

5 JULY 2023

NEW FOREST DISTRICT COUNCIL

CABINET

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

* Cllr Jill Cleary (Chairman)

* Cllr Steve Davies (Vice-Chairman)

Councillors:

Geoffrey Blunden

* Jeremy Heron

*Present

Councillors:

* Dan Poole

* Derek Tipp

In attendance:

Councillors:

Alan Alvey

Peter Armstrong

Keith Craze

Sean Cullen

Philip Dowd

Councillors:

Alan O'Sullivan

Joe Reilly

John Sleep

Christine Ward

Officers Attending:

Kate Ryan, Rebecca Drummond, Kevin Green, Rachel Higgins, Adam Hobbs, Chris Noble, Nicola Plummer, Clive Tritton, Joe Tyler and Grainne O'Rourke

Apologies

An apology for absence was received from Cllr Blunden.

8 LEADER'S ANNOUNCEMENTS

The Leader confirmed that the two Public Space Protection Orders, supported by the Council, had come into force on 1 July. The Leader reiterated how important it was to the Council, its partners and local communities to ensure that fires, BBQs and the feeding and petting of Forest animals were prevented. The Leader emphasised the amount of detailed and comprehensive work undertaken by the Council as they continued to work with Forestry England and the National Park Authority to advise people on the correct behaviours in the Forest.

9 MINUTES

RESOLVED:

That the minutes of the meeting held on 7 June 2023 be confirmed and signed.

10 DECLARATIONS OF INTEREST

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

Cllr Heron declared, for transparency, that he knew the owner of a company identified within Appendix 3 of agenda item 10, the Development of a New Operational Services Depot at Hardley Industrial Estate. Cllr Heron clarified that he would withdraw himself from this agenda item and abstain from participating and voting.

11 PUBLIC PARTICIPATION

There was no public participation.

12 WASTE AND RECYCLING COLLECTION POLICY

RESOLVED:

That the Cabinet recommends to Council the adoption of the proposed waste and recycling collection policy and new garden waste terms and conditions for the roll-out of new collection services as set out in the Waste Strategy 2022-2027.

REASONS FOR DECISION:

As set out in the report.

KEY DECISION:

Report to Cabinet and Council

PORTFOLIO:

Environment and Sustainability.

ALTERNATIVE OPTIONS CONSIDERED/REJECTED:

As set out in the report.

DECLARATIONS OF INTEREST:

None.

DISCUSSION:

In the absence of the Portfolio Holder for Environment and Sustainability, the report was introduced by the Portfolio Holder for Housing and Homelessness.

The Portfolio Holder reminded members that, in response to national and regional changes in the approach to management of waste and resources, as well as a desire to ensure that local goals were met, the Council had approved a new Waste Strategy 2022-27 in July 2022. The proposed policy aimed to reduce waste and increase recycling in the District.

The Performance and Projects Manager for Waste and Transport briefly presented the report, highlighting that the policy detailed the way in which the new Waste and Recycling Strategy would be implemented to ensure continuity for residents, and set out the roles of responsibilities of the Council and residents. The policy would also improve the efficiencies and working conditions for operatives in the service as

well as improving the service for residents. Members were informed that assisted collections service would continue and that residents could apply for this service through the Council's administrative systems.

Cabinet Members spoke in support of the proposed policy, acknowledging that it was a major change to the service. The level of public consultation had been extensive, and there was a need to recycle more.

Following a question from a non Cabinet Member, in relation to property suitability for the new core services, it was noted that the Council was working with Keep Britain Tidy to carry out a robust property survey within the District. This survey would, upon completion, be analysed by Council officers in order to ensure that the right service was provided to all properties.

13 GARDEN WASTE FEES AND CHARGES 2024-25

RESOLVED:

That the Cabinet recommends to Council the adoption of the proposed garden waste fees as set out in Appendix 1 of the report, applicable from 1 April 2024.

REASONS FOR DECISION:

As set out in the report.

KEY DECISION:

Report to Cabinet and Council.

PORTFOLIO:

Environment and Sustainability.

ALTERNATIVE OPTIONS CONSIDERED/REJECTED:

As set out in the report.

DECLARATIONS OF INTEREST:

None.

DISCUSSION:

In the absence of the Portfolio Holder for Environment and Sustainability, the report was introduced by the Portfolio Holder for Housing and Homelessness.

The Portfolio Holder reminded members that, as of April 2024, changes to improve the Garden Waste collection service would occur and that subscribers would see an increase in their recycling capacity by way of the new 240 litre bins.

The Assistant Director for Place Operations briefly presented the report. Members heard that the fees for the Garden Waste collection service had previously been amongst the lowest in the County. The proposed fee of £65 per-year was comparable to the median fee across the County. New bins would be provided

ahead of the April 2024 roll-out and the new scheme would run on a 12 month cycle.

Cabinet Members spoke in support of the proposed charges, acknowledging that the new charges were in line with their counterparts across Hampshire, whilst also doubling the capacity available for some residents. Cabinet Members felt that the move to wheeled bins was a more sustainable approach to the existing, plastic sacks, and improvements to the safety and efficiency experienced by collection staff were welcomed.

14 ANNUAL PERFORMANCE AND PROVISIONAL BUDGET OUTTURN 2022/23

RESOLVED:

That the Cabinet note:

- a) the Annual Performance Report for 2022/23;
- b) the provisional outturn of the General Fund revenue and capital budgets for 2022/23;
- c) the provisional outturn of the Housing Revenue Account and capital budgets for 2022/23; and
- d) the year end rephasings as included within the provisional outturn figures

REASONS FOR DECISION:

As set out in the report.

KEY DECISION:

No.

PORTFOLIO:

Leader/All.

ALTERNATIVE OPTIONS CONSIDERED/REJECTED:

As set out in the report.

DECLARATIONS OF INTEREST:

None.

DISCUSSION:

The Leader of the Council introduced the report, highlighting the corporate priorities that the Council had delivered, including the agreement of the Waste Strategy, the Climate Change and Nature Emergency Action Plan and the Solent Freeport. Support had also been given to residents within the community, following the delivery of 5 community hubs and £220,000 in community grants. Progress had been made in modernising the organisation and making the Council an employer of choice.

The Assistant Director of Transformation briefly presented the report and explained that it was backwards looking over the last financial year. The focus moving forwards would be to develop the new corporate plan, with priorities for the next 4 years, alongside a robust performance management framework.

The Finance Manager also spoke to the report and informed members that despite significant in-year pressures such as the staff pay award, utility cost rises and general price increases, the outturn of the General Fund at Portfolio level was within £56,000 of the original budget, set in February 2022. Similar budgetary pressures existed within the Housing Revenue Account and a £1.2 million call on the reserves fund had been required. Finally, Cabinet heard that the outturn spend of the Capital Programme was £43.7 million, against the original budget of £42 million, however it was explained that this outturn spend did include additional projects identified and approved during the year.

Cabinet Members acknowledged that the year to date had been incredibly challenging due to the various financial pressures and that, despite these pressures, the Council had delivered on its budgetary requirements and that overall, it had been a very successful year.

The Portfolio Holder for Planning and Economy was pleased to highlight some of the work within his portfolio which included; that the Community Infrastructure Levy funds had been used to deliver open space projects, that 90% of planning applications had been determined within the indicative timeframe, that the Council now enjoyed 58% market share of all Building Control applications and that 3,500 local businesses had subscribed to the Council's e-newsletter.

15 AIR QUALITY UPDATE

RESOLVED:

That the decision to revoke the Lyndhurst Air Quality Management Area (AQMA) and the development of an 'Air Quality Strategy' for New Forest District Council be supported.

REASONS FOR DECISION:

As set out in the report.

KEY DECISION:

Yes

PORTFOLIO:

Community, Safety and Wellbeing.

ALTERNATIVE OPTIONS CONSIDERED/REJECTED:

As set out in the report.

DECLARATIONS OF INTEREST:

None.

DISCUSSION:

The Portfolio Holder for Community, Safety and Wellbeing introduced the report, highlighting that the air quality objectives for Lyndhurst had been met and that the Air Quality Management Area would be revoked. Following this an Air Quality Strategy would be developed across the whole district.

The Environmental Protection Team Manager briefly presented the report and explained that the revocation of the Lyndhurst Air Quality Management Area in Lyndhurst was in line with DEFRA's guidance. Local authorities without any AQMA were required to develop an Air Quality Strategy, in line with the Government's Air Quality Strategy. It was therefore proposed that a strategy for the entire District would be developed.

The Cabinet was reassured that monitoring would continue in Lyndhurst using the existing techniques.

Members noted that there was a lack of guidance on the development of the Government's Air Quality Strategy, however it was understood that there would be a greater focus on a wider range of pollutants, such as agriculture and indoor air pollutants.

The Cabinet was pleased to note that the pollution levels had reduced in Lyndhurst and as a result the Lyndhurst Air Quality Management Area would be revoked and supported a District-wide strategy. Reassurances were given by officers in response to a question that areas such as Fawley and the Waterside would continue to have its air quality monitored and that this would be considered as part of the Strategy.

16 RURAL ENGLAND PROSPERITY FUND**RESOLVED:****That Cabinet**

- a) agree the revised proposed mechanism for the allocation of the Business Support element of the Rural England Prosperity Fund as set out in paragraph 3.2;
- b) agree to delegate authority to the Strategic Director of Place, Operations and Sustainability in consultation with the Portfolio Holder for Planning and Economy on any further changes to the allocation of funds or other delivery issues; and
- c) agree to delegate authority to the Strategic Director of Place, Operations and Sustainability to take all decisions and actions on the administration and allocation of the Fund in line with government guidance.

REASONS FOR DECISION:

As set out in the report.

KEY DECISION:

Yes.

PORTFOLIO:

Planning and Economy.

ALTERNATIVE OPTIONS CONSIDERED/REJECTED:

As set out in the report.

DECLARATIONS OF INTEREST:

None.

DISCUSSION:

The Portfolio Holder for Planning and Economy, introduced the report, highlighting that the funding would benefit people in the rural areas of the District. The latest funding criteria required applicants to contribute a minimum of 50% matched funding on capital investment, to ensure genuine and well planned applications were submitted for consideration.

Cabinet Members expressed their support to the revised proposed mechanism for the allocation of Business Support and was conscious that any funding provided to the rural areas of the New Forest would have wide-reaching benefits, across the District, not just in the immediate area that funding was received.

A non Cabinet member sought a definition of rural businesses and expressed concern that some businesses would not know whether they were eligible to apply if this was not clear. An officer response was provided and members noted that any businesses located in the rural area were likely to be eligible but that further clarity would be provided. Members were reminded that the map of the District's DEFRA designated 'rural areas' formed part of the report considered by the Cabinet in March 2023.

17 NFDC TRANSFORMATION PROGRAMME UPDATE**RESOLVED:**

That a programme of staff engagement and the development of the Transformation Strategy to deliver change, improve outcomes and contribute to resolve the MTFP gap by delivering savings of at least £1M by Financial Year 26/27 be supported.

REASONS FOR DECISION:

As set out in the report.

KEY DECISION:

Yes.

PORTFOLIO:

Leader/All.

ALTERNATIVE OPTIONS CONSIDERED/REJECTED:

As set out in the report.

DECLARATIONS OF INTEREST:

None.

DISCUSSION:

The Leader of the Council introduced the report, highlighting that significant opportunities had been identified on ways in which the Council could better engage and serve its residents. The Transformation Programme would provide a platform for the Council to deliver efficiencies, modern business practices, sustainable delivery of services and a skilled and motivated workforce. The Leader hoped that, through these different enhancements, the New Forest District Council would be an employer of choice in the region.

The Assistant Director of Transformation explained that over the coming months, the Council would be setting their Transformation Strategy, how the strategy would be governed and the performance measures that would support the delivery of the programme.

Cabinet Members expressed their support to the programme update and it was emphasised that whilst all of these improvements were being undertaken, the core principle of those residents who needed to be able to directly meet and talk with Council staff and members would remain. It was acknowledged that the programme would save the Council on certain costs and that services may be delivered in different ways, but the Cabinet were clear that the level of quality for all services would be maintained. Key Performance Indicators would continue to be utilised in order to monitor the progress of the transformation programme.

18 DEVELOPMENT OF A NEW OPERATIONAL SERVICES DEPOT AT HARDLEY INDUSTRIAL ESTATE**RESOLVED:****That the Cabinet recommends to Council:**

- a) The allocation of £7,800,000 in funding to complete this project, this figure being inclusive of all construction and relocation costs; and
- b) To appoint the contractor identified in Confidential Appendix 3 as the preferred bidder to design and build the operational services depot on land at Hardley Industrial Estate.

REASONS FOR DECISION:

As set out in the report.

KEY DECISION:

Report to Cabinet and Council.

PORTFOLIO:

Environment and Sustainability and Finance and Corporate.

ALTERNATIVE OPTIONS CONSIDERED/REJECTED:

As set out in the report.

DECLARATIONS OF INTEREST:

Cllr Heron declared, for transparency, that he knew the owner of a company identified within Appendix 3 of the Cabinet report. Cllr Heron clarified that he would withdraw himself from this item and abstain from participating and voting.

DISCUSSION:

The Leader of the Council, before introducing the report, reminded members that Appendix 3 of the report contained commercially sensitive information which was exempt by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972. It was explained that if any member wished to discuss the content of Appendix 3, that the meeting would need to move into exempt-session, with the press and public excluded.

In the absence of the Portfolio Holder for Environment and Sustainability, the report was introduced by the Portfolio Holder for Housing and Homelessness. The Portfolio Holder highlighted that in addition with modernising a frontline service, the new depot would provide staff with a better facility in which to work as well as improving the ability to collect a wider range of waste and recycling.

The Assistant Director of Place Operations briefly presented the report and reminded members that the existing depot at Clay Meadow in Totton was not sufficient in providing the facilities or capacities for the new modern service. The relocation would also release the current site for residential re-development. The new site at Hardley had obtained planning consent and a full procurement process had been undertaken with a preferred bidder identified. Completion costs would total £7.8 million, and funding would come from the capital programme reserve, capital receipts reserve and revenue contributions. The key risks identified within the report were consistent with any construction projects of a similar size, including the issue of inflation. The Waste Programme Board would oversee the project and relevant updates would be provided to the Overview and Scrutiny Panels.

Cabinet Members expressed their support of the project. Despite concerns around traffic and congestion at Hardley, members were reassured that the highways considerations had been factored into the planning application that was considered and approved in 2023 and that the operational hours would not coincide with rush hours during the day.

A question was posed by a non Cabinet member relating to Appendix 3 of the report, and by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, the meeting went into private session, as noted at minute 19 below. The question posed related to the procurement criteria and the member was

directed to section 6 of the public report, the Procurement Process. Following this, Cabinet agreed to re-enter public session and the item was brought to a close with the Cabinet agreeing to the recommendations within the report.

19 EXCLUSION OF THE PUBLIC AND THE PRESS

RESOLVED:

That, under Section 100(A)(4) of the Local Government Act 1972, the public and the press be excluded from the meeting on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A of the Act and the public interest in withholding the information outweighs the public interest in disclosing it.

CHAIRMAN