

NEW FOREST NATIONAL PARK AUTHORITY

MINUTES OF THE MEETING OF THE NEW FOREST NATIONAL PARK AUTHORITY HELD ON THURSDAY 22 FEBRUARY 2007 AT 09.30 HOURS AT THE ASHBURN HOTEL, FORDINGBRIDGE

Present:

Members

Clive Chatters (Chairman)

Barry Rickman (Deputy Chairman)

Susan Achmatowicz

Lee Dunsdon

Peter Frost

Tony Gentle

Diana Halford

Roger Heape

Jeremy Heron

Kathy Heron

Julian Johnson

Mel Kendal

Clive Maton

Bob Morris

Vicky Myers

Leo Randall

Alan Rice

John Sanger

Alan Weeks

Pat Wyeth

Officers

Lindsay Cornish, Kevin Gardner (Monitoring Officer), Pat Higgins, Steve Avery, Barry Holland, John Clements, David Stone, Rosalind Alderman and Carolyn Hoole.

Jerry Giltrow, an independent member of the Standards Committee (and Chairman of that Committee), was also in attendance.

PART I – OPEN TO THE PUBLIC AND PRESS

122. Apologies for absence

122.1 Ted Johnson and Stan Wade.

123. Declarations of interest

123.1 On advice from the Monitoring Officer, Local Authority members accepted and declared a personal but not prejudicial interest on agenda items which related to their role as County, District or Parish members. On further advice from the Monitoring Officer, all members declared a personal but not prejudicial interest in minute item 129 (agenda item 8) on the consultation on amendments to the Members' Code of Conduct.

123.2 Clive Maton declared a personal but not prejudicial interest in minute item 128 (agenda item 7) (his son is an Agister).

123.3 Peter Frost declared an interest in minute item 128 (agenda item 7) as a Verderer.

123.4 Kathy Heron declared an interest in minute item 128 (agenda item 7) as a Verderer.

123.5 Mel Kendal declared a personal but not prejudicial interest in minute items 132, 133, 135 and 136 (agenda items 11, 12, 14 and 15) as Leader of New Forest District Council and Executive Member for the Environment at Hampshire County Council.

124. Chairman's announcements

- 124.1 The Chairman announced that there would be a confidential item to be discussed during Part II of the Authority meeting. The meeting would be followed by a training session for Chairmen and Deputy Chairmen of the Authority and its committees. The Chairman thanked officers for maintaining momentum in the Authority's adoption of policies and procedures.

125. Minutes of meeting on 18 January 2007

- 125.1 Members agreed that minute item 114.3(c) be amended by the deletion of the words "*to ascertain whether the project would work and what the benefits would be*" at the end of that paragraph.
- 125.2 Subject to this amendment, the minutes of the meeting on 18 January 2007 were agreed as a true record.

126. Public Question Time

- 126.1 There were no questions or statements from the public.

127. Chief Executive's report

- 127.1 Lindsay Cornish introduced the report (NFNPA 157/07) and said that the Authority had now achieved its full complement of staff, and welcomed John Clements, who had been appointed as Head of Policy and Plans. The Authority was now on track with updating the Corporate Plan, which would be brought to members at the Authority's March meeting. Some Authority representatives, together with some Trustees from the Ninth Centenary Trust had attended a constructive and informative feedback session with the consultants on the proposed association and a meeting with the Trust had been scheduled for the following day. Members were informed that Defra's appeal in the Meyrick boundary case had been dismissed, and the boundary of the National Park would be modified to exclude the relevant parts of the Meyrick estate. There were no other implications for the National Park.
- 127.2 Susan Achmatowicz said she would like to see more deliverables achieved under the Corporate Plan on the Authority's second purpose. It was noted that some important points had been raised at the Recreation Management Strategy workshop on 11 January. A report of the workshop would be supplied to Susan Achmatowicz.
- 127.3 John Sanger raised concerns with the progress of adoption of the National Park's own spatial planning policies; it was noted that the process was a slow one and little could be done to speed things up. Lindsay Cornish agreed to discuss the problem with relevant staff.
- 127.4 Alan Rice suggested that the approved pruning of trees should be carried out under supervision; Lindsay Cornish said she would consider this but it was unlikely the Authority would have the resources to supervise individual tree works.

Resolved: That the report of the Chief Executive be **noted**.

128. New Forest Court of Verderers – National Park Authority appointment

- 128.1 Lindsay Cornish introduced the report (NFNPA 158/07), which had been prepared with input from the Chairman and the Monitoring Officer. She emphasised that this was a very important appointment. It was noted that the appointment process varied between the various appointing bodies.
- 128.2 Members thought that it was important that the appointee to the Court of Verderers should have knowledge of roads as well as of planning issues. Some members were not happy with some aspects of the proposed appointment process for a representative as set out in the report and agreed to amend the resolution accordingly so that members would elect a representative at the Annual Authority meeting. Members would be reminded nearer the time to submit their details if they wished to be considered for this role.

Resolved: That the election of a member to represent the Authority on the Court of Verderers be made at the Annual Authority meeting in June 2007.

Voting: None voting against

129. Consultation on amendments to the Members' Code of Conduct

- 129.1 Kevin Gardner introduced the report (NFNPA 159/07) and said that the proposed revisions to the model Code of Conduct were generally to be welcomed. The consultation period would end on 9 March. Kevin Gardner drew members' attention to paragraph 2.9 of the report, explaining that in his view the term "close personal association" ought to be defined, adding that under paragraph 2.12 a new category of personal interest, the public service interest, was proposed under the draft code.
- 129.2 In response to the presentation, members raised the following points:
- (a) The £25 hospitality threshold, which was not proposed to be amended in the new model Code, was relatively low;
 - (b) In response to questions from members, Kevin Gardner explained that there was guidance on the Model Code from the Standards Board on its website, together with notes on the outcome of individual cases decided by the Standards Board, Adjudication Panels or Standards Committees;
 - (c) Pat Wyeth requested that the Authority provide pre-printed pads for recording members' comments on local planning applications which would state that the relevant comments were made on a particular date and that the member might alter his or her opinion if the item was subsequently brought to a meeting of the Planning Development Control Committee, in order to avoid challenges of pre determination.

Resolved: That the Solicitor and Monitoring Officer be authorised, in consultation with the Chairman of the Standards Committee, to finalise the Authority's response to the consultation, taking on board comments expressed by Members and by the Standards Committee.

Voting: None voting against

130. Freedom of Information Policy and Publication Scheme

- 130.1 Kevin Gardner introduced the report (NFNPA 160/07) and, in response to a concern raised by a member about requests received by e-mail, acknowledged the fact that the Authority needed to ensure that all officers and members were fully aware of the significance of receipt of such of a request.
- 130.2 Kevin Gardner reassured members that there was an exemption from disclosure of environmentally sensitive information, such as the whereabouts of birds' nesting sites and archaeological sites, under the Environmental Information Regulations.

Resolved:

- 1 That the following documents dealing with the handling of requests for information held by the Authority under the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and Data Protection Act 1998 be **approved**:
- Publication Scheme
 - Access to information policy
 - Summary guide leaflet for the public, including a request application form
 - Appeals procedure.
- 2 That the Publication Scheme be forwarded to the Information Commissioner for approval and that the Chief Executive be authorised to carry out any consequential amendments proposed by the Information Commissioner and any subsequent amendments to update the scheme when new categories of information become available.

Voting: None voting against

131. Oral report from Resources and Performance Committee

- 131.1 Roger Heape, Chairman of the Resources and Performance Committee, gave an oral report on the last meeting of the Committee and said that the Committee had approved a new format for the Budgetary Control Report. It was agreed that the risk register, which had been approved by the Committee, would be circulated to members. Roger Heape commented that the very low sickness absence rate of staff in the Authority was a testament to their commitment and a reflection of high staff morale.

Resolved: That the oral report on the Resources and Performance Committee be **noted**.

132. Budgetary Control Report for the period to 31 December 2006

- 132.1 Pat Higgins introduced the report (NFNPA 161/07) and Lindsay Cornish explained that the reason for the underspend against budget resulted in the main from delays in some staff appointments and the knock-on impact on programme spend.

- 132.2 Mel Kendal requested details of the overspend of £11,500 against profile for transport and traffic management supplies (paragraph 2.8.3 of the report). It was explained that this was a profiling point and the budget would not be overspent by year end. Details of the nature of the expenditure would be provided as requested.

Resolved: That the current report be **noted**, and the transfers to reserve agreed by the Resources and Performance Committee be **approved**.

Voting: None voting against

133. Financial Strategy 2007/08 to 2009/10

- 133.1 Roger Heape, Chairman of the Resources and Performance Committee, summarised the strategic financial framework within which it was proposed that the Authority would operate over the next three years given the tight grant settlements expected from Defra and the anticipated savings from underspend at the end of the current financial year, which might be larger than indicated in the report by a further £300,000. This involved managing the Authority's general fund reserve to permit a reasonable level of discretionary spend on the Authority's purposes whilst complying with the minimum reserve requirement of £500,000.
- 133.2 However, looking to the longer term, the level of the annual Defra grant was at least £500,000 less than the annual running cost of the Authority. Efforts would also be made over the period to persuade Defra to increase its annual grant to an amount which better reflected the Authority's operating costs, as well as exploring means of generating additional external funding for programme spend on the two purposes.
- 133.3 Lindsay Cornish warned that the current strategy – of relying on unspent funds in Year 1 to support programme spend on the two purposes – was not sustainable for the medium or longer term. The strategy would have to be looked at again in the light of the latest 2007/2008 budget bids and when a clearer picture was available on future Defra funding.
- 133.4 Members expressed their appreciation for the concise and informative summary provided and, heeding the advice from Lindsay Cornish, agreed to support the recommendations.

Resolved:

- 1 That the initial current forecast, and the basis on which the forecast was made, be **noted**.
- 2 That the Financial Strategy as outlined in paragraph 7 of report NFNPA 162/07 be **approved**, and that this incorporate:
 - Growth Option (b) in Annex 1 to the report, which proposed a 5% increase in discretionary spend on 2006/2007, and
 - An additional drawdown of any remaining sums across the three years, whilst maintaining a minimum reserve of £500,000.

Voting: None voting against

134. Disability Equality Scheme 2007 - 2010

134.1 Barry Holland introduced the report (paper NFNPA 163/07).

134.2 John Sanger commented that it was important that the Authority's action should be driven by a desire to do so rather than as a response to the Disability Discrimination Act and asked that the views of individuals, as well as representative bodies, be sought. The Solicitor and Monitoring Officer noted and welcomed the commitment to ensure compliance with the Act's requirements within a defined timescale.

Resolved:

- 1 That the Disability Equality Scheme be developed and adopted in accordance with the principles and timetable set in the submitted report.
- 2 That the draft action plan towards achieving the objectives of the Authority's Disability Equality Scheme be **noted**.

Voting: None voting against

135. Planning enforcement

135.1 Steve Avery introduced the report (paper NFNPA 164/07) on the approval of the draft guidance note.

135.2 Members supported the guidance and requested that it be publicised as widely as possible to draw public attention to the Authority's enforcement policy. Expressing his disappointment at the poor level of response from Parish Councils, John Sanger requested that the matter be raised through the New Forest Consultative Panel in an effort to generate a more active response to such consultations by the Authority. He also requested that he be advised of the names of those councils which had submitted comments on the guidance. Bob Morris shared the disappointment over the low response rate.

Resolved: That the guidance note 'Planning Enforcement – Policy and Practice' be approved.

Voting: Unanimous

136. Local Development Scheme update

136.1 John Clements introduced the report (paper NFNPA 165/07) and advised that, subsequent to the drafting of the report, the Government Office for the South East had requested further minor amendments to pages 18 and 27 of the draft Local Development Scheme relating to the chain of conformity of the design in the National Park supplementary plan documents. The Authority was requested to adopt the scheme, subject to these amendments and was also asked to agreed a request from the Chief Executive that the map of the National Park boundary be updated.

Resolved: That the revised Local Development Scheme attached at Annex 1 to paper NFNPA 165/07 be **approved**, subject to the inclusion of minor amendments to pages 18 and 27 and of the document which are set out below and corresponding amendments to the boundary map:

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The “Chain of Conformity” column relating to the “Design in the National Park” document be amended to read: “In conformity with Policies DW-E1 to DW-E17 of the New Forest Local Plan 1st Alteration; D1-D3 of the Salisbury District Local Plan; and DES1 – DES13 of the Test Valley Borough Local Plan; and the Core Strategy (once adopted)”.

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The same wording to be added into the “Chain of Conformity” row in the table relating to the “Design in the National Park Supplementary Plan Document” to replace the existing text, so that it will now read “In conformity with Policies DW-E1 to DW-E17 of the New Forest Local Plan 1st Alteration; D1-D3 of the Salisbury District Local Plan; and DES1 – DES13 of the Test Valley Borough Local Plan; and the Core Strategy (once adopted)”.

Voting: None voting against

137. Urgent Items by the Chairman

137.1 The Chairman advised that there were no matters of urgency which 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.

138. Phase 3 Accommodation

138.1 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 which contains exempt information).

Resolved: That developments in the search for accommodation be **noted**.

Voting: None voting against

The meeting closed at 12:35 hrs.

Signed Date:.....
(Chairman)