

NEW FOREST NATIONAL PARK AUTHORITY

MINUTES OF THE MEETING OF THE NEW FOREST NATIONAL PARK AUTHORITY HELD ON THURSDAY 25 JUNE 2009 AT 09.30 HOURS IN THE FOREST ROOM, FOREST LODGE HOTEL, LYNDHURST

Present:

Members

Clive Chatters (Chairman)

Barry Rickman (Deputy Chairman)

Peter Frost

Tony Gentle

David Harrison

Roger Heape

Edward Heron

Jeremy Heron

Maureen Holding

Ted Johnson

Julian Johnson

Keith Mans

Clive Maton

Bob Morris

Vicky Myers

John Pemberton

Leo Randall

Alan Rice

John Sanger

Stan Wade

Alan Weeks

Pat Wyeth

Officers

Lindsay Cornish

Barbara Beardwell

Steve Avery

Martin O'Neill

Steve Trotter

Paul Carey-Kent

David Stone

Sarah Applegate

Helen Bonds

Karen Evans

Rosalind Alderman

Jo Murphy

Chief Executive

Monitoring Officer

Director of Strategy and Planning

Director of Information and Visitor Services

Director of Conservation, Recreation and Sustainable Development

Chief Finance Officer

Head of Member Services

Senior Planner

PA to Chief Executive

Communications Officer

Member Services Officer

Member Services Administrator

PART I – OPEN TO THE PUBLIC AND PRESS

1. Election of Chairman and Deputy Chairman of the New Forest National Park Authority

1.1 The Chief Executive facilitated the election of Julian Johnson as Interim Chairman to oversee the appointment of the Chairman and Deputy Chairman.

1.2 Clive Chatters was proposed and seconded as Chairman of the Authority for the ensuing year.

Resolved: That Clive Chatters be appointed as Chairman of the Authority for the period up to the next Annual meeting of the Authority in June 2010.

Voting: Unanimous

1.3 Barry Rickman was proposed and seconded as Deputy Chairman of the Authority for the ensuing year.

Resolved: That Barry Rickman be appointed as Deputy Chairman of the Authority for the period up to the next Annual meeting of the Authority in June 2010.

Voting: Unanimous

2. Apologies for absence

- 2.1 No apologies for absence were received on this occasion.

3. Declarations of interest

- 3.1 On advice from the Monitoring Officer, local authority appointed members accepted and declared a personal but not prejudicial interest in agenda items which related to their role as County, District or Parish members. Members of New Forest District Council and Hampshire County Council would have a personal but not prejudicial interest in minute items 9 (Chief Executive's Report), 16 (Draft Shoreline Management Plan for the North Solent) and 17 (Update on Minerals and Waste Planning for the New Forest National Park) and the Test Valley Borough Council appointed member would also have a personal but not prejudicial interest in minute item 16. Ted Johnson declared a personal but not prejudicial interest in minute item 11 (Statement of Accounts and Annual Governance Statement for financial year 2008/09) as a public service pensioner. Alan Rice declared a personal but not prejudicial interest in minute item 16 as the Chairman of the Elected Members' Group on the draft Shoreline Management Plan. Alan Weeks declared a personal but not prejudicial interest in report item 14 (Provision of Legal Services) as a Hampshire County Councillor.

4. Chairman's announcements

- 4.1 The Chairman welcomed new members David Harrison, Edward Heron, Jeremy Heron and Keith Mans. He also reminded members that there would be a Part II session to the meeting.
- 4.2 The Chief Executive then announced her resignation from the Authority. She said that from the start of her appointment it had been her intention to leave once the Authority was established; although she had hoped that this would coincide with the completion of the National Park Plan, the Plan was further delayed and so she had reviewed her position. She believed that the recent perception of her by some sections of the public, ill-informed and libellous although some of it was, might be damaging to the reputation of the Authority. She thanked the two Chairmen she had worked with, the staff of the Authority and colleagues at partner organisations.
- 4.3 The Chairman then thanked Lindsay Cornish for her singular contribution to the creation and achievements of the Authority. Throughout her time with the Authority, she had shown great commitment and dedication to the New Forest, the National Park and the Authority. He commended her successes, including the work she had put into securing the Single Farm Payment for the whole of the open Forest, to the considerable financial benefit of all practising commoners. Similarly the establishment of the planning service for the Park was a hugely complex process fraught with risk, which had been successfully accomplished. The Chairman said that he had known for some time of the Chief Executive's views on the need to hand over to a successor at the right time. He was saddened that some parties had more recently chosen to make personal and offensive comments about her. He wished Lindsay well for the future.

5. Minutes of meeting on 28 May 2009

- 5.1 The minutes of the meeting on 28 May 2009 were agreed as a true record.

6. Public Question Time

- 6.1 Colonel Peter Sweet, resident of Brockenhurst, asked the Authority to approach Hampshire County Council together with the Verderers, to support the Commoners' Defence Association's request that a 30mph limit be imposed on the unfenced roads in the Forest.
- 6.2 The Chairman thanked Colonel Sweet and said that the Authority was willing to work with the Verderers and the Council to explore the issues relating to the introduction of a Park-wide 30mph speed limit. This would be consistent with the policies in the draft National Park Plan, which referred in general terms to the use of reduced speed limits to help reduce the impact of traffic on the tranquillity and environmental quality of the Park.
- 6.3 Sue Baillie, speaking for 'One Voice', said that she had raised the issue of the need for a second socio-economic working group meeting at the last Authority meeting on 28 May 2009, and asked when officers would provide a written response to the question. She went on to say that the Chairman had confirmed that the revised National Park Plan would be placed in the public domain at the same time as the October Authority meeting agenda, which would amount to five working days' notice. She asked that the Authority allow working group participants; the public and members more time to consider and respond in detail to the revisions, asking that the revised document be made publicly available ideally for one month but for no less than 14 days before the meeting. She appealed to members not to approve the document unless they were certain that those people who would be most affected by it had had sufficient time to read it thoroughly and respond where necessary.
- 6.4 In response to the question on the need for a second meeting of the socio-economic working group, the Chairman said that the sections of the draft Plan relating to land management did not generate a sufficient number of consultation responses to merit a separate working group, nor a specific discussion at the working group. Approximately half of the participants in that working group responded to the question about the need for a second meeting, of whom there was a clear majority not wishing to attend a further meeting. However, all comments that have been made on the topic during the course of the consultation would be taken into account in the Plan revision process.
- 6.5 The Chairman said that members would have an informed view of the revised draft Plan by October, having been involved with staff throughout the summer and early autumn in discussions and contribution to the revision of the Plan. He also said that the public would have time to make their views of the changes known, explaining that the version of the Plan that would come before the Authority for approval in October would be known as the 'pre-submission draft'. The 'core strategy' part of the Plan, which in the next version would be clearly identified, would be subject to a further period of public consultation after the Authority had approved it for a minimum of six weeks and possibly longer. The 'approved' submission draft would then be sent, without amendment, to the

Planning Inspectorate together with the responses to the consultation. The Inspectorate would set up an Examination to consider the issues raised during the consultation; the Inspector's findings would be binding. The Chairman reassured Mrs Baillie that the revised Plan that was submitted for approval would have taken into account the responses received from the process of consultation and engagement undertaken by the Authority. The 'report on consultation' which would be tabled with the revised Plan would show how the consultation responses had been addressed, so that what the Authority had done and the changes made would be clear and transparent.

- 6.6 John Beaumont then made a presentment to the Authority, asking that members commit to promoting and protecting all Sites of Special Scientific Interest and Ramsar wetlands and not to approve inappropriate planning applications in the area, and that they produce a 'forest-friendly' National Park Plan. He also asked that the Authority be reconstituted so that it did not include Secretary of State appointed members.
- 6.7 Penny Gaylor, of the New Forest Dog Owners' Group, made a presentment, stating that the Authority had not indicated how it intended to amend the draft Plan and Recreation Management Strategy despite the fact that it was now seven months after the closure of the public consultation on these documents. There were rumours that only minor changes would be made. Mrs Gaylor said that placing the proposed final document on view seven days before members would be asked to adopt it was not sufficient time, asking that this be extended to at least two weeks and preferably one month. She asked the Chairman to assure those present that the Authority would come out of its 'listening' mode, and enter into meaningful two-way discussions with aggrieved groups.
- 6.8 The Chairman said he hoped his response to Mrs Baillie had addressed the points raised on the timing and process for the approval of the revised Plan. He reiterated that the Authority did recognise the strength of feeling raised by some aspects of the draft Plan and was working to address them. The revised Plan would be different in substance, tone and presentation. However, it was not realistic to expect everyone to agree with every aspect of the Plan or the changes made, and further informal consultation would simply delay completion of the Plan. The Authority would consider whether there was any way in which it could advise people of the emerging proposals in the autumn so that they were better prepared for responding to the formal consultation on the approved Plan.

7. Appointments to Committees

- 7.1 Lindsay Cornish introduced the report (NFNPA 302/09), explaining that all the current members of the Planning Development Control Committee wished to be re-appointed to the Committee. This left one vacancy on the Committee for a Secretary of State appointed member, for which Jeremy Heron had volunteered.

Resolved: That Peter Frost, Tony Gentle, Jeremy Heron, Maureen Holding, Ted Johnson, Clive Maton, Bob Morris, Vicky Myers, Leo Randall, Alan Rice, Barry Rickman, John Sanger, Stan Wade, Alan Weeks and Pat Wyeth be appointed to the Committee for the period until the Annual meeting of the Authority in June 2010.

Voting: Unanimous

- 7.2 Members were of the opinion that the Resources and Performance Committee should be expanded to include six local authority appointed members and five Secretary of State appointed members. It was agreed that a revised version of the Authority's Standing Orders, incorporating the revised Committee membership, would be brought to the next Authority meeting for approval by the Monitoring Officer.
- 7.3 Six local authority appointed members had volunteered for the Committee, namely Tony Gentle, David Harrison, Edward Heron, Julian Johnson, Stan Wade and Alan Weeks, and five Secretary of State appointed members had volunteered, being Roger Heape, Jeremy Heron, Bob Morris, John Pemberton and John Sanger.

Resolved:

1. That the current membership of the Resources and Performance Committee be increased to six local authority appointed members and five Secretary of State appointed members.

Voting: 17-1 (4 abstentions)

2. That Tony Gentle, David Harrison, Roger Heape, Edward Heron, Jeremy Heron, Julian Johnson, Bob Morris, John Pemberton, John Sanger, Stan Wade and Alan Weeks be appointed to the Resources and Performance Committee for the period until the Annual meeting of the Authority in June 2010.

Voting: None voting against (2 abstentions)

- 7.4 The existing Standards Committee members and deputy members were happy to continue on the Committee for the ensuing year, with Maureen Holding volunteering to fill the vacancy for a deputy member created by Lee Dunsdon leaving the Authority.

Resolved:

1. That Tony Gentle, Clive Maton, Bob Morris and Pat Wyeth be appointed as members of the Standards Committee for the period until the Annual meeting of the Authority in June 2010.
2. That Maureen Holding, Ted Johnson, Vicky Myers, Leo Randall and Stan Wade be appointed as deputy members of the Standards Committee for the period until the Annual meeting of the Authority in June 2010.

Voting: None voting against (1 abstention)

8. Appointments to External Organisations

- 8.1 The Chief Executive presented the report (NFNPA 303/09). Prior to the meeting members had been asked to express their preferences for external appointments. In respect of a number of these appointments the existing appointee had opted to continue with his or her appointment or only one volunteer had come forward, and it was recommended that members approve these appointments as per the report.

Resolved: That the member appointments to external organisations in respect of which there is no change or only one expressed preference (as set out in Annex 1 to NFNPA 303/09) be approved.

Voting: Unanimous

- 8.2 Referring to paragraph 6 of the report, the Chief Executive explained that the Chairman had volunteered to represent the Authority on the Hampshire Rural Forum, Edward Heron had volunteered for appointment to the Hampshire Minerals and Waste Development Framework Joint Members' Group and John Sanger had offered to act as reserve in respect of the New Forest Business Partnership. Alan Rice had withdrawn his expression of interest in respect of the appointment to the Bournemouth International Airport Consultative Committee, leaving Roger Heape as the only volunteer for this appointment.

Resolved: That:

1. Clive Chatters be appointed as the Authority's representative to the Hampshire Rural Forum;
2. Edward Heron be appointed as the Authority's representative to the Hampshire Minerals and Waste Development Framework Joint Members' Group;
3. John Sanger be appointed as the Authority's reserve representative to the New Forest Business Partnership; and
4. Roger Heape be appointed as the Authority's representative to the Bournemouth International Airport Consultative Committee.

Voting: Unanimous

- 8.3 Two expressions of interest had been received in respect of the Authority's appointment to the Court of Verderers, namely Clive Maton and John Pemberton, and a secret ballot was held to determine the appointment.

Resolved: That Clive Maton be appointed as the Authority's representative to the Court of Verderers **for the remainder of the term of his appointment to the Authority.**

9. Chief Executive's Report

- 9.1 The Chief Executive's report was noted as per the paper (NFNPA 304/09).

10. Oral report from Resources and Performance Committee

- 10.1 Julian Johnson, Deputy Chairman of the Resources and Performance Committee, updated members on items considered at the Committee meeting held on 15 June 2009, draft minutes in respect of which had been tabled at the current meeting. The following five items on the Authority agenda had been considered by the Committee; apart from these reports, the Committee had also received reports on the risk log, information requests, human resources policies, and Hampshire County Council's internal annual audit opinion, which had covered twelve areas and raised no issues of significant concern apart from the information technology strategy, in respect of which some issues were being considered.
- 10.2 Members then noted the report.

11. Statement of Accounts and Annual Governance Statement for financial year 2008/09

- 11.1 Paul Carey-Kent introduced the report (NFNPA 305/09) explaining that the Authority's year end position was favourable, including an underspend of £131,000. He answered questions from members about the bandings in reporting salaries and the funding of pensions. Members were asked to approve the annual governance statement presented with the accounts.

Resolved: That

1. The Annual Governance Statement be approved (Annex 1 to NFNPA 305/09);

Voting: None voting against (3 abstentions)

2. The final outturn position for 2008/09 as set out in Annex 3 to NFNPA 305/09 be **noted**;

3. Transfers of £39,135 from the General Fund, £22,000 to the SSSI Restoration Reserve and £11,605 from the Sustainable Development Grant Reserve be approved;

Voting: None voting against (2 abstentions)

4. The Authority's Statement of Accounts for the financial year 2008/09 (Annex 2 to NFNPA 305/09) be approved; and

Voting: None voting against (3 abstentions)

5. The Treasury Management stewardship report and actual prudential indicators for 2008/09 (Annex 4 to NFNPA 305/09) be **noted**.

12. Revised General Fund Revenue Budget for the financial year 2009/10

- 12.1 Paul Carey-Kent introduced the report (NFNPA 306/09), explaining that the report set out proposals for revising the revenue budget of the Authority for the financial year 2009/10 to take account of the year end position and new funding notifications, which would result in an £11,000 reduction to the General Fund.

Resolved: That the revised General Fund Budget for 2009/10 be approved.

Voting: None voting against (one abstention)

13. Review of Financial Regulations and Standing Orders as to Contracts

- 13.1 Paul Carey-Kent introduced the report (NFNPA 307/09), explaining that it was good practice to review the Financial Regulations and Standing Orders as to Contracts from time to time, as had recently been done by the Resources and Performance Committee. The minor amendments suggested by the Committee had been included in the version before the Authority for approval.

Resolved: That the proposed changes to the Financial Regulations and Standing Orders as to Contracts be approved, with effect from 1 July 2009.

Voting: None voting against (one abstention)

14. Provision of Legal Services

- 14.1 The Chief Executive introduced the report (NFNPA 308/09) which had been considered by the Resources and Performance Committee, explaining that since April 2006 legal services had been provided to the Authority by Hampshire County Council under the terms of a Service Level Agreement. This arrangement had been reviewed after three years and it had been decided that Hampshire County Council continued to offer the best value for money of the available providers, but that the arrangement would be better continued on a partnership basis rather than under a new service level agreement. This meant that the County Council would continue to provide legal advice and services where necessary, but some areas existed in respect of which a qualified solicitor was not necessary and the Authority's own staff would be given training to deal with these matters.

Resolved:

1. That the Authority agree a new successor arrangement with Hampshire County Council, for the provision of legal services on a partnership basis for three years from 1 July 2009; and
2. That the Chief Executive and the Head of Hampshire County Council's Legal Services be authorised to finalise the Partnership Agreement following the approach set out in this report, under delegated powers, by the end of June 2009.

Voting: None voting against (four abstentions)

15. 2009-2010 Final Draft Corporate Plan

- 15.1 The Chief Executive introduced the report (NFNPA 309/09), explaining that it was proposed to adopt a simplified Corporate Plan for the current year, pending adoption of the National Park Plan. Minor changes had been made to the report to reflect comments made at the Resources and Performance Committee meeting on 15 June 2009.

Resolved: That the final draft of the Corporate Plan for 2009-2010 set out in Annex 1 to NFNPA 309/09 be **approved**.

Voting: None voting against (three abstentions)

16. Draft Shoreline Management Plan for the North Solent

- 16.1 Steve Trotter introduced the report (NFNPA 310/09), explaining to members that a twelve week consultation process on the draft Shoreline Management Plan for the coastline from Hurst Castle to Selsey Bill was scheduled to take place from September 2009, which would include eight roadshow events. Alan Rice, as Chairman of the Elected Members' Group on the draft Plan, then added some detail and commended the overall policy of the draft Plan, which was to 'hold the line' even in the longer term.
- 16.2 In response to a member's query as to whether the proposed length of the consultation period would be adequate, Steve Trotter said he would relay this question to the Authority's partner organisations for consideration.

Resolved: That the draft North Solent Shoreline Management Plan, comprising the emerging policies and Annexes, be noted and approved in principle for effective public consultation, subject to approving any changes to the draft in early September.

Voting: None voting against (two abstentions)

17. Update on minerals and waste planning for the New Forest

17.1 Sarah Applegate introduced the report (NFNPA 311/09), which updated members on minerals and waste planning matters. Members then noted the report.

18. Report on New Forest Access Forum (1 June)

18.1 One member commended the work of officers in achieving results in Wiltshire and the publication of an article, through officers' efforts, in the 'Wiltshire Wayfarer' on the northern part of the New Forest.

Resolved: That:

1. Issues of interest discussed at the meeting of the New Forest Access Forum on 1 June 2009 be **noted**.
2. The date of the next New Forest Access Forum meeting on Monday 7 September 2009 at Damerham Village Hall be **noted**.

Voting: none voting against

19. Urgent Items by the Chairman

19.1 The Chairman advised that there were no matters of urgency that he intended to raise under this item.

PART II – ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC ON THE GROUNDS THAT EXEMPTED INFORMATION MAY BE DISCLOSED

Resolved: That the public be excluded from the meeting during the following item of business, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information within Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons set out in the report.

The public and press were accordingly requested to leave the meeting.

20. Accommodation update

20.1 The Monitoring Officer reminded members that, in accordance with the Code of Conduct, information disclosed in private session is confidential. Lindsay Cornish then updated members on the position regarding long term accommodation for the Authority. (This is a summary of a minute that contains exempt information).

20.2 The developments in the search for accommodation were noted by members.

21. Appointment of Interim Chief Executive

21.1 Members authorised the Chairman to recruit and appoint an Interim Chief Executive (this is a summary of a minute that contains exempt information).

The meeting closed at 11:40 hours.

SignedDate:.....
(Chairman)