Cllr Russell.

145 ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT - REVISED ANNUAL MEETING DATE

The Chairman moved that the Council's Annual meeting be rescheduled from 6.30 pm on Monday 17 May 2021, to 6.30 pm on Wednesday 5 May 2021. Virtual Meetings would not be permitted from 7 May onwards and local authorities without elections had been encouraged to consider bringing forward their Annual Meeting, to give more time to plan for the safe return of face to face meetings. The Vice-Chairman seconded the motion.

Members debated the principles of bringing forward the Council's Annual Meeting and the timing being the night before local authority elections in Hampshire. Options for holding face-to-face meetings across the District at other venues was suggested by those not in favour of the change.

The Leader of the Council responded to concerns and recognised the challenges of bringing forward the date to a week when many local authorities were doing the

same. He encouraged Members in the circumstances to agree the change to give the Council more time to plan for the safe return of face-to-face meetings.

RESOLVED:

That the Annual General Meeting of Council be rescheduled from 6.30 pm, Monday 17 May 2021 to the new date of 6.30 pm, Wednesday 5 May 2021, to take place on Microsoft Teams – Online.

CHAIRMAN

TERMS OF REFERENCE OF OVERVIEW AND SCRUTINY PANELS

1. The statutory overview and scrutiny functions of the Council shall be undertaken by Overview and Scrutiny Panels. Each Panel shall have a particular responsibility for the overview and scrutiny of the following Cabinet Portfolio Holders and their areas of responsibility:-

Community, Partnerships & Wellbeing Overview and Scrutiny Panel

1. People and Places
 - a. Town and Parish Council Engagement
 - b. Streetscene, Litter Collection
 - c. Open Spaces
 - d. Grounds Maintenance Services
 - e. Cemeteries
 - f. Trees
 - g. Public Conveniences
 - h. Customer Services and Area Offices
 - i. Communications and Design
 - j. Eling Tide Mill
 - k. Community Grants and Support
 - l. Street Naming and Numbering
 - m. Culture and Arts
 - n. Flytipping
 - o. Abandoned Vehicles
2. Partnering and Wellbeing
 - a. Health and Leisure Contract Management
 - b. Dibden Golf Course
 - c. Sport and Community Development
 - d. Health and Wellbeing
 - e. Environmental Health
 - f. Pest Control
 - g. Welfare Funerals
 - h. Key Stakeholder Engagement (HCC, NFNPA)
 - i. CCTV and Careline
 - j. Community Safety Partnership (Safer New Forest)
 - k. Emergency Planning
3. This Panel will also be the Crime and Disorder Scrutiny Committee under Section 19 of the Police and Justice Act 2006, with power to co-opt representatives of the Crime and Disorder Reduction Partnership onto the Panel when it reviews Partnership matters, and to agree terms of such co-option.

Corporate Affairs & Local Economy Overview and Scrutiny Panel

1. Leader
 - a. Political Structures
 - b. Employee Engagement
 - c. Corporate Plan

- d. Smarter Working
 - e. Local Enterprise Partnership
 - f. Freeports
 - g. Elections and Electoral Registration
2. Business, Tourism and High Streets
 - a. Support for New Forest Businesses
 - b. Economic Development Strategy
 - c. High Streets
 - d. Funding/Bidding Opportunities
 - e. Go New Forest Liaison
 3. Finance, Investment and Corporate Services
 - a. Medium Term Financial Plan
 - b. Accountancy
 - c. Revenue and Benefits
 - d. Estates and Valuation including Investments
 - e. ICT and ICT Strategy
 - f. Human Resources
 - g. Building Facilities
 - h. Health and Safety
 - i. Business Continuity
 - j. Legal Services
 - k. Democratic Services
 - l. Business Improvement

Environment & Sustainability Overview and Scrutiny Panel

1. Leader
 - a. Sustainability
2. Environment and Coastal Services
 - a. Waste Strategy
 - b. Refuse & Recycling Collection
 - c. Land Drainage
 - d. Coastal Protection
 - e. Car Parking/road Closures
 - f. Beach Huts and Keyhaven
3. Planning, Regeneration and Infrastructure
 - a. Local Plan
 - b. Development Management
 - c. Building Control
 - d. Listed Buildings and Conservation
 - e. Town Centre Regeneration
 - f. Land Charges

Housing & Homelessness Overview and Scrutiny Panel

1. Housing and Homelessness Services
 - a. Housing Strategy and Development
 - b. Council House/Tenancy Management
 - c. Housing Allocations

- d. Homelessness
- e. Housing Maintenance
- f. Private Sector Housing

- 2. To review 'called in' decisions in accordance with the procedures set out in the Constitution.
- 3. To prepare, implement, and regularly review a Work Programme.
- 4. To report annually to Full Council on the output of the Overview and Scrutiny Panel, providing an assessment of the value added by the work undertaken.
- 5. To establish work as appropriate after taking into account the availability of resources, the work programme and the matter under review.
- 6. To undertake policy reviews, making recommendations to the Cabinet to assist in the development of future policies and strategies.
- 7. To scrutinise the decisions of the Cabinet, offering advice or making recommendations on the matter.
- 8. To monitor the implementation of decisions to examine their effect and outcomes.
- 9. Subject to compliance with any provisions within legislation and the Council's Constitution, to delegate any of the functions of the Panel to an officer of the Council.

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COUNCIL – 5 MAY 2021

ALLOCATION OF SEATS AND APPOINTMENTS TO COMMITTEES AND PANELS

1. INTRODUCTION AND BACKGROUND

- 1.1 In accordance with Section 15(1)(b) of the Local Government and Housing Act 1989, The Council must review the representation of political groups on committees at the annual meeting each year or as soon as practicable thereafter. For this purpose, “committees” includes the Council’s Overview and Scrutiny Panels but excludes the Cabinet.
- 1.2 There are four statutory principles of political balance which have to be applied in filling appointments to Committees. These are contained in Section 15(5) of the Act.
- 1.3 The principles that have to be applied are as follows:-
 - (a) that not all seats on the body are allocated to the same political group;
 - (b) that the majority of the seats on the body are allocated to a particular political group if the number of persons belonging to that group are a majority of the Authority’s membership;
 - (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant Authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that Authority as is borne by the number of members of that group to the membership of the Authority; and
 - (d) subject to paragraphs (a) to (c) above, that the number of seats on the body which are allocated to each political group bears the same proportion to the same number of all seats on that body as is borne by the number of members of that group to the membership of the Authority.
- 1.4 Once the Council has determined the allocation of committee places between the political groups, the Council must then appoint the nominees of the political groups to the committees.
- 1.5 Those members who are not members of political groups have no legal entitlement to an allocation of seats on committees. However, the political groups are entitled to their proportion of seats and once their entitlement has been reached, the remaining seats may be filled by members not belonging to a political group. Such Members are classed as being non-aligned.
- 1.6 These provisions need not be applied if a different position is agreed without any member of the authority voting against.

2. CURRENT POSITION

- 2.1 The political balance of the Council stands at:-

Conservative Group 45 (75.00%)

Liberal Democrat Group 13 (21.67%)

Non-aligned Members 2

3. APPOINTMENTS TO COMMITTEES AND PANELS

3.1 There are 111 Committee/Panel seats to which appointments should be made under the principles of proportionality.

3.2 The application of the percentages outlined at paragraph 2.1, to the number of seats on individual Committees gives the following allocation of seats:-

Committee/Panel	Seats	Conservative	Liberal Democrat	Unallocated Seats
Appeals Committee	20	15	4	1
Audit Committee	8	6	2	-
General Purposes and Licensing Committee	15	11	3	1
HR Committee	8	6	2	-
Planning Committee	20	15	4	1
Community and Leisure Overview and Scrutiny Panel (Community, Partnerships and Wellbeing)	10	8	2	-
Corporate Overview and Scrutiny Panel (Corporate Affairs and Local Economy)	10	8	2	-
Environment Overview and Scrutiny Panel (Environment and Sustainability)	10	8	2	-
Housing Overview and Scrutiny Panel (Housing and Homelessness)	10	8	2	-
Total	111	85	23	3

3.3 The allocation of seats in accordance with the current political balance of the Council, leaves an unallocated seat on each of the Appeals Committee, General Purposes and Licensing Committee and Planning Committee.

3.4 The Council could resolve to allocate a seat(s) to the non-aligned Members. As at May 2021, both of the non-aligned Members have indicated that they would take up a seat(s) if allocated by the Council and the Council's Constitution makes provision for the allocation of seats to Members who are not members of a political group, as nearly as possible in proportion to the number of those members on the Council.

3.5 Therefore, a recommended allocation of seats is outlined below:-

Committee/Panel	Seats	Conservative	Liberal Democrat	Non-aligned
Appeals Committee	20	15	4	1
Audit Committee	8	6	2	-
General Purposes and Licensing Committee	15	11	3	1
HR Committee	8	6	2	-
Planning Committee	20	15	4	1
Community and Leisure Overview and Scrutiny Panel (Community,	10	8	2	-

Partnerships and Wellbeing)				
Corporate Overview and Scrutiny Panel (Corporate Affairs and Local Economy)	10	8	2	-
Environment Overview and Scrutiny Panel (Environment and Sustainability)	10	8	2	-
Housing Overview and Scrutiny Panel (Housing and Homelessness)	10	8	2	-
Total	111	85	23	3

3.6 The nominees of the political groups to the Committees and Panels will be tabled at the meeting, alongside the preferences of the non-aligned Members.

4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications arising directly from this report.

5. CRIME & DISORDER IMPLICATIONS

5.1 There are no crime and disorder implications arising directly from this report.

6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no environmental implications arising directly from this report.

7. EQUALITY & DIVERSITY IMPLICATIONS

7.1 Political balance ensures that Committees and Panels are representative of the wishes of the electorate.

8. RECOMMENDATIONS

8.1 That the allocation of seats to committees and panels in accordance with the principles set out in the report, be agreed as at the table at paragraph 3.5 of this report; and

8.2 That the Council gives effect to the wishes of the political groups in making appointments to these Committees and Panels, for the remainder of the four year period ending May 2023.

For further information contact:

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Background Papers:

Local Government and Housing Act 1989

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