

FAREHAM

BOROUGH COUNCIL

Minutes of the Scrutiny Board

(to be confirmed at the next meeting)

Date: Thursday, 22 December 2016

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor Mrs S M Bayford (Chairman)

Councillor S D Martin (Vice-Chairman)

Councillors: B Bayford, L Keeble, A Mandry, C J Wood, Mrs L E Clubley (deputising for Ms S Pankhurst) and Mrs T L Ellis (deputising for M J Ford, JP)

Also Present: Mrs M Brady, S Cunningham and R H Price, JP (item 6)



1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M J Ford, JP and Ms S Pankhurst.

Councillor Mrs M Brady was in attendance as a deputy for Councillor Cunningham as he was one of the signatories for the Call-In and therefore unable to sit as a member of the Scrutiny Board.

2. MINUTES

It was AGREED that the minutes of the Scrutiny Board meeting held on 24 November 2016, be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman confirmed that this special Scrutiny Board had been convened to consider the Executive's decision made on 5 December to approve the termination of the current traffic management agreement with Hampshire County Council and to continue funding the provision of deploying speed limit reminder signs with a budget of £8,000 per annum.

She informed the Board that the decision has not yet been implemented because it has been called-in by 3 non-Executive members, as per the Council's Constitutional arrangements.

The Chairman explained how the meeting would proceed and that it would essentially be held in two parts: a section of the meeting would be held in public to deal with issues that could be discussed in public session and then would follow a part of the meeting where press and public would be excluded in order to deal with matters of a confidential nature.

The Chairman confirmed that for each of the public and private sessions, Councillors Price and Cunningham, as the representatives of the call-in, would be called upon to present the reasons he had given for the call-in. The Executive Leader would then be invited to answer questions put to him by the Scrutiny Board on the decision made by the Executive. The Executive Member responsible for Public Protection would be requested to explain how the recommendations on the Traffic Management Agency Agreement were reached. This would then be followed by any specific questions to officers.

4. DECLARATIONS OF INTEREST AND DISCLOSURES OF ADVICE OR DIRECTIONS

In accordance with Standing Orders and the Council's Code of Conduct, Councillor R H Price, JP declared a non-pecuniary interest for item 6 as he is a County Councillor.

5. DEPUTATIONS

There were no deputations made at this meeting.

6. CALL-IN OF EXECUTIVE DECISION NO. 1855: TRAFFIC MANAGEMENT

The Board considered a report by the Head of Democratic Services which outlined the reasons given for the call-in of the Executive Decision regarding the Traffic Management Agency Agreement. The report highlighted that a number of reasons given for the call-in were matters for consideration in public, whilst others were confidential items. A number of appendices were attached to the report to further assist the Scrutiny Board in its review of the decision, all of which contained exempt information as defined in Paragraph 3 of part 1 of Schedule 12A of the Local Government Act 1972.

At the invitation of the Chairman, Councillor R H Price, JP, the representative of the call-in, was invited to present the publicly available reasons he had given for the call-in.

Councillor R H Price, JP declared a Non-Pecuniary Interest for item 6 as he is also a Hampshire County Councillor.

At the invitation of the Chairman, Councillor Cunningham, a representative of the call-in was invited to present the publicly available reasons he had given for the call-in.

At the invitation of the Chairman, the Executive Leader Councillor S D T Woodward was called upon to advise the Scrutiny Board of the elements taken into account by the Executive before making its decision. The Executive Leader then answered questions put to him on the matters for discussion in public by members of the Scrutiny Board.

The Executive Leader was thanked for his answers and was advised that he was no longer required at the meeting.

At the invitation of the Chairman, the Executive Member for Public Protection Councillor T M Cartwright, was called upon to advise the Scrutiny Board of the process undertaken before making its recommendation to the Executive. The Executive Member then answered questions put to her on the matters for discussion in public by members of the Scrutiny Board.

The Executive member was thanked for his answers and was advised that he was no longer required at the meeting.

At this point, the Chairman moved that as the matters for public session had been dealt with, the meeting temporarily go into private session to allow the confidential items to be discussed.

RESOLVED that in accordance with the Local Government Act 1972 the Public and Press be excluded from this section of the meeting on the grounds that the matters to be dealt with involve the likely disclosure of exempt information, as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Private Session

The Director of Operations answered questions put to him on the confidential items by member of the Scrutiny Board.

At this point, the meeting moved back into **Public Session**.

The Chairman confirmed that having considered all the reason given for the call-in, the Scrutiny Board now had to consider its options as set out in the report, that being either:

- (a) to accept the decision made by the Executive, in which case the decision can be implemented; or
- (b) to request that the Executive reconsiders the decision, giving reasons for such a request.

A motion was proposed and seconded to request that the Executive reconsider their decision and specifically:

- 1) to explore further funding options in order to keep the service at Fareham Borough Council; and
- 2) to negotiate with Hampshire County Council to retain the current criteria for the issuing of Traffic Regulation Orders.

Upon being put to the vote, the motion was declared NOT CARRIED (2 members voting in favour; 6 against and 1 abstention)

A further motion was proposed and seconded to accept the decision made by the Executive and to allow the decision to be implemented which when being put to the vote was declared CARRIED. (6 members voting in favour and 3 against).

RESOLVED that the Scrutiny Board accept the decision made by the Executive and to allow the decision to be implemented to:

- (a) approve the termination of the current traffic management agreement with Hampshire County Council; and
- (b) continue funding the provision of deploying speed limit reminder signs with a budget of £8,000 per annum.

(The meeting started at 4.00 pm
and ended at 5.26 pm).