

NORTH DORSET DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL HELD ON FRIDAY, 27 JUNE 2008 AT 10.00AM IN THE COUNCIL CHAMBER, NORDON, SALISBURY ROAD, BLANDFORD FORUM

Present: Mike Oliver (Chairman of the Council), Minutes 12-16
Colin Kay (Vice-Chairman of the Council), in the Chair for Minutes 17–25.
Brian Anderson, MVO
Bill Batty-Smith, MBE
Derek Beer
Audrey Birch
Angus Campbell
Graham Carr-Jones
Nigel Cook
Michael Cox
Deborah Croney
Charles Dowden
David Fox
Vic Fox
Nessa Hickish
Steve Hitchings
Su Hunt
Mervyn Jeffery
Trish Lever
Geoffrey Miller
David Milsted
Richard Moyle
Michael Roake
Ian Stewart
John Tanner
Chris Tomlinson
Peter Webb
Mark White

Apologies: Councillors Barrie Cooper; Joe Hickish; Della Jones, MBE; Nick Mason and Val Potheary.

12. PUBLIC QUESTION TIME

There were no questions from the public.

13. DECLARATIONS OF INTEREST

Councillor Angus Campbell declared a personal interest in the item at Minute 19 as a member of the Board for the Multi Area Agreement.

Councillor Graham Carr-Jones declared a personal interest in the item at Minute 19 as a member of the Federation of Small Businesses.

Councillor Su Hunt declared a personal and prejudicial interest in the motions at Minute 16 below as a Council representative on the Board of Signpost Housing Association. Councillor Hunt left the meeting for the consideration of and votes on the motions.

Councillor Mervyn Jeffery declared a personal interest in the item at Minute 16 as a tenant of Signpost/Spectrum Housing Association.

Councillor Geoffrey Miller declared a personal and prejudicial interest in the items at Minute 16 below as a Council representative on the Board of Signpost Housing Association. Councillor Miller left the Chamber for the consideration of and votes on the motions.

Councillor John Tanner declared a personal and prejudicial interest in the items at Minute 16 below as a Council representative on Signpost Care Partnerships. Councillor Tanner left the Chamber for the consideration of and votes on the motions. He also declared a personal and prejudicial interest in Minute 24 as it relates to Tourism as the owner of a bed and breakfast establishment. He declared a personal interest in Minute 24 as it relates to 'Supporting People' as a Council representative on Signpost Care Partnerships.

14. **MINUTES**

The minutes of the Meeting of the Council held on 16 May 2008 were confirmed as a correct record and signed by the Chairman subject to the deletion in Minute 9, of 'and Planning Policy' from the portfolio shown against the Leader of the Council.

15. **CHAIRMAN'S NOTICES AND URGENT BUSINESS**

Judy Windwood: Members thanked Judy Windwood, who was leaving to take up a new job at East Dorset. Judy had made a significant contribution to the work of the Council, including seeing the current Local Plan through from start to finish and to the Core Strategy that will, in time, replace it. Council wished her every success in her new job. Councillor Hitchings drew attention to work Judy had carried out on behalf of Blandford.

Ruth Khatami: The Chairman also thanked Ruth Khatami who had recently left the Council's service after 4 years in the Housing Team. As Housing Projects Manager Ruth had been responsible for drawing up the Allocations Policy for Choice Based Lettings which was approved by Cabinet on 23 June 2008.

MPs Visit: The Chairman advised Members that the next meeting with the MP would be at 3.30pm on Friday 4 July. Members were encouraged to attend.

Core Strategy Workshop: The Chairman expressed his disappointment at the low attendance levels at the Core Strategy Workshop on 18 June. He asked Members that where they were unable to attend such an event they ensure that their apologies were given.

Possible Industrial Action by Unison and Unite: The Chief Executive reported that Unison and Unite were proposing industrial action on 16 and 17 July but this was yet to be confirmed. She would keep Members informed. A contingency plan for essential services would be put in place if industrial action was confirmed.

16. URGENT MOTIONS

The Chairman of the Council accepted the following motions on to the agenda for the Council Meeting on the grounds that they could not await the next meeting of the full Council and could not have been known about at the time of the deadline for the submission of motions.

16.1 Signpost Housing Association

Councillor David Milsted moved and Councillor Graham Carr-Jones seconded a motion, as circulated prior to the meeting. Councillor Milsted amended the final bullet point of the motion as tabled following receipt of an e-mail from Wayne Morris, Chief Executive of Spectrum Housing Group, to the effect that officers were authorised at their discretion to campaign on this matter. He also advised the Council that it had been confirmed that consent of the Housing Corporation or the Secretary of State would be required before any disposals of property on the open market.

Members spoke in support of the motion whilst recognising the need to maintain a good working relationship with Signpost. Members were concerned that the financial position had appeared to change very quickly and requested that a Task Group be formed to investigate what had happened to cause this sudden change. It was also suggested that the same Group could consider any alternative proposals to selling on the open market that were put forward by Signpost. It was proposed that this work be carried out by the Affordable Housing Working Party. Members also expressed concern about the lack of communication of the proposals to the District Council's representatives on the various Signpost organisations.

Members raised concern about the requirement for the District Council's representatives to leave the meeting when a personal and prejudicial interest arose on a Signpost matter when their expertise would be valuable to the Council. The Solicitor to the Council agreed to investigate a change to the Constitution to allow public speaking on certain issues at Council meetings that would enable Councillors to stay and take part in the debate as was already the case at scrutiny meetings.

On being put to the vote the motion was unanimously approved as follows:

"Following the joint meeting of the Policy Review and Service Review Committees of 19th June 2008, at which evidence was taken from Signpost Housing Association and Spectrum Housing Group, **this Council:**

- Notes with concern that Signpost Housing Association (SHA), despite its supposedly advantageous merger with the Spinnaker Group to form Spectrum Housing, appears to have got itself into a serious adverse trading position since it reported to this Council in December 2006 that it had 'no financial problems';

- Questions the efficacy of the Housing Corporation in its regulatory capacity, in apparently allowing this situation to develop over time without expressing recorded concern that the published accounting procedures of SHA, prior to merger, were demonstrably unsustainable in that they relied on Capital funding to sustain Revenue operations;
- Regrets that this situation was apparently allowed to develop without this Council's elected representatives on the Board of SHA being made aware of it;
- Questions how SHA, as a corporate body dedicated to the supply of Affordable Housing, can countenance awarding itself a 'development holiday' of five years or more, during which it does not propose to provide any more Affordable Housing in North Dorset, so soon after a merger which it promised would enable it to deliver more housing;
- Utterly rejects and is implacably opposed to SHA's 30-Year Business Plan, under which it proposes to dispose on the open market of Affordable Rented Homes in North Dorset at the rate of c.5 per year to a total of c.150 homes, and does not accept SHA's submission that these homes are in any way inherently 'hard to let';
- Does not accept as a valid argument SHA's submission that it is 'not their policy' to maintain Affordable Housing in North Dorset's smaller settlements; and
- Dismisses SHA's draft proposal to turn these selected so-called 'hard-to-let' properties into Shared Equity Homes under the ill-thought-out sketch proposal outlined to the Scrutiny meeting of 19th June, on the grounds that (a) there is a low level of demand in North Dorset for Shared Equity properties, (b) the current economic climate, particularly as it pertains to lending against property, mitigates against take-up of such a scheme, and (c) by reason of its built-in '100% Staircasing Clause', under which prospective Shared Equity householders would be able to own these properties outright, the proposed scheme would result in the loss of these properties to North Dorset's Affordable Housing Stock.

As a Council that has consistently, for many years and across different political leaderships, used its funding powers, expertise, and political will to provide Affordable Homes – and has been described by the Audit Commission as leading the way in Dorset – this Council is determined that not a single property in its District, whether part of the original Large Scale Voluntary Transfer or provided after that event by **any** Housing Association, shall be lost through disposal on the open market.

Therefore, this Council proposes that:

- The Housing Corporation and/or the Secretary of State use such statutory powers at their disposal to reject SHA's plan to dispose of Affordable Homes in North Dorset;
- SHA brings forward a plan to transfer ownership of a substantial number of Affordable Homes in North Dorset to another Housing Association at the prevailing 'affordable' price in order to regularise its trading position

and ensure that all North Dorset's Affordable Homes remain as Affordable Social Housing;

- SHA abandon all plans to dispose of Affordable Housing in North Dorset on the open market.

For the avoidance of doubt, this Council asserts that:

- As an Authority responsible for an area of the country where the need for Affordable Housing is most acute, it remains committed to the provision and sustaining of Affordable Homes as its Key Corporate Priority;
- It is happy to be progressing current and future supplies of Affordable Housing in North Dorset with all Housing Associations in the area;
- It will oppose all attempts to reduce the District's Affordable Housing Stock;
- It will urge the Housing Corporation to refuse consent for SHA's proposed sell-off;
- It will authorise its officers at their discretion to campaign in the media, make representations to MPs, Ministers and Government bodies, and take all other reasonable steps necessary to assert its position in this matter."

At this point in the meeting (11.10am) the Council adjourned for 10 minutes.

16.2 Signpost Housing Association – Supplementary Urgent Motion

The Leader of the Council proposed the following supplementary motion, in the light of the response received from the Chief Group Executive of Spectrum Housing Group in an e-mail dated 25 June 2008, as tabled at the meeting. The motion was seconded by Councillor David Fox.

"This Council welcomes the re-consideration offered by Spectrum Housing Group and looks forward to further negotiations with a view to reaching a mutually successful outcome."

On being put the vote the supplementary motion was also agreed unanimously.

Councillors Hunt, Miller and Tanner declared personal and prejudicial interests in Minute 16 above and left the room for the discussion and vote on both the motions.

17. CORPORATE PLAN (2008/13) AND ANNUAL REPORT (2007/08)

Council received the report of the General Manager (Policy and Performance) seeking to finalise the Corporate Plan and Annual Report, enabling publication of the Best Value Performance Plan within the statutory deadline.

Resolved

To approve the updated Corporate Plan and Annual Report.

Reason for Decision

The Corporate Plan and Annual Report set the strategic direction for the Council, provide certainty about priorities, objectives and targets, sustain momentum in the Council's improvement projects and report annual information about the Council's financial standing and performance.

18. LOCAL AREA AGREEMENT 2005-2008 AND LOCAL AREA AGREEMENT 2 (2008-2011)

Members received the report of the Chief Executive seeking delegated powers for the Leader to sign the Local Area Agreement 2.

Resolved

1. To note the outturn of the Dorset Local Area Agreement 2005-2008.
2. To note the review of the negotiation process for the Local Area Agreement 2 (2008-2011).
3. To delegate authority to the Leader of Council to sign the Local Area Agreement 2 on behalf of the Council.

Reason for Decision

The LAA 2 targets all meet the Dorset Strategic Partnership priorities as evidenced in the Community Strategy and if the targets are reached it will be for the benefit of the area as a whole.

19. MULTI AREA AGREEMENT FOR BOURNEMOUTH, DORSET AND POOLE

Council received the report of the Chief Executive seeking authority for the Leader of the Council to sign the Multi Area Agreement (MAA).

Members were circulated with an updated version of the Agreement. The housing element of the Agreement had been removed from the document following an indication from the Government Office that it could not be included.

Resolved

That Council authorise the Leader to sign the Multi Area Agreement when finalised.

Reason for Decision

The Bournemouth, Dorset and Poole Multi Area Agreement is one of a small number of pilot MAAs in the country. The three strategic authorities decided to submit an MAA as a pilot because it was felt that this would be a way to work together to improve the economy of the area.

20. CODES AND PROTOCOLS

Members considered the report of the Financial Services Manager reviewing and updating the Anti-Fraud and Corruption Strategy and the Whistle-blowing Policy and to recommend their inclusion within section 5 of the Constitution.

Resolved

To approve the Anti-Fraud and Corruption Strategy and Whistle-blowing Policy and to include them in section 5 of the Council's Constitution.

Reason for Decision

To minimise the risk of fraud and corruption by tightening procedures in these areas.

21. CIVIC PROGRAMME 2008/09

Council received the report of the Chief Executive on behalf of the Chairman seeking Council approval of the proposed Civic Programme for the year 2008/09.

Resolved

To approve the proposed Civic Programme for 2008/09, subject to the deletion of the MPs visits, which were not part of the Programme.

Reason for Decision

The Programme promotes the area to surrounding authorities and provides opportunities to recognise work done by organisations and agencies in the District.

22. CHANGING THE NAME OF THE PERSONNEL COMMITTEE

Members considered the report of the Solicitor to the Council seeking a change to the name of the Personnel Committee.

Resolved

That the name of the Personnel Committee be changed to the Personnel Policy Committee and that all references to the Personnel Committee in the Constitution be changed accordingly.

Reason for Decision

To more accurately reflect the delegated functions of the Committee.

23. APPOINTMENT OF INDEPENDENT AND DAPTC MEMBERS OF THE STANDARDS COMMITTEE

Members considered the report of the Solicitor to the Council seeking to appoint a new Independent Member and a new DAPTC Member to the Standards Committee.

Resolved

1. To appoint Trudie Scholes as the third Independent Member of the Standards Committee.
2. To appoint Cllr Gerald Rose, Sturminster Newton Town Council, as the third DAPTC Member of the Standards Committee.

Reason for Decision

To fill the vacancies for an Independent Member and DAPTC representative on the Standards Committee.

24. CABINET REPORT FOR MAY AND JUNE 2008 AND GENERAL QUESTION TIME

Members of the Cabinet presented a report on the Cabinet's activities for May and June 2008. Additional items were reported and Portfolio Holders were questioned on the matters reported.

LEADER

Local Government Association – Annual Conference

The Leader reported that he would be attending the LGA Annual Conference in the week commencing 30 June. He would be especially keen to hear any information regarding the implementation of the Government's Capping Policy.

Local Ombudsman's Annual Report

Council noted that the Ombudsman's Annual Report had been received. In the last three years the Ombudsman had received 30 complaints regarding the Council, none of which had resulted in a finding of mal-administration.

The number of complaints broken down by year were as follows:

- 2005/06 – 9 complaints
- 2006/07 – 16 complaints
- 2007/08 – 5 complaints.

DEPUTY LEADER

Visit to Somerset Waste Partnership

Councillor Roake reported back from a recent visit to find out more about the Waste Partnership in Somerset. The visit had provided information on how the Partnership was working and on its financial benefits including in showing a £1.5 million revenue saving in Year 1 of the Partnership.

Dorset Waste Member Liaison Panel – 16 June 2008

Council noted that the Draft Waste Strategy would be published in July. Following that there would be a public consultation period including roadshows at supermarkets and local shows. It was hoped that the Strategy would be ratified in December.

Dorset Waste Forum – 20 June 2008

Councillor Roake reported that the meeting had been well attended, including by members of the public. A exercise had been carried out to establish people's priorities for the Waste Strategy.

ACCESS AND AFFORDABLE HOUSING

Arts Events in North Dorset

Councillor Carr-Jones was pleased to advise Council that the contemporary arm of the Bournemouth Symphony Orchestra would be holding a concert in Bourton on 25 April 2009. On 6 July 2008 there would be a performance from a Czech Dance Group at Sturminster High School.

COMMUNITY + SAFETY AND HEALTH

“The Future of Building Control”

Members noted that the Government had launched a new initiative in relation to Council run building control services, which included changes to the current charging regime. The report would be considered by the Policy Review Committee on 2 July.

Anti-Social Behaviour Reduction Officer (ASBRO) Post

Members noted that the interviews for the ASBRO Officer post had been held recently and an appointment made.

PACT Panel Issues/Council Representation on Eastern Dorset Crime and Disorder Reduction Partnership and North Dorset Community Safety Partnership

Members noted that the guidance on Council representation on the two partnership bodies had changed and now required the Portfolio-holder to sit on both. It was hoped that, rather than removing one of the current two Council representatives on the Community Safety Partnership, it would be possible to increase the number of Members to three. This would provide the necessary link between the two bodies. It was intended that the Community Safety Partnership would be responsible for co-ordinating cross District issues emerging from the PACT Panels.

ECONOMY

Core Strategy Workshop Re-run – 11 July 2008

Councillor Croney reported that there would be a second opportunity for Members' to attend the Core Strategy Workshop on 11 July 2008. Full details would be advised on the Members' Newsletter.

Post Office Closure Programme – Questionnaire to Post Offices

Members were thanked for their role in speaking to postmasters/mistresses as part of the gathering of information in relation to the closure programme.

D²

Members noted that D² had taken over responsibility for the administration of the Council's remaining Liveability Programme.

EDDC Tourism Officer

Councillor Milsted asked the Portfolio-holder to consider whether the services of the Officer could be extended after the period of the current Service Level Agreement in the light of the important support provided to the Gillingham and Shaftesbury Tourism Information Service.

25. **MOTIONS**

See Minute 12 above.

The meeting ended at 12.35pm.

CHAIRMAN