



New Forest
DISTRICT COUNCIL

Council Meeting Agenda

14 November 2022



SUMMONS

To All Members of the Council

You are hereby summoned to attend a meeting of the District Council to be held in Council Chamber - Appletree Court, Beaulieu Road, Lyndhurst, SO43 7PA on Monday, 14 November 2022, at 6.30 pm



Kate Ryan
Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA
www.newforest.gov.uk

This agenda can be viewed online (<https://democracy.newforest.gov.uk>).
It can also be made available on audio tape, in Braille and large print.

Members of the public may watch this meeting live on the [Council's website](#).

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AGENDA

Apologies

1. MINUTES (Pages 5 - 18)

To confirm the minutes of the meeting held on 10 October 2022 as a correct record.

2. DECLARATIONS OF INTERESTS

To note any declarations of interests made by members in connection with an agenda item. The nature of the interests 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. REPORT OF THE CABINET (Pages 19 - 24)

To consider the report of the Cabinet dated 2 November 2022.

6. QUESTIONS

Under Standing Order 22.

7. 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 Strategic Director for Housing, Communities and Governance by not later than 12.00 noon on Friday 11 November 2022.)

8. ELECTION OF LEADER OF THE COUNCIL

To elect a Leader of the Council for the remainder of the four year period ending May 2023.

The Conservative Group has nominated Cllr Cleary for the position of Leader of the Council.

9. APPOINTMENT OF DEPUTY LEADER AND CABINET PORTFOLIO HOLDERS

The Leader of the Council will inform the Council of:

- (a) the name of the councillor they have appointed Deputy Leader of the Council;
- (b) the number and content of the Portfolios; and
- (c) the name of the councillor they have appointed to each Portfolio.

RECOMMENDED:

That the Monitoring Officer be authorised to make the consequential changes to the Constitution arising from the above, including the alignment of Portfolio Holders to the Terms of Reference of Overview and Scrutiny Panels and their respective responsibilities.

10. MEMBERSHIP OF COMMITTEES AND PANELS

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

11. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

Agenda Item 1

10 OCTOBER 2022

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held on Monday, 10 October 2022.

Cllr Alan O'Sullivan (Chairman)

* Cllr Neville Penman (Vice-Chairman)

Councillors:

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

Councillors:

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

*Present

Officers Attending:

Kate Ryan, Heleana Aylett, Alan Bethune, Rebecca Drummond, Sara Hamilton, Grainne O'Rourke, Joe Tyler and Matt Wisdom.

Apologies

Apologies for absence were received from Cllrs O'Sullivan, Carpenter, Crisell, Cullen, J Davies, Davis, England, Lane, McEvoy, Osborne, Rickman, Ring, Sevier, Tungate and C Ward.

21 MINUTES**RESOLVED:**

That the minutes of the Ordinary meeting held on 11 July 2022 and the Special meeting held on 12 September 2022, be confirmed.

22 DECLARATIONS OF INTERESTS

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

23 CHAIRMAN'S ANNOUNCEMENTS**Her Majesty Queen Elizabeth II and Engagements**

The Vice-Chairman reported on the engagements undertaken following the very sad news of the death of Her Majesty The Queen. The Chairman, Vice-Chairman, Leader of the Council and the Deputy Lieutenant Mary Montagu-Scott, attended Appletree Court on Friday 9 September, to lay floral tributes and sign the book of condolence.

He thanked Members, Officers, special guests and members of the public for their attendance at the historic Proclamation of the Accession of his Majesty The King Charles III, read by the Chairman of the Council. In particular, special thanks were given to the New Forest Brass Band for leading attendees with the national anthem.

On Monday 12 September, the Council held a special meeting and the Vice-Chairman highlighted the moving tributes and personal reflections by Members of the UK's longest reigning monarch.

Following the Council meeting, the Chairman, accompanied by the Deputy Lieutenant Hallam Mills, visited the Council's Extra Care Blocks in Totton, Lymington and New Milton, to share residents' stories of Her Majesty and offer the opportunity to sign the book of condolence, for those residents who may not have been able to make it to a Council office.

The Chairman also attended a service of commemoration to give thanks for the life of Her Majesty at Winchester Cathedral, attended by the Lord Lieutenant of Hampshire.

The Vice-Chairman highlighted that, through the extension of The Queen's Green Canopy initiative, the Council would be planting 60 trees at 30 locations across the District, as a lasting and fitting tribute to Her Majesty.

Looking back at other engagements, the Chairman attended the New Forest Show on 27 July and was delighted to present the award for Best Large Trade Stand to the District Council for its "Environment Matters" stand. The stand included interactive activities, providing tips and advice on reducing waste, recycling more, how to start home composting in addition to information on what gets recycled in Hampshire.

Supporting his charities, SCARF and the Fortune Centre of Riding, the Chairman attended fundraising events throughout the Summer in aid of these important organisations.

On 2 October, the Vice-Chairman attended the Harvest Festival Service at Winchester Cathedral on behalf of the District.

Meeting Arrangements

The Vice-Chairman informed Members that he intended to use his discretion to suspend standing orders to allow officers to answer any technical questions Members had on items 8 and 9 on the agenda.

24 LEADER'S ANNOUNCEMENTS

Referring to his announcements at the recent Cabinet meetings, the Leader had no further announcements.

25 REPORTS OF THE CABINET

The Leader of the Council first presented the report of the Cabinet meeting on 29 July 2022 and moved the adoption of the recommendations. Cllr Cleary seconded the motion.

RESOLVED:

That the report be received and the recommendations be adopted.

The Leader of the Council then presented the report of the Cabinet meeting held on 7 September 2022 and moved the adoption of the recommendations. Cllr Cleary seconded the motion.

RESOLVED:

That the report be received and the recommendations be adopted.

The Leader of the Council then presented the report of the Cabinet meeting held on 5 October 2022 and moved the adoption of the recommendations. Cllr Cleary seconded the motion.

Paragraph 2 – Health and Wellbeing Plan

In response to a question on an action plan for delivery of the Health and Wellbeing Plan, the Leader of the Council confirmed that this would be the subject of consideration at a future Overview and Scrutiny Panel meeting.

The Leader also gave assurance that at this moment in time, the plan was funded and would not be the subject of funding restraints in the context of the wider financial pressures on the Council. Any resourcing or funding issues would come forward in the normal way through the Council's Medium Term Financial Plan and budget monitoring.

RESOLVED:

That the report be received and the recommendations be adopted.

26 REPORT OF THE HR COMMITTEE

The Leader of the Council presented the report of the HR Committee meeting on 11 August 2022 and moved the adoption of the recommendations. Cllr Cleary seconded the motion.

RESOLVED:

That the report be received and the recommendations be adopted.

27 RECRUITMENT OF STRATEGIC DIRECTOR - PLACE, OPERATIONS AND SUSTAINABILITY

The Leader of the Council moved the recommendations as set out in the report circulated with the agenda, which identified the processes to be followed to appoint a Strategic Director for Place, Operations and Sustainability, as part of the Leadership Review, agreed as part of the report of HR Committee at minute 26 above. Cllr Cleary seconded the motion.

RESOLVED:

That the Council agrees:-

- (a) The Strategic Director's pay band as set out at paragraph 3.2 of the report;
- (b) External recruitment is the preferred recruitment and selection process;
- (c) That an Appointment Panel be authorised to undertake the selection process as set out in section 4 of the report and in accordance with the Council's Constitution.

The Appointment Panel will comprise:

- Leader of the Council
- Deputy Leader of the Council
- Chief Executive
- Leader of the Opposition
- Two relevant Portfolio Holders, to be determined by the Leader of the Council

28 PROPOSED CHANGES TO PAY SPINE

The Leader of the Council moved the recommendations as set out in the report circulated with the agenda, which proposed an updated Council pay spine, to ensure a positive impact on staff recruitment, retention and morale. The changes are independent of the ongoing National Joint Council pay negotiations. Cllr Cleary seconded the motion.

RESOLVED:

That the updated Pay Spine shown at Appendix 2 of the report be approved with effect from 1 October 2022.

29 REVIEW OF POLLING DISTRICTS AND POLLING PLACES

Cllr Clarke moved the recommendations as set out in the report circulated with the agenda, which recommended formal designations of polling districts and polling places following a consultation period. In moving the recommendations, Cllr Clarke placed on record his thanks to Members and Officers for their work in bringing forward proposals that are coterminous with the revised ward boundaries arising from the Electoral Review of the District. Cllr Craze seconded the motion.

Members discussed the importance of encouraging people to vote, in light of new Government initiatives for voter ID and local changes such as the Electoral Review and consequential changes to polling stations. It was acknowledged that councillors and candidates had a role to play in informing the public. Work was underway with Brockenhurst College to encourage younger people to vote.

RESOLVED:

That the Council:-

- (a) Approve the Returning Officer's final recommendations for formal designation of polling districts and polling places;
- (b) Note representations as part of the consultation; and
- (c) Note alteration to polling districts.

30 QUESTIONS

There were none.

31 NOTICES OF MOTION

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

"This Council:-

- *is concerned about the number of cases reported to the RSPCA each year, regarding pets being given as prizes via fairgrounds, social media and other channels in England - and notes the issue predominantly concerns goldfish.*
- *is concerned for the welfare of those animals that are being given as prizes.*
- *recognises that many cases of pets being given as prizes may go unreported each year.*
- *supports a move to ban the giving of live animals as prizes, in any form, on New Forest District Council land.*

The Council agrees to:

- *ban outright the giving of live animals as prizes, in any form, on New Forest District Council land.*
- *write to the UK Government, urging an outright ban on the giving of live animals as prizes on both public and private land."*

Cllr Bennison seconded the motion.

The Vice-Chairman confirmed that, under the provisions of Standing Order 41, the above motion, having been proposed and seconded, should stand referred to the Cabinet, or to the Cabinet or such Committees or Panels as the Council may determine. Given the subject matter, it was proposed that the motion be referred to the Community, Partnerships and Wellbeing Overview and Scrutiny Panel.

RESOLVED:

That the motion be referred to the Community, Partnerships and Wellbeing Overview and Scrutiny Panel.

In accordance with Standing Order 21, Cllr M Wade moved the following motion:-

“The cost of living crisis affects all areas of our nation. However, many members of the farming community, so important in the production of 54% of the nation’s food supply, are struggling to survive in the current financial environment and this includes many of New Forest’s farmers. A thriving agricultural sector is crucial to New Forest’s economy, landscape, and environment.

This Council notes the cost of animal feed is up by 60% and fertilizer cost by 200%. In the last year, these and other increased costs are against a backdrop of a changing subsidy regime from the government with some farms at risk of losing up to 20% of their income this way. This is leading to many farmers to decide to give up their farms or raise food prices to survive further impacting the cost of living of ordinary New Forest residents.

This Council sees that some farmers are being forced to sell their back up land, which has Forest Rights and the loss of this land has serious impact on the sustainability of the ancient New Forest tradition of commoning if alternative support for local farmers is not made available.

This Council recognises that government funding schemes to help farmers exist but due to the current financial environment different approaches need to be considered to improve on the ongoing support.

Therefore, this Council will write to the Secretary of State for Environment, Food and Rural Affairs expressing its concerns about financial state of the farming community and request greater financial support for Farmers to be able to continue to produce food for the UK market at sustainable prices.”

Cllr Harrison seconded the motion.

The Vice-Chairman confirmed that, under the provisions of Standing Order 41, the above motion, having been proposed and seconded, should stand referred to the Cabinet, or to the Cabinet or such Committees or Panels as the Council may determine. Given the subject matter, it was proposed that the motion be referred to the Environment and Sustainability Overview and Scrutiny Panel.

RESOLVED:

That the motion be referred to the Environment and Sustainability Overview and Scrutiny Panel.

32 QUESTIONS TO PORTFOLIO HOLDERS UNDER STANDING ORDER 22A

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

- Cllr Harrison to the Portfolio Holder for Finance, Investment and Corporate Services, Cllr Jeremy Heron, on support available to New Forest residents.
- Cllr Dowd to the Portfolio Holder for Environment and Coastal Services, Cllr S Davies, on community skips.
- Cllr Brand to the Portfolio Holder for Housing and Homelessness Services, Cllr Cleary, on the Right to Buy.
- Cllr M Wade to the Portfolio Holder for Environment and Coastal Services, Cllr S Davies, on free parking for charity shop workers.
- Cllr Clark to the Leader of the Council, Cllr E Heron, on warm banks.
- Cllr Rackham to the Portfolio Holder for Environment and Coastal Services, Cllr S Davies, on parking income in Totton.
- Cllr J Davies to the Portfolio Holder for Environment and Coastal Services, Cllr S Davies, on the bin collection service.
- Cllr Clark to the Portfolio Holder for Finance, Investment and Corporate Services, Cllr J Heron, on loans to other local authorities.
- Cllr Rackham to the Leader of the Council, Cllr E Heron, on Freeport funding for additional flood defences.
- Cllr Rackham to the Portfolio Holder for Planning, Regeneration and Infrastructure, Cllr Andrews, on transport infrastructure.

Note:-

A copy of the full questions and replies are attached to these minutes.

33 MEETING DATES 2023/24**RESOLVED:**

That the following dates of meetings for 2023/24, be agreed (Mondays at 6.30pm):-

- 22 May 2023 (AGM)
- 10 July 2023
- 11 September 2023
- 9 October 2023
- 11 December 2023
- 26 February 2024
- 8 April 2024
- 13 May 2024 (AGM)

34 MEMBERSHIP OF COMMITTEES AND PANELS

There were no changes.

35 LEADER OF THE COUNCIL - DECISION TO STEP DOWN

The Leader of the Council announced his decision to step down as Leader, when the Council elects a new Leader at its next meeting on 14 November 2022.

Thanking councillors and officers, he explained that after almost 16 years on the Council, most of which serving as a Cabinet Member, the time was right to look forward to new challenges.

He confirmed that the Conservative Group would be nominating Cllr Jill Cleary for the position of Leader of the Council.

CHAIRMAN

FULL COUNCIL – 10 OCTOBER 2022 – QUESTIONS TO PORTFOLIO HOLDERS UNDER STANDING ORDER 22A

First Questions

Question 1

From Cllr David Harrison to the Portfolio Holder for Finance, Investment and Corporate Services, Cllr Jeremy Heron

The cost of living crisis, particularly the huge increase in energy bills, represents a very serious threat to many people on low incomes living in the New Forest District. Please will you outline and publish a full list of help that is available via the District Council and through our partners?

Answer:

We have a dedicated webpage - <https://newforest.gov.uk/costofliving> that we have shared with our partners that gives lots of advice and information on a variety of topics and support available to households, from energy bills and food to support for families. This is continually evolving and these pages are regularly reviewed and updated.

A pocket sized guide on the support available locally and nationally has been widely distributed throughout the district.

Council staff are providing advice, information and signposting when speaking to residents and we are including information in our communications with our residents, to ensure those who do not visit the Council's website can also be reached.

Question 2

From Cllr Philip Dowd to the Portfolio Holder for Environment and Coastal Services, Cllr Steve Davies

Would the Portfolio Holder consider implementing a "Community Skips" scheme to reduce fly-tipping, like the scheme currently being operated by Gosport Borough Council?

Answer:

The scheme that is being proposed by Gosport Borough Council has been reviewed by our officers. Having taken feedback, I am not convinced that at the present time this is the most effective way of reducing fly-tipping. This Council provides regular waste collections from the kerbside and offers a chargeable bulky waste service. In addition, within our District there are three Household waste recycling centres provided by HCC which accept a wide range of household waste items, for recycling or disposal. I also have a concern about a community skip scheme not fulfilling our commitment to the waste hierarchy and reducing levels of waste and encouraging reuse.

We shall of course monitor the outcome of this scheme in Gosport to see what can be learned from it.

Question 3

From Cllr Hilary Brand to the Portfolio Holder for Housing and Homelessness Services, Cllr Jill Cleary

The housing crisis is worse than it has ever been in the New Forest. Young people growing up in the New Forest, whose families have lived here for hundreds of years, are being forced

to move away. This is a situation made much worse by Right to Buy which reduces our supply of social housing and widens the gap between those who own their own home and those who rent. Will the Portfolio Holder write to the new Secretary of State for Levelling Up, Housing, and Communities asking them to scrap the previous Prime Minister's plan to extend this damaging policy to Housing Associations?

Answer:

Members, never before has this Council done more, to create more affordable homes for the residents of this District. Members will be very aware of the hard work we have done over a number of years to create our own supply of new council homes through our Housing Development Programme, and in supporting our partner housing providers in producing their new homes. In doing so, we have been acutely aware of the need to create a range of housing options - new rented properties at both social and affordable rents, more temporary accommodation for those who present as homeless until they secure more settled accommodation, shared ownership properties which gives people a chance to partly rent and partly buy their home and staircase up to full ownership in the future. Even through our residential investment company, we have an excellent rented housing product for those that can afford to pay more towards their rent. Members we wish to cater for the whole of our community and that is what we are doing.

Whilst views differ on the RTB model, the reality is that it has provided home ownership to a great many people who might otherwise, never have got on the property ladder. It has its place and this Council will not seek to dissuade those who desire to own their own home. On that basis, I do not intend writing to the Secretary of State, as Cllr Brand has requested.

We will continue to provide a range of housing options for people within our community and do all that we can to support all our generations, to live happy and prosperous lives.

Question 4

From Cllr Malcolm Wade to the Portfolio Holder for Environment and Coastal Services, Cllr Steve Davies

Charity shops perform a significant role in our communities and for the charities themselves, without which many deserving causes would be unfunded. However they do not run themselves, charity shop volunteers are absolutely necessary in order that Charity shops may function. They are unpaid and many are pensioners on low income, who give their time freely to help the charity shop.

As these shops are in our towns and villages and charities cannot function without their volunteers and need every penny raised in order to be able to fulfil their obligations and commitments to the local residents.

Therefore in this time of a cost of living crisis would the council provide a free parking pass for charity shop workers, so they are not charged to park, whilst they are working in the shops for nothing?

Answer:

We all appreciate the excellent work and the role of charity shops throughout the district. At this time there are no plans to allow free parking for charity shop workers any other shop worker. It is important that our off-street car parks continue to provide parking in support of all local businesses and to this end our parking clock scheme provides excellent value for money for parking in the town and village car parks.

Note – in response to a supplementary question on operating practices to support residents, the Portfolio Holder highlighted there would be no increase to car parking charges for the next year as an immediate and practical step to support for local people.

Question 5

From Cllr Mark Clark to the Leader of the Council, Cllr Edward Heron

I am aware from colleagues in Scotland various warm banks are now open in kirks and other buildings across the Highlands and Islands. As the cooler weather arrives, Councils elsewhere have also been looking to identify places where residents unable to keep up with the cost of energy will be invited to spend the day to keep warm. This is out with the partnership with Citizens Advice already identified to Councillors.

What plans have this Council to follow likewise and what measure of emergency funding or partnership arrangements have been put in place for activating these 'cosy spaces' (as named by Dundee Council). Can the Leader provide some estimated costs for this?

Answer:

We continue to work with partners both directly and through the Cost of Living Steering Group. Information on the support we are offering, along with signposting to that being offered by our partners, can be found on the Council's website and the information is being made available to those who contact us, or partners such as the CAB, through other means such as in-person or by telephone.

Specifically in regards to Warm Spaces, the County Council are making their Libraries available and more information can be found about the support they are offering with staying warm either by visiting their website or calling the 'Hitting the Cold Spots' helpline on 0800 804 8601.

In addition to the support being offered by the County Council we are aware of a number of Town & Parish Councils, Village Halls and Community Groups that are developing plans for further support with staying warm, often targeted and smaller community groups or those with specific needs. The Council will be providing a grant fund to support these initiatives and details on how groups may apply will shortly be published on our website.

We are also developing and piloting community hubs at six of our Food Larders to provide outreach support, giving advice and information and a place for a hot drink and biscuit as part of a wider long term strategy.

Various organisations, including officers from our own Housing Teams, will be attending these hubs to provide advice and information on a range of issues. We are also in discussions with local groups and partners, including Hampshire County Council and local faith groups, on the provision of warm spaces, and we will promote and signpost residents to these.

Note – in response to a supplementary question on the cost of living page on the Council's website, the Leader confirmed he would ask Communications to ensure the signposting was in place to external support. He also asked councillors to continue to flag issues as they arise.

Question 6

From Cllr Caroline Rackham to the Portfolio Holder for Environment and Coastal Services, Cllr Steve Davies

I wonder if the portfolio holder can supply income figures for parking in Totton Town centre and explain how these compare with targets?

Answer:

The ticket sales (coin, card and pay by phone) income for the Totton car parks for 2021/22 financial year is in addition, a pro rata parking clock allocation has been added which gives total income per car park.

Eling cemetery CP – Free

Civic centre CP – £10,204 ticket sales/£21,920 Parking clocks = £32,124

Elingfield CP – £5,978 ticket sales/£21,920 Parking clocks = £27,898

Rumbridge Street CP – £11,463 ticket sales/£36,168 Parking clocks = £47,631 (an additional sum of £11,000 was received from a local private business who rented half of the car park for a 3 month period Dec to Feb.)

Westfield Road CP – £16,426 ticket sales/£35,100 Parking clocks = £51,526

Winsor Road CP – £22,065 ticket sales/£20,880 Parking clocks = £42,945.

There are no set targets for income for any car park including Totton.

Note – in response to a supplementary question on reducing car parking charges, the Portfolio Holder highlighted with inflation that freezing charges should assist.

Question 7

From Cllr Jack Davies to the Portfolio Holder for Environment and Coastal Services, Cllr Steve Davies

For many months now, the people of Pennington have been subject to multiple missed residual waste collections, delays to glass and green waste collections, and cancelled bulky household waste collections. It simply isn't good enough. Does the portfolio holder agree with me that the money this Council plans to give to Freedom Leisure would be better spent on fixing the crisis in our bin collection service?

Answer:

In answer to your question, you shouldn't be surprised to learn that I do not agree with you.

But permit me to respond to your comments.

In late July and early August, the council saw disruption to kerbside collections of glass and garden waste, as weekly refuse and recycling collections were prioritised resulting from staffing problems. At the end of August, we did see some minor service disruption as glass crews completed the catch-up from the missed collection 4 weeks prior, with large amounts presented for collection.

Unfortunately, the service had been impacted across the district - and not just Pennington.

I am pleased to say that recruitment and retention has improved significantly since July and besides being a little behind on bag delivery all services are operating as normal.

It would be remiss of me not to take this opportunity to thank the waste collection teams for their support and flexibility during the challenging times and I mustn't forget the depot supervisors who took to the wheel again in addition to doing their own work. It's not an easy job rescheduling and reorganising teams at short notice while picking up extra work.

Note – this question was dealt with in writing in the absence of Cllr J Davies.

Second Questions

Question 8

From Cllr Mark Clark to the Portfolio Holder for Finance, Investment and Corporate Services, Cllr Jeremy Heron

Can the Finance Portfolio lead please list out any loans made by this Council to any other Council in the last five years and how much those amounts are and whether they have yet to be repaid?

Answer:

As part of the Council's adopted Treasury Management Strategy which ensures the Council's cash is suitably spread and invested according to agreed thresholds and limits, the Council is not a stranger to the issuing of loans to other Local Authorities. So as not to create too much work for our busy finance team, I have asked for information covering the period between now and the 1st April 2021. I am able to confirm that we have lent to 4 authorities in that period, with 1 of those loans yet to mature.

Whilst I wouldn't wish to individually name the Local Authorities who have borrowed from this Council, I can confirm that each and every loan issued by this Council, including transactions prior to April 2021, have been repaid in line with the originally agreed terms, and importantly, with the relevant accrued interest paid.

Question 9

From Cllr Caroline Rackham to the Leader of the Council, Cllr Edward Heron

The additional work as part of the mapped free port will be much further towards the estuary of the Test than the current docks and will almost certainly contribute to additional flooding for parts of Totton and Eling. Could the Leader of the Council please consider using some of any revenue from the forthcoming free port to build additional flood defences, including a flood barrier?

Answer:

All proposals for development on any freeport site have to go through the normal planning process and of the four tax sites, two of the sites have recently been the subject of planning applications. Where there is any element of risk of flooding either on the site or adjacent land, applicants are required to submit flood risk assessments including hydromorphic reports where appropriate. If there is any change developers must take measures to ensure mitigation is in place.

I would not want to see Freeport money spent to take measures that developers or site owners should be undertaking as part of their planning applications.

There is an established process through the Freeport including the Local Investment Pool if suggested measures are not directly related to development. However, if directly related to development, developers or land owners should undertake the requirements of the local planning process in the normal way.

Note – in response to a supplementary question, the Leader reiterated that the Freeport was not an opportunity for developers to use local authority or Freeport funds to address requirements that should be satisfied as part of their planning application.

Third Questions

Question 10

From Caroline Rackham to the Portfolio Holder for Planning, Regeneration and Infrastructure, Cllr Diane Andrews

Apart from a bus war that is happening in the North of the town, Totton is very poorly served by public transport and its being cut back even further. Residents frequently tell me that they find it easier to catch a bus to Hythe than their own town centre and can't work in Lyndhurst or other New Forest towns because of the lack of transport. What is the intention of the Council to help solve this conundrum?

Answer:

It is acknowledged that like many Districts there are limited bus services within certain areas of the District. As a district council we have no direct control over the way bus companies operate within the District. We work closely with the County Council, as the highway authority, to encourage and support the use of public transport.

As part of new developments the Council require developers to work with bus operators to increase stops, change routes to pick up from new development and to increase the number of services. This is also underpinned with a Travel Plan putting in place measures to encourage sustainable transport, that is monitored by the Highway Authority.

I think you will agree that the District Council is doing all within its powers to improve bus services within the district given how limited our powers are.

Of interest, the community grants scheme is now open for local initiatives that include transport.

Note – in response to a supplementary question on community buses, the Portfolio Holder reiterated that the Council could support local initiatives, such as community buses, through the use of the Community Grants process, due to start soon for the 2023/24 budget setting process.

REPORT OF CABINET

(Meeting held on 2 November 2022)

1. LEADER'S ANNOUNCEMENTS (MINUTE NO 42)

The Leader referred to the person injured in an accident along Southampton Road, Lyndhurst on 31 October 2022. He placed on record that thoughts went to their family and friends at this difficult time.

Agreement had been reached with the Unions in relation to the Cost of Living Pay Award for the current financial year. This gives a flat rate increase of £1,925 to each of the spinal column points and one additional day of annual leave from 1 April 2023. All members of staff would be in receipt of this increase with the backdated amount in their November pay. This means the lowest paid spine point will be £10.70 per hour – above the National Living Wage of £10.50.

The Leader also announced that the Cabinet meeting would be his last meeting as Leader of the Council.

2. HOMELESSNESS - PLAN TO DEAL WITH AN INCREASE IN HOMELESSNESS PRESSURES (MINUTE NO 46)

The Cabinet, having considered the increase in homelessness over the last 12 months and the plan to deal with this rise, is recommending to Council a supplementary budget of up to £1.3m in order to address the additional homelessness costs. The Cabinet gave approval for the recruitment of two additional temporary homelessness posts at a maximum cost of £92,000 per annum.

The demand for homelessness services and the Council's statutory duties to provide temporary accommodation has increased significantly over the last year. The need for additional accommodation is likely to continue resulting in pressures on the budget provision for homelessness.

Indicators of the pressures in demand includes: an increase of 23 % in homelessness applications; family homelessness contributing to the majority of the increase, with the number of families awarded the statutory 'Relief Duty up by 23%; and there being 249 households accommodated in emergency accommodation in the last 12 months, representing an increase of 35% on the previous 12 months. The increase in family homelessness is largely due to the end of tenancies in the private rented sector.

The Council's Homelessness Service was inspected by the Homelessness Advisor for the Department of Levelling up, Communities and Housing in May 2022. The Advisor noted the high number of cases per officer, that staff were working additional hours to keep up with demand which was impacting on staff morale. It is recognised that when caseloads are high, officers are unable to invest the time to make positive impacts, and that this could mean this could make the difference between preventing homelessness and becoming homeless, and moving people on more quickly from temporarily accommodation.

The Homes for Ukraine Scheme had resulted in 323 guests arriving into the District, which formed 143 households living with hosts in the area, as at 7 October 2022. Many households are approaching the original six month accommodation commitment and housing solutions need to be identified, putting increased pressure on services with households competing for a reducing pool of properties in the private rented sector and possibly temporary accommodation.

An Action Plan to address the homeless pressures is set out in the Cabinet Report 4. This includes homelessness officers carrying out a home visit to each threat of family or friend eviction to mediate to extend the current living arrangements, proactively seeking single person households living in 2/3 council owned homes to ensure they are aware of support to move to smaller accommodation and financial incentives to landlords and loan payments to applicants to be raised in order to better compete in the private rented market.

An additional £1.3 m is required in order for the Council to fully comply with its statutory homelessness duties in 2022/23 and to continue to provide vulnerable families and single person households with access to suitable accommodation and support. Two additional homelessness officers will be recruited for two years at a cost of £92,000 per annum. Regular reports will be provided to EMT and relevant scrutiny panels to monitor the impact and demands on the service, ahead of the budget setting process for 2023/24.

At the Cabinet meeting the need for the supplementary budget was supported by Members in order to support vulnerable residents. Members felt that in addition to the provision of accommodation, support was also required, such as counselling and liaison with other services, in order to address the problems associated with homelessness. Members praised the work of officers in the homelessness team and cited examples of the cases within their wards.

The Cabinet would like to pay tribute to those in the Housing Development Team who are looking at opportunities to provide more affordable housing in the District.

RECOMMENDED:

That a supplementary budget of up to £1.3m for additional homelessness costs for 2022/23 be approved.

3. THE INTRODUCTION OF PUBLIC SPACE PROTECTION ORDERS (MINUTE NO 47)

The Cabinet approved the principle of the proposal to make two Public Spaces Protection Orders (PSPOs) in respect of the lighting of fires and the use of barbeques, and the feeding and petting of ponies, horses, mules and donkeys. The Cabinet gave authorisation to officers to publicise the proposed Public Spaces Protection Orders to carry out a consultation exercise, as required by the Anti-Social Behaviour Crime and Policy Act 2014. A report detailing the outcome of the consultation will be considered by the Cabinet at a future meeting.

The two proposed PSPOs, as set out in Appendix 1 and 2 of the Cabinet Report 5 set out the details of the Orders. If a PSPO is made, it would be a criminal offence for a person, without reasonable excuse to fail to comply with its requirements. A failure to comply can result in either a Fixed Penalty Notice being issued (maximum penalty of £100) or prosecution through the Magistrates Court with a maximum fine of £1000.

Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (The Act) gives the Council the power to make a PSPO. Legal tests have to be satisfied on the impact that anti-social behaviour is having on communities.

Discussions have been taking place with partners in respect of the need to deal with certain anti-social behaviours, including verge parking in the Forest, out of control dogs, wild camping, wildfires and the use of BBQs and the feeding and petting of roaming animals. Partners have requested the Council to consider utilising its powers under the Act to restrict certain behaviours which have a detrimental effect on the quality of life of those in the locality, through making a PSPO. The process involved in

considering the introduction of a PSPO requires there to be an evidence base to demonstrate the extent of the problem.

A number of activities are the subject of on-going discussions with partners, however it is considered that there is sufficient evidence at the present time to progress the activity relating to the lighting of fires and the use of BBQs and the feeding and petting of animals in the Forest.

The details of the PSPOs and the respective restricted areas are set out in full in Cabinet Report 5 and the respective appendices.

There is an evidence base for both of the proposed PSPOs and includes statements from, Forestry England, the National Park Authority, the Verderers, the Isle of Wight Fire and Rescue Service with details of incidents which have occurred to support the need for the proposed PSPOs. This evidence demonstrates the scale of the problems associated with PSPO 1 and 2 and the detrimental effects to the community.

Officers feel that the legal test for both proposed PSPOs are met in order to recommend that the matter progresses to public consultation. Following this process, a report will be brought back to Cabinet with the outcome of the consultation in Spring 2023.

The making of the two proposed PSPOs will have some financial implications for the Council. In addition to using existing in-house resources for the purpose of consultation, it is intended to employ the services of an external consultation and analysis expert, who will provide support for the consultation process. It is proposed that costs of £15,000 are set aside for the consultation process.

At the Cabinet meeting, Mrs Lines, Chair of the New Forest Commoners Defence Association supported the proposal to introduce two PSPOs acknowledging that the problems were increasing. Education and signage is not sufficient. She felt there needs to be stronger measures in place to protect the animals and the New Forest.

It should be noted that there has been discussion with the National Park Authority, Verderers and Forestry England and it has been accepted in principle that these partners will play a lead role in the enforcement of the PSPO activities, should they be introduced.

At the Cabinet meeting, Members supported the proposed introduction of the two PSPOs, but a concern was raised about PSPO 2 recognising that it was the feeding element of this which was the anti-social element. In response, the Cabinet would like to reiterate the importance of educating people and that if the PSPO was introduced there would an option to issue Fixed Penalty Notices if there was a persistent problem. It is hoped that the consultation period will bring these and related issues to the Council's attention for further consideration.

The Cabinet would like to encourage as many people as possible to respond formally to the consultation.

4. UPDATE ON S106 DEVELOPER CONTRIBUTIONS (MINUTE NO 48)

The Cabinet, having considered the update on Section 106 Development Contributions, approved the allocation of £200,000 transport contribution to deliver a footpath to the northeast of the Linden Homes Development on Cross Land, Ringwood and £3,504.90 towards a bottle filling station at Bath Road Lyminster.

The Council prior to April 2015 collected contributions to mitigate the impacts of new developments through Section 106 Agreements.

Cabinet approved open space and transport projects from unspent developer contributions in February 2015. These projects were in the areas where the development had occurred and extensive consultation had been carried out. A significant amount of money has been spent, however some monies remain which were allocated to specific projects to be delivered by the Town and Parish Councils which are no longer deliverable.

Authority was therefore given to allocate funding to alternative projects, identified by the towns and parishes as new projects relating to open space and sustainable transport improvements as follows:

- Ringwood Transportation: The delivery of a footpath to the northeast of the Linden Homes Development on Crow Lane, Ringwood. £50k had been allocated in 2020 which was currently held by HCC. Following a review of the scheme, this £50k is a considerable underestimate of the cost of the scheme and due a number of unknowns it is proposed that up to £200k be allocated to this scheme.
- Lymington Open Space: The Council holds £3,504.90 in unspent open space monies to use in Lymington. The Town Council has requested this be allocated to a project in Bath Road to install a bottle refilling station. It is therefore proposed to allocate to this project.

5. UPDATE ON COMMUNITY INFRASTRUCTURE LEVY (MINUTE NO 49)

The Cabinet approved £100k of CIL funds to be allocated towards The Football Foundation, Ringwood Project.

A delegation was also approved for an Executive Head or Strategic Director, in consultation with the Portfolio Holder for Planning, Regeneration and Infrastructure to commit CIL funds to approve mitigation and infrastructure projects within the confines of the overall agreed approved CIL budget.

The Council introduced Community Infrastructure Levy (CIL) charging in April 2015. In order to comply with the Conservation of Habitats and Species Regulations 2010 the first call on any CIL funds will be projects to mitigate the recreational impacts of new residential development on the New Forest National Park, as agreed by Cabinet in October 2014. It is recognised that the Local Plan, adopted in July 2020 sets out an alternative approach to recreational mitigation for the strategic allocations, there is still development that has and will need to be built that needs recreational mitigation and therefore the current CIL receipts are committed to current and future projects that mitigate the recreational pressure resulting from development.

At the start of this financial year, the Council held £6.4m to be utilised towards infrastructure projects. A large sum of this will be required to implement the required recreational mitigation projects, however, it does allow the Council a degree of flexibility to allocate a proportion to other infrastructure projects.

The Council are working with AFC Bournemouth Community Sports Trust, Ringwood Town Council and Ringwood Town Football Club to develop the facilities at Long Lane, Ringwood. The site will continue to be the home of Ringwood Town FC and will enable staff and players associated with AFC Bournemouth's Community Sports Trust to be based on site. A number of community programmes will also be based on site and all in one location. There will be a phased development with a new full size 3G artificial turf pitch, improvements to existing grass pitches, redeveloping the care park and a new pavilion.

Section 108 open space allocations had already been utilised to provide £435k of funding. A significant amount of third party funding had been secured, however there

is a funding shortfall of £100k and it was proposed that an contribution of £100k of CIL money be allocated to this project.

At the Cabinet meeting, the Executive Head for Planning, Regeneration and Economy highlighted that there were would two further reports to be considered by the Cabinet in relation to a programme of off-site mitigation projects and the governance arrangements in relation to the approval of infrastructure project funding allocation.

6. FINANCIAL MONITORING REPORT (based on Performance April to September 2022 inclusive) (MINUTE NO 50)

The Cabinet having noted the latest budget forecasts of the General Fund, Capital and HRA, approved the additional budgetary provision of £100,000 for Housing Revenue Account Cyclical Maintenance External Decorating Costs.

The Cabinet is also recommending to Council the approval of an additional budgetary provision of £330,000 for Housing Revenue Account voids and General reactive maintenance costs and the approval of a 25% uplift in Housing Tenants domestic and communal electric and gas service charges element only, from 2 January 2023.

The updated monitoring position in the first quarter of the financial year increased the original budget requirement to £21.185 million. The latest budget variations now reported, including the mitigating actions as required, include net favourable expenditure variations of £711,000 and net income increases of £235,000. This mitigated position exceeds the level of previous adverse variations by £435,000. However, the Council is also facing significant additional homelessness budget pressures, forecast at £1.3 million.

The resultant updated General Fund Budget, taking all new reportable variations into account, including those on homelessness is £21,539 million. An overall increase of £865,000 from the original estimate.

The capital programme budget is now forecast to be £42,038 million for the year. This takes into account the new variations, including the investment of £5.5 million in Commercial Property within the District, and an underspend of £4,000,000 in the Housing Development Strategy Programme.

The HRA monitoring report in September to Cabinet identified additional budget requirements of £866,000. However, since then a further net additional budget requirement of £546,000 has been identified, resulting in an overall net additional budget requirement to £1.412 million. This includes a number of new variations, including the additional £330,000 for voids and general reactive maintenance works.

Appendix 5 of the Cabinet Report 6 highlighted the increases in utility costs and that the services charges were well below the level of costs incurred by the HRA. The result is utility costs in these blocks are on average 110% higher than the respective service charges. Therefore, an increase of 25% uplift of charges is proposed to be implemented from 2 January 2023, following a period of notice and consultation with the affected residents.

At the Cabinet meeting, the Leader reported on the importance of having reserves and the need for careful planning in order to be able to respond to future pressures that might be unforeseen.

RECOMMENDED:

- 1. That the additional budgetary provision of £330,000 for Housing Revenue Account voids and general reactive maintenance costs be approved; and**

- 2. That a 25% uplift in Housing tenants domestic and communal electric and gas service charges element only, commencing from 2 January 2023, in line with the detail outlined in Appendix 5 of the Cabinet Report 8, and as unanimously supported by the Tenant Involvement Group on 6th October be approved.**

**COUNCILLOR E HERON
CHAIRMAN**