

OPEN SESSION: There were several members of public present, none of whom wished to address the Council.

MINUTES OF THE MEETING OF RINGWOOD TOWN COUNCIL

Held on Wednesday 27th September 2017 at 7.00pm

PRESENT: Cllr Tim Ward, Town Mayor
Cllr Andrew Briers
Cllr Hilary Edge
Cllr Christine Ford
Cllr Gloria O'Reilly
Cllr Michael Thierry
Cllr Christopher Treleaven
Cllr Angela Wiseman

IN ATTENDANCE: Mr Chris Wilkins, Town Clerk
Mrs Jo Hurd, Deputy Town Clerk
Student Advisors Katy Grubb and Rachel Carr

C/6035 DECLARATION OF ACCEPTANCE OF OFFICE

Cllr Hilary Edge, having been elected as a Town Councillor for the North Ward, read and signed the Declaration of Acceptance of Office, witnessed by the Town Clerk.

C/6036 APOLOGIES FOR ABSENCE

The Town Clerk reported that apologies for absence had been received from Cllrs Day, Heron, Loose, Murphy, Rippon-Swaine and Ring.

C/6037 DECLARATIONS OF INTEREST

There were none declared at this time.

C/6038 PRESENTATION OF GRANT AID CHEQUE

The Town Mayor presented a grant aid cheque of £550 to representatives of Ringwood and Burley Band, towards the cost of establishing a training band. They were very grateful for the Council's support and hoped that the training band would be set up soon.

C/6039 ALLOTMENT COMPETITION 2017

The Town Mayor thanked Ringwood Garden Club for carrying out the judging and introduced the Club's Chairman, Mr Robin Atack.

Mr Atack said that the Garden Club had been judging this competition for many years and had refined the judging criteria over the years to make it fair for all. It was a daunting task, with 153 plots to judge, ranging from 100 to 500 square metres. It was with disappointment that between 40 and 50% of plots on all sites had been eliminated for being untidy or for poor space utilisation, however there was a high standard amongst the best plots, some of which the judges would have been proud to own themselves. The overall winner's plot was

exceptional and immaculate, scoring 94%. Mr Atack congratulated all the winners, and encouraged them to keep up the good work.

Cllr Andy Briers, Chairman of Recreation, Leisure & Open Spaces Committee, announced the winners and presented prizes as follows:

Upper Kingston

1st Mr and Mrs Shields Plot UK10
2nd Kay Sutton Plot UK11

Southampton Road

1st Colin Joy Plot SR8
2nd Mrs Hurlock Plot SR21A

Hightown Road

1st Peter Molloy Plot HR17
2nd Martin Cracknell Plot HR15

Mini Plots

1st Caroline Sheen Plot HRM5
2nd Josephine Burkin Plot HRM12

Overall Winner

Mr and Mrs Shields Plot UK10

C/6040

POLICE REPORT

The Town Mayor welcomed Inspector Richard Parsons from the Prevention and Neighbourhoods team, Hampshire Constabulary New Forest District West. He reported that, in general, there had been a decrease in the number of all measured crime types in the New Forest, with the exception of drug offences (mainly in New Milton) and public order (due to a change in the way these crimes are recorded). In Ringwood, there had been an increase in residential burglaries, however there had been some significant arrests in the last few months and this picture was changing. Many of these crimes were committed by travelling criminals and the Inspector stated that there were not as many criminals living in Ringwood as in other parts of the New Forest. There had also been an increase in theft from vehicles, mainly from beauty spot car parks, and bicycle thefts. The public were advised to leave valuables at home or keep them hidden from view, and to ensure bicycles were kept locked up at all times. He reported that the Ringwood Police Station had now closed and officers had moved in to the Fire Station. This office is not open to the public and he advised that crime and incidents could be reported online at <https://www.hampshire.police.uk/contact-us/report-crime-or-incident/> or by phoning 101 for non-emergencies. PC Tom Neil and PCSO Alex Baldwin had recently joined the Ringwood neighbourhood team, and PC Quentin Irving would be taking a career break from October. The Constabulary is currently awaiting the outcome of the comprehensive spending review, but it was expected that there would be a need to make savings of £23 million by next year, although it was noted that the Chief Constable is supportive of continued investment in neighbourhood policing.

On the subject of Carvers, it was noted that PCSO Harley Brett had taken this on as a project and was networking with local young people. In general, there had been a reduction in the number of incidents.

There was an issue in the town with a number of homeless people and a multi-agency meeting had been arranged to discuss how this could be dealt with proactively. Churches Together also hoped to assist.

C/6041**APPOINTMENT TO PLANNING, TOWN AND ENVIRONMENT COMMITTEE**

RESOLVED: That Cllr Edge be appointed to the Planning, Town and Environment Committee.

ACTION N Vodden

C/6042**APPROVAL OF STUDENT ADVISORS**

The Town Mayor welcomed Katy and Rachel to their first meeting. It was noted that that all student advisors were in Year 13 and that 3 students had been appointed to each committee. It had been hoped that some younger students would be appointed this year to introduce continuity, and Katy said that they hoped to invite Year 12 students to some meetings. There was concern that 4 students at a meeting would be too many and Members asked that the Town Clerk liaise with the school to discuss this further.

RESOLVED: That Ringwood School's nominations for Student Advisors for 2017/18 be approved, as follows:

Policy and Finance Committee: Emily Litchfield, Joshua Kidd and Sadie Chambers

Recreation, Leisure & Open Spaces Committee: Charlotte Hardy, Jade Eaton and Isaac Skirton

Planning, Town and Environment Committee: Lucy Hewitt, Chloe Collins and Charlotte Amos

Full Council: Katherine Grubb and Rachel Carr

ACTION C Wilkins

C/6043**MINUTES OF PREVIOUS MEETING**

C/6026: Cllr Treleaven referred to point 3 of the Town Council's response to Highways England and recommended the deletion of the words "This proposal has overwhelming public support" as in fact the public support had been for a full closure of the garage. This was agreed.

RESOLVED: That the minutes of the Meeting held on 26th July 2017, having been circulated and amended as agreed, be approved and signed as a correct record.

C/6044**RECREATION, LEISURE AND OPEN SPACES COMMITTEE**

Cllr Briers presented the minutes of the Recreation, Leisure and Open Spaces Committee meeting held on 6th September 2017.

RESOLVED: That the minutes of the Recreation, Leisure and Open Spaces Committee meeting held on 6th September 2017 be received.

C/6045**PLANNING, TOWN & ENVIRONMENT COMMITTEE**

Cllr Treleaven presented the minutes of the Planning, Town & Environment Committee meetings held on 4th August and 1st September 2017.

P/5436: Cllr Ward referred to the additional items put forward for inclusion in the Traffic Management Programme. A response had been received from the District Council stating that there was insufficient traffic and pedestrian flow to support the provision of a formal crossing of The Furlong, and that there was no benefit to the proposed parking restrictions in Hampshire Hatches Lane.

RESOLVED: That the minutes of the Planning, Town & Environment Committee meetings held on 4th August and 1st September 2017 be received.

**C/6046
POLICY & FINANCE COMMITTEE**

Cllr Ward presented the minutes of the Policy & Finance Committee meeting held on 20th September 2017.

RESOLVED: That the minutes of the Policy & Finance Committee meeting held on 20th September 2017 be received.

**C/6047
COMMUNICATIONS TO BE RECEIVED**

The Town Mayor reported the following:

- 1) There were still no timescales for the remedial highways works in the town centre, but it was hoped that the barriers on the junction of Southampton Road/Mansfield Road would be reinstated soon.
- 2) Some remedial work had been carried out on The Bickerley by contractors for Wessex Water, but this had yet to be completed.
- 3) Discussions were ongoing with regard to the cooling/heating of Ringwood Gateway.
- 4) He had spoken to a local contractor about refurbishing the millennium clock in The Furlong short stay car park – this would be included on a future agenda for consideration.
- 5) He had attended a Rotary meeting at which one particular concern raised was the length of time Highways England was expecting the widening scheme to take; he was of the opinion that this should be challenged.
- 6) He said that Carnival had been a great day and a great success and he had been very pleased to have been invited to take part.

**C/6048
GENERAL POWER OF COMPETENCE**

Members considered the Town Clerk's report (*Annex A*), outlining the Council's eligibility to adopt the general power of competence, as at least two-thirds of its members have been declared elected and the Town Clerk holds the relevant qualifications.

It was noted that the Council only has certain statutory powers available to it to commit resources and that the general power of competence would enable it to do anything that individuals could generally do. Without the general power, the Council could be at risk of acting ultra vires, if there was no specific power to act.

Members wished to seek advice from the Town Clerk on which publicity might be prejudicial to the public interest. It was therefore

RESOLVED: That this item be deferred to the end of the meeting, following the exclusion of the public and the press.

C/6049

REPORTS FROM TOWN COUNCILLORS

Cllr O'Reilly had attended a meeting of the Western Escarpment Conservation Area Steering Group; current concerns were verge protection, flytipping, local distinctiveness and low flying helicopters. She had attended Forest Forge's AMG and gave details of forthcoming performances on 7 October 'Ride' and 15 October 'His Way – Frank Sinatra's story'. She also commented on an issue with sewerage in Deweys Lane, which was currently being investigated by Wessex Water.

C/6050

REPORTS FROM COUNTY AND DISTRICT COUNCILLORS

District Councillor Ford outlined her activity over the past month, including Public Conveniences Working Party, Monthly Councillors Surgery, Environment Overview and Scrutiny Panel, Licensing Sub Committee and Planning Development Control Committee site tour.

In response to a question from Cllr Wiseman, it was noted that the public conveniences in Ringwood are cleaned twice a day by the District Council. Cllr Thierry suggested that the Town Council might look to take on this facility in the future.

County Councillor Thierry said that he would be meeting Cllr Rob Humby, Executive Member for Environment and Transport, to discuss highways issues. He added that there was a need for the Town Council to channel communications to the County Council through one officer, rather than the current practice. However, Members were advised to continue to report road and pavement problems, such as potholes, online at <https://www.hants.gov.uk/transport>. He invited all Members to attend the monthly councillor surgery on the second Saturday of each month.

C/6051

FORTHCOMING MEETINGS

Recreation, Leisure & Open Spaces	7.00pm	Wednesday 4 th October 2017
Planning, Town & Environment	10.00am	Friday 6 th October 2017
Policy & Finance	7.00pm	Wednesday 18 th October 2017
Full Council	7.00pm	Wednesday 25 th October 2017

C/6052

EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED: That, in accordance with section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded because publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted (*Confidential Annex B*).

C/6053

GENERAL POWER OF COMPETENCE

Members sought advice from the Town Clerk and considered this matter further.

RESOLVED: That the Council meets the conditions for eligibility for the general power of competence.

ACTION C Wilkins

C/6054

MANAGERIAL RE-ORGANISATION OF THE PLACE

Members considered proposals recommended by Recreation, Leisure and Open Spaces Committee for a revised management structure and business plan to effectively operate The Place.

RESOLVED: That the business plan and proposed new management structure, as recommended by The Place Working Party and approved by Recreation, Leisure & Open Spaces Committee on 6 September 2017, be approved.

ACTION C Wilkins

There being no further business, the Town Mayor closed the meeting at 8.51pm.

APPROVED
25th October 2017

TOWN MAYOR

Adopting the General Power of Competence

1. Introduction and reason why report required

- 1.1 Adopting the “general power of competence” would enable the council to do anything that individuals may generally do; thus significantly expanding the range of activities available to it as envisaged by Parliament.
- 1.2 The general power of competence is a power of first resort. The ability to specify it as the relevant power whenever new commitments are undertaken would avoid the need to identify any other specific statutory power, or to use the power conferred by Section 137 of the Local Government Act 1972 (which is a power of last resort subject to other limitations). Minutes of future decisions would therefore demonstrate their lawful nature simply and briefly. The risk of the council inadvertently acting *ultra vires* would also be reduced.

2. Background information, options, impact assessment and risks

- 2.1 As creatures of statute rather than natural persons, town and parish councils have only those powers conferred by Act of Parliament. In order to simplify and extend those powers the Localism Act 2012 included provision for such councils to become eligible for the general power of competence. The Parish Councils (General Power of Competence)(Prescribed Conditions) Order 2012 sets out the conditions for eligibility as follows:
 - 2.1.1 The council has resolved at a meeting of the council (and each subsequent annual meeting after ordinary elections) that it meets the requisite conditions; and
 - 2.1.2 Those requisite conditions are:
 - 2.1.2.1 That at least two-thirds of its members have been declared elected (that is, not co-opted – members elected unopposed still count as “elected”)
 - 2.1.2.2 The clerk holds the Certificate in Local Council Administration (or other relevant qualification) and
 - 2.1.2.3 The clerk has completed the relevant training (if not included as part of that qualification)
- 2.2 This council now meets the conditions for eligibility and could become eligible to exercise the general power of competence by passing the resolution described at this meeting and future relevant annual meetings.
- 2.3 There is no cost involved in making the resolution.
- 2.4 Reliance on the general power may lead the council into undertaking services, activities or projects of a novel character that carry duties or risks (commercial, regulatory, reputational or operational) not previously encountered. The training received by the clerk was designed to mitigate that risk by ensuring that the council has ready access to an officer competent to anticipate and advise upon these. Eschewing the general power would carry the risk that the council would lack the power to act as members desire and/or of decisions being taken unlawfully. For example, the council once considered running a charity shop; that would have been *ultra vires* at that time but permissible with the GPC

3. Issues for decision and any recommendations

- 3.1 ***Whether to resolve that the council meets the conditions for eligibility for the general power of competence. (RECOMMENDATION: Members are respectfully advised that the benefits to be gained by passing the resolution outweigh the risks.)***

For further information, contact:

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