

5 APRIL 2023

NEW FOREST DISTRICT COUNCIL

CABINET

Minutes of a meeting of the Cabinet held on Wednesday, 5 April 2023

* Cllr Jill Cleary (Chairman)

* Cllr Diane Andrews (Vice-Chairman)

Councillors:

* Geoffrey Blunden
* Steve Davies
* Michael Harris

Councillors:

* Edward Heron
* Jeremy Heron
* David Russell

*Present

In attendance:

Councillors:

Sean Cullen
Philip Dowd
Malcolm Wade

Councillors:

Barry Dunning
Christine Ward

Also In Attendance:

Steve Avery (National Park Authority), Tim Bacon (Market Measures), Sam Jones (Forestry England) and Simon Packer (Hampshire & Isle of Wight Fire and Rescue).

Officers Attending:

Alan Bethune, Jamie Burton, James Carpenter, Joanne McClay, Grainne O'Rourke, Kate Ryan, Joe Tyler and Matt Wisdom.

Apologies

There were no apologies received from Cabinet members.

The following non-Cabinet members gave their apologies: Cllrs Corbridge, Duke and Gossage.

93 MINUTES

RESOLVED:

That the minutes of the meeting held on 1 March 2023 be confirmed and signed.

94 LEADER'S ANNOUNCEMENTS

The Leader reassured Members and the public that the Council continued to drive its corporate priorities. The Leader understood that residents were facing challenging times and the Council had been working with partners to deliver five, weekly 'Cost of Living' community hubs across the District. The hubs allowed

residents to meet with Officers from the Council's Benefits and Housing Teams as well as the Citizens Advice New Forest. Cost of living advice and signposting to the local national support channels also remained available on the Council's website.

The Council continued to support the Keep Britain Tidy 'Great British Spring Clean' programme by hosting its own 'New Forest Spring Clean'. The scheme started on 17 March and ended on 2 April. This programme provided information on how to carry out safe litter picks and lent the appropriate equipment where needed. It was hoped that the success of this scheme would see more local volunteering of this type for the 'Big Help Out' during the King's Coronation.

Six new recycling banks had been installed across the District where residents can take food and drink cartons as well as other paper-based containers.

95 DECLARATIONS OF INTEREST

Cllr E Heron declared a non-pecuniary interest, in relation to item 4 for transparency, that he was a member of Hampshire County Council and was involved in several Forest organisations.

96 PUBLIC PARTICIPATION

There were no issues raised during the public participation period.

97 PUBLIC SPACES PROTECTION ORDERS

That the Cabinet:

1.1 Notes the results of the public consultation exercise carried out relating to the proposals to make Public Space Protection Orders ('PSPOs') in respect of the lighting of fires and BBQs in the open Forest, and the feeding and petting of Forest animals;

1.2 Agrees to make The New Forest Public Spaces Protection Order 2023 (No.1) ('PSPO No 1') and The New Forest Public Spaces Protection Order 2023 (No.2) ('PSPO No 2') in the form set out in Appendices 5 and 6, noting the levels of the Fixed Penalties that will be incurred for breaches;

1.3 Agrees that PSPO No 1 and PSPO No 2 will come into force on 1 July 2023;

1.4 Authorises the Strategic Director for Housing, Communities and Governance, following the Cabinet meeting on 5 April 2023, to affix the Common Seal of the Council to PSPO No 1 and PSPO No 2 and sign accordingly, to make the Orders;

1.5 Authorises the publishing of PSPO No 1 and PSPO No 2 on the Council's website and giving public notice of their making and effect in accordance with the Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014;

1.6 Authorises the Strategic Director for Housing, Communities and Governance to finalise all necessary arrangements with Partners, including the signage arrangements, entering into the necessary agreements with Partners and arranging training of proposed Authorised Officers; and

1.7 Authorises the postholders employed by Partners set out at Appendix 7 to be 'authorised persons' for the purposes of section 68 of the Anti-Social Behaviour, Crime and Policing Act 2014 in respect of the Public Spaces Protection Orders (defined in the PSPOs as Authorised Officers), the subject of this report.

REASONS FOR DECISION:

As set out in the report.

KEY DECISION:

Yes.

PORTFOLIO:

All.

ALTERNATIVE OPTIONS CONSIDERED/REJECTED:

As set out in the report.

DECLARATIONS OF INTEREST:

Cllr E Heron declared a non-pecuniary interest, in relation to item 4 for transparency as a member of Hampshire County Council and he was involved in several Forest organisations.

DISCUSSION:

The Vice-Chairman introduced the item and invited the Monitoring Officer to present a report to Cabinet on the proposed Public Space Protection Orders (PSPOs).

Cabinet noted that the Council and its partners had undertaken several years of work and collaboration to develop both proposed PSPOs. This work culminated in the agreed Public Consultation, following the Cabinet meeting in November 2022, and the numerous results that the public consultation garnered.

Cabinet believed that the level of detail contained within the report and the PSPO documents would enable the successful implementation of both orders. It was heard that training for those officers who would enforce the PSPOs would focus on the reasonable and proportionate action embodied by 'the four Es': Engage, Explain, Educate, and then Enforce. Cabinet agreed that the measurement of success would be the positive behavioural change across the District and not in the number of fines issued.

Members agreed that protection of the New Forest, its residents, its visitors and its wildlife is fundamental to the PSPOs and were pleased that the responses received to the public consultation reflected this.

Cabinet heard that the management of outdoor recreational space remained a corporate objective for Forestry England. The New Forest typified the pressures that arise from this responsibility but due to the collaborative work with the Council on this matter Forestry England believed that there would be positive behavioural change and an improvement in respect for the Forest.

Cabinet thanked the hard work and collaboration of Officers and their partners from Forestry England, the National Park Authority and Hampshire & Isle of Wight Fire and Rescue service.

98 HEALTH AND WELLBEING ACTION PLAN

RESOLVED:

That Cabinet recommends to Council that the Health and Wellbeing Action Plan is adopted.

REASONS FOR DECISION:

As set out in the report.

KEY DECISION:

Report to Cabinet and to Council.

PORTFOLIO:

Partnering and Wellbeing.

ALTERNATIVE OPTIONS CONSIDERED/REJECTED:

As set out in the report.

DECLARATIONS OF INTEREST:

None.

DISCUSSION:

The Portfolio for Partnering and Wellbeing introduced the item and invited the Environmental and Regulation Service Manager to present the report to Cabinet on the proposed Health and Wellbeing Action Plan.

Cabinet heard that the Council's Health and Wellbeing Action Plan had been created to support the outcomes identified in the "Strategy for the Health and Wellbeing of Hampshire" where they align with the Council's priorities. The Action Plan deals with specific actions, including the development of programmes and initiatives to support the health and wellbeing of New Forest residents, with appropriate progress updates and timescales of delivery. Council is requested to update the plan regularly and review it annually by way of the relevant Overview and Scrutiny Panel.

Cabinet felt that the Plan's priorities gave a shared focus for the Council and partners to work together to reduce health inequalities and make a positive difference across the District, improving the quality of life of New Forest communities.

A non-Cabinet member expressed disappointment that there was no explicit mention of poverty in the Action Plan. Officers and Cabinet members provided reassurances that the Action Plan acknowledged poverty as a main driver of health

disparity and that measures such as the Warmer Homes collaboration and the Holiday Activity Fund would seek to address these issues.

Members requested that some further clarity be provided on the Action Plan's 'RAG' ratings to clarify the performance and success measures.

The Community, Partnerships and Wellbeing Overview and Scrutiny Panel were supportive of the Action Plan, following its consideration at their meeting in March 2023.

99 CONSTITUTION REFRESH 2023

RESOLVED:

That Cabinet recommend to Council:

- a) The adoption of the refreshed Constitution for New Forest District Council, for implementation with effect from Friday 5 May 2023.
- b) To delegate authority to the Monitoring Officer, to make further minor editing changes, corrections, and updates to the document prior to publication.

That Cabinet approve:

- c) The Delegation of Executive functions as set out in the proposed Constitution.

REASONS FOR DECISION:

As set out in the report.

KEY DECISION:

Report to Cabinet and Council.

PORTFOLIO:

Leader's.

ALTERNATIVE OPTIONS CONSIDERED/REJECTED:

As set out in the report.

DECLARATIONS OF INTEREST:

None.

DISCUSSION:

The Leader introduced the item before inviting the Service Manager – Democratic and Support Services to present the report to Cabinet, on the Constitution Refresh 2023, consisting of the proposed changes to the Council's Constitution.

Cabinet was conscious of the Electoral Review of New Forest District Council and the subsequent changes to Councillor numbers and new Wards that this would generate from the May 2023 Local Elections. Members acknowledged the significant programme of work undertaken to create and implement the supporting governance arrangements and understood that the Constitution Refresh 2023 would provide a platform for the new Council to move forward from May 2023.

The updated format, based on the key components and all the necessary information required of a local authority Constitution, was made of seven constituent parts that would provide a clear governance framework to facilitate effective and accountable decision making.

Group Leaders were consulted on the scope of changes during Spring 2022. Further detailed consultation with the political groups took place in February and March 2023, with the offer of a briefing made to non-aligned Members.

Members were supportive of the update and agreed that it would bring the Council's Constitution in line with a modern governance framework.

100 LEADER'S THANKS TO CABINET MEMBERS

The Chairman thanked Councillors E Heron, Andrews and Russell for all of their hard work and support as Cabinet members and explained that they would be leaving the Cabinet under the new administration.

CHAIRMAN