

FULL COUNCIL – 9 OCTOBER 2023 – QUESTIONS UNDER STANDING ORDER 22

First Questions

Question 1

From Cllr Harrison to the Portfolio Holder for Finance and Corporate, Cllr Heron

Why doesn't the District Council employ a full-time anti-fraud officer? The post under question being the Corporate Fraud and Compliance Officer - currently a part time post.

Answer:

The Council is committed to preventing and detecting fraud and everyone connected with the Council has a responsibility to be fraud aware and report any potential fraud.

The majority of fraud work, including staffing, was transferred to the Department for Work and Pensions in 2016 as part of their Single Fraud Investigation Service initiative. We work closely with the DWP as part of a joint working partnership to investigate fraud, including predominately Housing Benefit and Universal Credit. We retained a part-time dedicated Corporate Fraud and Compliance Officer who works corporately across the council, to investigate all referrals and reports received, to promote and raise awareness, and to ensure steps are taken to prevent fraud and error. The annual internal audit plan provides independent assurance on the council's control environment, and appropriately trained fraud staff within the partnership are on hand to support the Council as required.

An annual fraud report is overseen by the Council's Audit Committee, with the last report presented on 31 May 2023. This report highlighted the range of activities and initiatives undertaken, the outcomes of investigations, and the proactive steps we take to prevent and detect fraud.

With this collective Council wide responsibility, current workloads of the specific officer are manageable with the resource available.

Note – this question was dealt with in writing, in the absence of Cllr Harrison.

Question 2

From Cllr Brand to the Portfolio Holder for Planning and Economy, Cllr Tipp

With Prezzo leaving Lyndhurst and another Lyndhurst restaurant gone bust and closed last week, can the Portfolio Holder tell us how many businesses have failed in the New Forest in 2022/23?

Answer:

I am sorry but I am not able to give you that information because we get this from the Office for National Statistics and they have not produced the figures for 2022/23 yet. We expect this to be available in November.

Business obviously involves risks, as there are so many problems that can arise. If we look at statistics, we must interpret those very carefully to understand the situation.

We all know our highstreets are undergoing significant changes due to a number of pressures, including online shopping, raised interest rates and inflation. We are disappointed to lose any businesses but this can happen in a free market economy.

Note – in response to a supplementary question on what support the Council was providing to businesses in the District, the Portfolio Holder highlighted schemes such as Shop Doctor, start-up support and opportunities to bid for funding.

Question 3

From Cllr M Wade to the Leader of the Council, Cllr Cleary

Whilst most members of the Armed Forces community are healthy, happy and gainfully employed, the unique nature of military life brings with it many challenges that need to be recognised and better understood and for some, particularly the injured and bereaved, for whom extra support needs to be provided.

It was to support veterans and military families the Military Covenant was enshrined in law in the 2011 Armed Forces Act and ensures that members of the Armed Forces community are not disadvantaged as a result of their service when accessing Government and commercial services.

Although some actions do take place in the New Forest District to support military families currently the New Forest District Council does not meet the full breadth of requirements outlined in the Military Covenant and its guidance for local authorities.

Therefore, can you confirm that this Council will put in place such actions as are necessary to meet the full criteria under the act.

Answer:

Thank you for your question, which is timely, as a review of the Council's Armed Forces Community Covenant is already well underway, with the Council's Executive Management Team due to consider a report later this month.

This Council has a strong track record working with the Armed Forces community, having entered into an Armed Forces Community Covenant with HQ Solent Station in May 2013. The Community Covenant is an additional, voluntary statement of mutual support between a civilian community and its local armed forces community. It supplements the statutory Armed Forces Covenant which outlines the moral obligation between the Nation, the Government and the Armed Forces at a local level.

The Council has due regard to the principles of the Statutory Armed Forces Covenant when exercising the relevant functions, and a significant range of activity takes place across the Council.

- The Council is a 'Forces Friendly' Employer. We have an HR policy for Reservists, helping them meet their training requirements. We advertise employment opportunities on the Ministry of Defence's Career Transition website and I am pleased to report that we have just had our first successful recruitment through this website, for a gas engineer.*
- In Communities, we work closely with the 17 Port and Maritime Regiment's Community Development Worker, who is part of the Army Welfare Service. Working*

with HQ Solent Station we have recently delivered the artificial turf pitch at Applemore College, with the council contributing £50,000 toward the costs.

- In Housing and Homelessness, we work with those who are leaving the Armed Forces throughout their homelessness pathway, as well as ensuring appropriate signposting to relevant support agencies. AND most importantly in terms of our statutory duty, our Allocations Policy ensures our duty of care is met through disregarding compensation received for injury or disability; exemption from the local connection requirement and automatic placement into band 3.*
- We have a long standing civic commitment to the Armed Forces in the District, having awarded Freedom of the District to 17 Port and Maritime Regiment RLC in 2016. Our civic commitments also include the marking of Armed Forces day and Armistice and Remembrance Sunday Commemorations, with the work of our Armed Forces Member Champion, who supports the Chairman at these events.*

Finally, I am delighted to inform Members that the Council has recently been nominated, by a newly employed veteran, for the Defence Employer Recognition Scheme. This scheme encourages employers to support defence and inspire others to do the same.

The review underway will reflect on this wide range of activity, of which I have given just a small snapshot, bringing it together in one place. I hope this will shine a light on all this Council already does, whilst looking to other opportunities to enhance, and I will bring forward an update to Cabinet in due course.

Note – in response to a supplementary question on additional activity to support veterans, the Leader agreed that these initiatives would be pursued as soon as possible.

Question 4

From Cllr Clark to the Portfolio Holder for Finance and Corporate, Cllr Heron

Is the Council content with its due diligence process before awarding large contracts to external companies?

Answer:

The Council has a documented, robust process in awarding contracts and I am comfortable with that process. I can assure you that we do follow it and that contracts are awarded in accordance with it.

Note – in response to a supplementary question on the Freedom Leisure's net contribution to the Council, the Portfolio Holder suggested that this figure could have been obtained had the question been put in advance.

Question 5

From Cllr J Davies to the Portfolio Holder for Community, Safety and Wellbeing, Cllr Poole

Why did Conservative Councillors, when agreeing the contract for the leisure service, give Freedom Leisure the power to evict local swimming clubs from the Leisure Centres after 12 months?

Answer:

In agreeing to entering into the Contract with Freedom Leisure, Members of this Council were aware of the need for Freedom to be able to make operational decisions for the running of our 5 leisure centres. Safeguards were built in to ensure that clubs' bookings were maintained for a period of 12 months. This contract addition was welcomed by the clubs who were fully consulted during the transition to Freedom Leisure, and so had full awareness of this position at the time of contract commencement.

As all Members will know, Freedom have paused any decisions on changes to the Swim Club bookings until further dialogue and consultation has taken place. Senior officers and I are liaising with Freedom over this issue and will look to reach consensus as far as possible.

Note – in response to a supplementary question on prior awareness of any decision to change access to swimming facilities, the Portfolio Holder confirmed that this was not the case and the contract made provision for 12 months of protection as noted in the answer to the first question.

Question 6

From Cllr A Wade to the Portfolio Holder for Community, Safety and Wellbeing, Cllr Poole

This Council has a responsibility to undertake Equality Impact Assessments on all its decisions. Why was this not considered when Freedom Leisure, our Partners, made the unpopular and upsetting decision to tell local Swimming Clubs they could no longer use their pools and stop access for many children with special and specific needs to learn this essential life skill in a appropriate environment? And why didn't you as the Portfolio Holder challenge this decision when you were made aware of it and engage with Freedom if access to Swimming for all ages and abilities really matters?

Answer:

Freedom Leisure teach over 63,000 children per week how to swim. They have over 4,700 children learning to swim at the 5 New Forest Leisure Centres. They exclusively deliver learn-to-swim programmes to children with a variety of needs at the significant majority of the sites they operate; they know what they are doing when it comes to teaching children, and adults, how to swim.

I do accept that their initial decision to give notice to the swimming clubs who are operating learn-to-swim should have been better consulted on, so I am pleased that they have paused any decisions on changes to the Swim Club bookings.

I would like to remind the councillor that one of the key drivers in the change of operational model was to not only protect the provision of the Council's 5 leisure centres across the District, but to enhance them. I believe we are incredibly lucky to have a partner who has delivered nearly £3m in capital investment at our centres, meaning they are a more diverse community facility than ever before.

Note – in response to a supplementary question on acknowledging the concerns about swimming provision at a recent Overview and Scrutiny Panel meeting, the Portfolio Holder highlighted that these questions were not asked of the Portfolio Holder, or the Freedom Leisure Area Manager, at this meeting.

Question 7

From Cllr Rackham to the Portfolio Holder for Community, Safety and Wellbeing, Cllr Poole

The contract for Freedom Leisure was described by the then chair of the Task and Finish Group as 'robust ...in view of detail' and voted for by every Conservative member then present, some of whom are still here. What can be done to make sure the awful behaviour towards our swimming and other community clubs cannot continue or be replicated in the future?

Answer:

As I have already commented, the clubs were engaged in the consultation process when the Council was considering its options in order to protect the provision of its 5 Leisure Centres. The clubs, as with the cross-party Task and Finish Group, were fully aware of the 12 month booking protection offered within the contract. That 12 month protection expired in June 2022.

I'll say it for the third time now, I am pleased that they have paused any decisions on changes to the Swim Club bookings, and I look forward to working with Freedom to ensure the needs of all swimming club members are catered for under any new alternative proposal.

Note – in response to a supplementary question on other groups and clubs impacted by service change proposals, the Portfolio Holder confirmed that he was not aware of any such clubs. He concluded by highlighting that in partnering with Freedom, the Council had been able to protect the provision of leisure facilities, rather than face their closure, as in other areas of the country.

Second Questions

Question 8

From Cllr Rackham to the Portfolio Holder for Planning and Economy, Cllr Tipp

Can the portfolio holder please outline how NFDC responded to the recent suggested Permitted Development legislation which would allow shops, offices and outbuildings to be turned into housing with no structured plan or infrastructure?

Answer:

I think Cllr Rackham is referring to some changes that came in over two years ago in August 2021. There was a more recent consultation this year that specifically proposed extending the same existing permitted development change of use rights to land in National Parks. As it is the New Forest National Park Authority who are the planning authority for the National Park, and I would suggest that Cllr Rackham's query as to how they responded as an affected planning authority is best directed to them.

Note – in response to a supplementary question on supporting Town and Parish Councils with any lost CIL or S106 funds, the Portfolio Holder highlighted that the Council could not commit to this without understanding the detail of any final proposals to changing legislation.