

**COUNCIL MEETING  
SUMMONS**

Members of Fareham Borough Council are hereby summoned to attend a meeting of the Council to be held in the Council Chamber, Civic Offices, Fareham, on **THURSDAY, 12 DECEMBER 2013**, commencing at **6.00 pm**.

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The Mayor: Councillor Susan Bayford

The Deputy Mayor: Councillor David Norris

Councillor Brian Bayford	Councillor Trevor Howard
Councillor Susan Bell	Councillor Leslie Keeble
Councillor John Bryant	Councillor Tim Knight
Councillor Pamela Bryant	Councillor Arthur Mandry
Councillor Trevor Cartwright	Councillor Kay Mandry
Councillor Peter Davies	Councillor Sarah Pankhurst
Councillor Marian Ellerton	Councillor Roger Price, JP
Councillor Jack Englefield	Councillor Dennis Steadman
Councillor Keith Evans	Councillor David Swanbrow
Councillor Geoff Fazackarley	Councillor Katrina Trott
Councillor Michael Ford, JP	Councillor Nick Walker
Councillor Jim Forrest	Councillor David Whittingham
Councillor Nick Gregory	Councillor Paul Whittle, JP
Councillor Tiffany Harper	Councillor Seán Woodward
Councillor Connie Hockley	



**1. Prayers**

The meeting will commence with a short service of prayers.

**2. Apologies for Absence**

**3. Minutes (Pages 1 - 8)**

To confirm as a correct record the minutes of the Council Meeting held on 10 October 2013.

**4. Mayor's Announcements**

**5. Executive Leader's Announcements**

**6. Executive Members' Announcements**

**7. Declarations of Interest**

To receive any declarations of interest from members in accordance with Standing Orders and the Council's Code of Conduct and disclosures of advice or directions received from Group Leaders of Political Groups, in accordance with the Council's Constitution.

**8. Presentation of Petitions**

To receive any petitions presented by a member of the Council.

*Note: any petition so presented will be dealt with in accordance with the Council's petition scheme.*

**9. Deputations**

To receive any deputations of which notice has been given.

**10. Reports of the Executive**

To receive, consider and answer questions on reports and recommendations of the Executive. Minutes of the meetings of the Executive and a schedule of individual Executive member decisions are appended.

(1) Minutes of meeting Monday, 7 October 2013 of Executive (Pages 9 - 14)

(2) Minutes of meeting Monday, 4 November 2013 of Executive (Pages 15 - 20)

(3) Minutes of meeting Monday, 2 December 2013 of Executive (Pages 21 - 26)

(4) Schedule of Individual Executive Decisions (Pages 27 - 28)

## **11. Report of the Scrutiny Board**

To receive, consider and answer questions on reports and recommendations of the meeting of the Scrutiny Board held on 21 November 2013.

- (1) Minutes of meeting Thursday, 21 November 2013 of Scrutiny Board (Pages 29 - 32)

## **12. Reports of Other Committees**

To receive the minutes of the following Committees and to consider and answer questions on any reports and recommendations made.

- (1) Minutes of meeting Wednesday, 9 October 2013 of Planning Committee (Pages 33 - 50)
- (2) Minutes of meeting Wednesday, 20 November 2013 of Planning Committee (Pages 51 - 64)
- (3) Minutes of meeting Tuesday, 5 November 2013 of Strategic Planning and Environment Policy Development and Review Panel (Pages 65 - 70)
- (4) Minutes of meeting Wednesday, 6 November 2013 of Leisure and Community Policy Development and Review Panel (Pages 71 - 74)
- (5) Minutes of meeting Thursday, 24 October 2013 of Streetscene Policy Development and Review Panel (Pages 75 - 78)
- (6) Minutes of meeting Tuesday, 12 November 2013 of Public Protection Policy Development and Review Panel (Pages 79 - 82)
- (7) Minutes of meeting Thursday, 14 November 2013 of Health and Housing Policy Development and Review Panel (Pages 83 - 86)
- (8) Minutes of meeting Tuesday, 19 November 2013 of Licensing and Regulatory Affairs Committee (Pages 87 - 90)
- (9) Minutes of meeting Monday, 25 November 2013 of Audit and Governance Committee (Pages 91 - 96)

## **13. Questions under Standing Order 17.2**

To answer questions pursuant to Standing Order 17.2 for this meeting.

### Questions by Councillor P J Davies to the Executive Leader:

1. What was the Housing Benefit Expenditure for the Borough of Fareham in 2011/12 and 2012/13 and what is it estimated to be in 2013/14?
2. Would the Leader agree that the recent reduction of the spare room subsidy for the under 60s, merely brings social housing in line with the private rented sector?

3. In percentage terms, what is the effect of the reduction in the spare room subsidy for the under 60s on the total Housing Benefit bill?
4. Would the Leader agree that it is unfair to all the ordinary decent hard working taxpayers in the Borough of Fareham for their taxes to be used to give Housing Benefits for dwellings larger than needed by their residents?

Questions by Councillor P J Davies to the Executive Member for Leisure and Commu

5. Would the Executive Member agree that Westbury Manor Gardens is an oasis of bucolic and sylvan charm?
6. Can the Executive Member explain why Westbury Manor Gardens closes at 5pm even in summer?

**14. Motions under Standing Order 15**

Members will be informed, prior to the meeting, of any motion duly notified in accordance with Standing Order 15 but received after print and dispatch of the agenda.

- (1) Notice of motion received 26 November 2013 by the Executive Leader:

“I propose that the Council agrees to write to the Secretary of State for Culture, Media and Sport to raise concerns about Fixed Odds Betting Terminals and their potential impact on problem gambling especially where some people are at risk of spending far too much time and money on them. Whilst fruit machines in pubs and bingo halls and amusement arcades where cash stakes are limited to £2, gamblers can bet with cash or via a debit card up to £100 every go on Fixed Odds Betting Terminals.

Therefore the Secretary of State for Culture, Media and Sport is requested to demand urgent action against Fixed Odds Betting Terminals and reduce the maximum stake on Fixed Odds Betting Terminals to £2 per spin.”

- (2) Notice of motion received 2 December 2013 by the Executive Leader:

“In honour of the late Alderman Crouch's many years of unstinting service to the Borough of Fareham, I would like to move that this Council asks the Executive to agree to the naming of the new sheltered housing scheme on the site of the former Collingwood House as "Ernest Crouch Court".

This would be a fitting tribute to Alderman Crouch which would reflect his special interest and involvement in Housing throughout his many years of service on this Council.”

- (3) Notice of motion received 3 December 2013 by Councillor P J Davies:

“That Fareham Borough Council requests that Hampshire County Council provide a 'spare' lollipop person to cover when a lollipop person in the Borough of Fareham is off sick.”

**15. Appointments to Committees**

To make any changes in appointments to the seats on committees in accordance with the wishes of political groups. Such appointments will take effect from 13 December 2013.

**16. Council Tax Support Scheme 2014/15** (Pages 97 - 126)

a report by the Director of Finance and Resources

**17. The Hampshire Partnership** (Pages 127 - 130)

a report by the Director of Regulatory and Democratic Services

**18. Updates to the Constitution** (Pages 131 - 174)

a report by the Director of Regulatory and Democratic Services

**19. Schedule of Council and Committee Meetings: 2014-15** (Pages 175 - 180)

a report by the Director of Regulatory and Democratic Services

P GRIMWOOD  
Chief Executive Officer

[www.fareham.gov.uk](http://www.fareham.gov.uk)

4 December 2013

**For further information please contact:  
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# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Council

**Date:** Thursday, 10 October 2013

**Venue:** Council Chamber - Civic Offices

**PRESENT:**  
**Councillors:**

Mrs S M Bayford  
(Mayor)

D J Norris  
(Deputy Mayor)

**Councillors:** B Bayford, Miss S M Bell, J V Bryant, Mrs P M Bryant, T M Cartwright, P J Davies, K D Evans, G Fazackarley, J S Forrest, N R Gregory, Miss T G Harper, Mrs C L A Hockley, T J Howard, L Keeble, T G Knight, A Mandry, Mrs K Mandry, Mrs S Pankhurst, R H Price, JP, D L Steadman, D C S Swanbrow, N J Walker, D M Whittingham and S D T Woodward



## **1. PRAYERS**

The meeting opened with prayers led by the Mayor's Chaplain, Reverend Susan Allman of St Peter's Church, Titchfield.

## **2. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs M E Ellerton, J M Englefield, M J Ford, Mrs K K Trott and P J Whittle, JP.

## **3. MINUTES**

RESOLVED that the Mayor be authorised to sign as a correct record the minutes of the meeting of the Council held on 25 July 2013.

## **4. MAYOR'S ANNOUNCEMENTS**

The Mayor was delighted to share with Members the correspondence received from Kensington Palace, following her letter of congratulations sent after the arrival of the Royal baby.

The letter reads:

"The Duke and Duchess of Cambridge have asked me to write and thank you very much for the kind letter you sent on behalf of the residents of Fareham Borough to Their Royal Highnesses on the occasion of the birth of their son, Prince George.

Their Royal Highnesses have been overwhelmed by the incredibly kind messages they have received and the Royal couple, their parents and families are so thrilled at this special time.

The Duke and Duchess would have me send you their warmest thanks and best wishes."

The Mayor passed on greetings from the Mayor of Vannes, Councillor David Robo, following the recent twinning visit.

The Mayor reported that the work of the charity committee had continued over the summer recess and that two successful tea parties and a trip to Windsor Castle were enjoyed.

The Mayor confirmed that the next charity event would be the Last Night of The Proms concert at Ferneham Hall on Saturday 12 October.

The Mayor reminded Members that the Annual Remembrance Day parade and service will be held on Sunday 10th November at Holy Trinity Church, West Street.



## 5. EXECUTIVE LEADER'S ANNOUNCEMENTS

The Executive Leader referred to invitations from Hallam Land recently sent to a number of Members to view an exhibition about the development of the countryside and strategic gap between Fareham Town and Stubbington/Titchfield.

The Executive Leader confirmed that he had met Hallam Land twice, at their request, and had advised them that the land is identified in the local plan as countryside and strategic gap. The Planning Committee will make a decision on the issue of development of that land should an application be submitted. The Executive Leader had also advised the company that the rationale for developing Welborne was to ensure that the countryside and strategic gap between our town and our villages would not need to be filled with housing.

## 6. EXECUTIVE MEMBERS' ANNOUNCEMENTS

### Vanguard Project

The Executive Member for Public Protection provided an update on the work of the Vanguard project.

He reminded Members that the Council had agreed to look at the way services are delivered to customers, using the systems thinking method, with the support of Vanguard Consultancy.

He confirmed that a team of senior officers, has been working with Vanguard looking in depth at the work of Housing, Building Maintenance, Streetscene and Benefits, from the point of view of the customers of those services.

The senior officer team has observed that customers are dealt with politely and courteously, and that customers appreciate this. However, too often the customers' needs are not met and if they are, it can take a long time. This means that customers have to make unnecessary contact with the Council a number of times, therefore wasting everybody's time. Ultimately this waste costs the Council money.

The Executive Member for Public Protection explained that in common with other public and private sector organisations the Council has, over a long period of time, designed the way it works based on what was thought to be best for our customers. This includes focusing on the wrong performance measures, silo working, unnecessary bureaucracy, and IT systems that hinder rather than help.

From the work completed to date, it is clear that there is significant scope for improvement throughout all Council services, if we focus on delivering what matters to the customer.

The Executive Member for Public Protection stated that he and the Chief Executive Officer had been following progress, and feel confident that the work should proceed to the next stage. This will be to work with groups of employees to understand and redesign services to meet customer needs.

### Textile Recycling

The Executive Member for Streetscene advised Members that there will be a textile display at the Council Connect stand in Fareham Shopping Centre between 10:00am and 2:00pm on 2 December 2013. Streetscene employees will be present to answer questions about textile banks and the recycling of materials. The Executive Member for Streetscene and the Director of Streetscene will also be in attendance.

## **7. DECLARATIONS OF INTEREST**

There were no declarations of interest given at this meeting.

## **8. PRESENTATION OF PETITIONS**

A petition of approximately 335 signatures was presented by Councillor J S Forrest. The petition called upon Fareham Borough Council to “stand firm on its policy of strategic gaps to prevent over-development and to protect the open countryside between Stubbington and Fareham”.

The Mayor advised Councillor Forrest that the petition would be dealt with in accordance with the Council’s petition scheme.

## **9. DEPUTATIONS**

There were no deputations given at this meeting.

## **10. REPORTS OF THE EXECUTIVE**

### (1) Minutes of meeting Monday, 2 September 2013 of Executive

The minutes of the meeting of the Executive held on 2 September 2013 were presented to the Council, together with a schedule of decisions made by individual Executive Members.

RESOLVED that:-

- (a) the minutes of the Executive meeting held on 2 September 2013 be received; and
  - (b) the recommendation of the Executive contained in minute 11(1): Annual Review of the Corporate Strategy 2011/2017 – the Executive recommends to Council the amendments to the strategy document, as set out in paragraph 44 of the report be noted as this item would be dealt with under item 18 of the Council agenda.
- (2) Schedule of Individual Executive Decisions

RESOLVED that the schedule of decisions made by individual Executive Members be received.

## 11. REPORT OF THE SCRUTINY BOARD

The minutes of the meeting of the Scrutiny Board held on 26 September 2013 were presented to the meeting.

RESOLVED that the minutes of the Scrutiny Board meeting held on 26 September 2013 be received.

## 12. REPORTS OF OTHER COMMITTEES

The minutes of the following Committee meetings were presented to Council:-

(1) Minutes of meeting Wednesday, 17 July 2013 of Planning Committee

RESOLVED that the minutes of the meeting of the Planning Committee held on 17 July 2013 be received.

(2) Minutes of meeting Wednesday, 14 August 2013 of Planning Committee

RESOLVED that the minutes of the meeting of the Planning Committee held on 14 August 2013 be received.

(3) Minutes of meeting Wednesday, 11 September 2013 of Planning Committee

RESOLVED that the minutes of the meeting of the Planning Committee held on 11 September 2013 be received.

(4) Minutes of meeting Tuesday, 24 September 2013 of Planning Committee

RESOLVED that the minutes of the meeting of the Planning Committee held on 24 September 2013 be received.

(5) Minutes of meeting Tuesday, 16 July 2013 of Strategic Planning and Environment Policy Development and Review Panel

RESOLVED that the minutes of the meeting of the Strategic Planning and Environment Policy Development and Review Panel held on 16 July 2013 be received.

(6) Minutes of meeting Tuesday, 3 September 2013 of Strategic Planning and Environment Policy Development and Review Panel

RESOLVED that the minutes of the meeting of the Strategic Planning and Environment Policy Development and Review Panel held on 3 September 2013 be received.

(7) Minutes of meeting Wednesday, 24 July 2013 of Leisure and Community Policy Development and Review Panel

RESOLVED that the minutes of the meeting of the Leisure and Community Policy Development and Review Panel held on 24 July 2013 be received.

- (8) Minutes of meeting Wednesday, 4 September 2013 of Leisure and Community Policy Development and Review Panel

RESOLVED that the minutes of the meeting of the Leisure and Community Policy Development and Review Panel held on 4 September 2013 be received.

- (9) Minutes of meeting Thursday, 5 September 2013 of Streetscene Policy Development and Review Panel

RESOLVED that the minutes of the meeting of the Streetscene Policy Development and Review Panel held on 5 September 2013 be received.

- (10) Minutes of meeting Tuesday, 23 July 2013 of Public Protection Policy Development and Review Panel

RESOLVED that the minutes of the meeting of the Public Protection Policy Development and Review Panel held on 23 July 2013 be received.

- (11) Minutes of meeting Tuesday, 10 September 2013 of Public Protection Policy Development and Review Panel

RESOLVED that the minutes of the meeting of the Public Protection Policy Development and Review Panel held on 10 September 2013 be received.

- (12) Minutes of meeting Thursday, 18 July 2013 of Health and Housing Policy Development and Review Panel

RESOLVED that the minutes of the meeting of the Health and Housing Policy Development and Review Panel held on 18 July 2013 be received.

- (13) Minutes of meeting Thursday, 12 September 2013 of Health and Housing Policy Development and Review Panel

RESOLVED that the minutes of the meeting of the Health and Housing Policy Development and Review Panel held on 12 September 2013 be received.

- (14) Minutes of meeting Tuesday, 17 September 2013 of Licensing and Regulatory Affairs Committee

RESOLVED that the minutes of the meeting of the Licensing and Regulatory Affairs Committee held on 17 September 2013 be received.

- (15) Minutes of meeting Monday, 23 September 2013 of Audit and Governance Committee

RESOLVED that the minutes of the meeting of the Audit and Governance Committee held on 23 September 2013 be received.

**13. QUESTIONS UNDER STANDING ORDER 17.2**

There were no questions submitted for this meeting.

**14. MOTIONS UNDER STANDING ORDER 15**

There were no motions submitted for this meeting.

**15. APPOINTMENTS TO COMMITTEES**

The Council received a report by the Chief Executive Officer, providing the calculations for political balance relating to the allocation of seats on committees and panels for the remainder of the municipal year 2013/14, following the recent changes to political groups.

The report asks the Council to confirm the functions and appointment of committee seats as well as the role of Chairman and Vice-Chairman for each committee. The minority group is invited to appoint opposition spokesmen to each of the Executive portfolios.

RESOLVED that the Council approves:

- (a) the allocation of seats to political groups (as set out in Appendix A to the report) for the remainder of the municipal year 2013/14; and
- (b) the nominations of the political groups to seats on committees, along with the deputies and the appointment of Chairman and Vice-Chairman for each committee for the remainder of the municipal year 2013/14, as shown in Appendix B to these minutes.

**16. 2014 ELECTIONS**

RESOLVED that:

- (a) the date of the next Annual Meeting shall be Thursday 29 May 2014; and
- (b) the municipal year 2013/14 will be extended to run up until the date of the Annual Meeting.

**17. ANNUAL REVIEW OF THE CORPORATE STRATEGY 2011/2017**

In considering further amendments to the wording and presentation of the strategy, it was proposed that the Executive Leader be delegated authority to make amendments in response to issues raised by Councillor R H Price, JP regarding additions to the section on Protect and Enhance the Environment under the heading Our Priorities for Improvement.

RESOLVED that

- (a) the Council accepts the amendments to the Corporate Strategy 2011-2017, as set out in paragraph 44 of the report; and
- (b) the Council delegates authority to the Executive Leader, in consultation with the Director of Strategic Planning and Environment, to make

changes to the wording of the section on Protect and Enhance the Environment under the heading Our Priorities for Improvement.

## **18. EXCLUSION OF PUBLIC AND PRESS**

RESOLVED that the public and representatives of the press be excluded from the remainder of the meeting in accordance with Section 100A(4) of the Local Government Act 1972 as the Council considers that it is not in the public interest to consider the matters in public on the grounds that they will involve the disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act.

## **19. SENIOR MANAGEMENT - TERMS AND CONDITIONS**

The Council received a report by the Head of Personnel and Development proposing changes to some of the terms and conditions for the senior management team of Fareham Borough Council. The report includes proposals to award a 1% pay increase to senior managers in line with the rest of the Council's workforce; to change terms and conditions enabling all employees to claim mileage when on Council business; and to change the salary range of the Chief Executive Officer in accordance with the recommendations of an independent review.

RESOLVED that the Council approves:

- (a) that employees on Joint Negotiating Committee (JNC) conditions be awarded a 1% pay increase for 2013/14 in line with all other employees on National Joint Council (NJC) conditions (voting: unanimous);
- (b) that employees on JNC conditions be entitled to claim business mileage at the same rate as those employees on NJC conditions with effect from 1 October 2013 (voting: unanimous);
- (c) that having taken account of the independent review, the Chief Executive Officer's salary range be approved as set out in paragraph 50 of the report at Appendix B with effect from 1 October 2013 (voting: 20 in favour; 4 against);
- (d) the updated Pay Policy statements for 2013-14 and for 2014-15, as set out in Appendices C and D to the report, which reflect the above recommendations, should they be agreed (voting 22 in favour; 2 against); and
- (e) that this report, including the appendices and the minute of the decision be no longer treated as exempt information and be open for public inspection, if all recommendations are agreed (voting: unanimous).

(The meeting started at 6.00 pm  
and ended at 7.45 pm).

# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Executive

**(to be confirmed at the next meeting)**

**Date:** Monday, 7 October 2013

**Venue:** Collingwood Room - Civic Offices

**Present:**

S D T Woodward, Policy and Resources (Executive Leader)  
T M Cartwright, Public Protection (Deputy Executive Leader)  
B Bayford, Health and Housing  
K D Evans, Strategic Planning and Environment  
L Keeble, Streetscene

**Also in attendance:**

J V Bryant, Chairman of Strategic Planning and Environment Policy Development and Review Panel

Mrs P M Bryant, Chairman of Licensing and Regulatory Affairs Committee

P J Davies, Chairman of Housing Tenancy Board; for item 8(1)

Miss T G Harper, Chairman of Streetscene Policy Development and Review Panel

A Mandry, for item 12(3)

Mrs K Mandry, Chairman of Public Protection Policy Development and Review Panel

D C S Swanbrow, Chairman of Scrutiny Board



**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Mrs C L A Hockley.

**2. MINUTES**

RESOLVED that the minutes of the meeting of the Executive held on 2 September 2013 be confirmed and signed as a correct record.

**3. EXECUTIVE LEADER'S ANNOUNCEMENTS**

There were no Executive Leader's Announcements at this meeting.

**4. DECLARATIONS OF INTEREST**

The Executive Leader declared a Non-Pecuniary Interest for item 12(3) – Daedalus Investment Opportunity Update as he is the Hampshire County Council Executive Member for Economy, Transport and Environment and subject to approval of the item, Hampshire County Council would be appointed as the contractor for the Daedalus site.

He remained present throughout the meeting and took part in the discussion and decision.

Councillor K D Evans declared a Non-Pecuniary Interest for item 12(3) – Daedalus Investment Opportunity Update as he is the Hampshire County Councillor for Fareham Warsash and subject to approval of the item, Hampshire County Council would be appointed as the contractor for the Daedalus site.

He remained present throughout the meeting and took part in the discussion and decision.

**5. PETITIONS**

There were no petitions presented at this meeting.

**6. DEPUTATIONS**

The Executive received a deputation from Caroline Dinenage, MP in relation to item 12(3) – Daedalus Investment Opportunity Update and was thanked accordingly.

The Executive Leader agreed to bring that item for consideration forward on the agenda.

**7. MINUTES / REFERENCES FROM OTHER COMMITTEES**

The Executive received comments from the Scrutiny Board regarding the Annual Review of the Council's Finance Strategy and took account of these comments in determining the matter at Item 12(1) below:

Scrutiny Board – 26 September 2013



## Minute 6 – Medium Term Financial Strategy 2013/14

It was AGREED that:-

- (a) the Executive be advised that the Board had requested that the table in paragraph 40 on page 7 of the Draft Strategy be amended to clarify references to member approval by indicating whether the decisions would be made by Council, the Executive or non-executive committees;
- (b) the Executive be advised that the Board had requested that paragraph 70 on page 11 of the Draft Strategy be deleted;
- (c) it be recommended to the Executive that it looks at ways of identifying possible funding from the European Union and other organisations, in partnership with other local authorities in the area;
- (d) the Executive be advised that the Board has requested that paragraph 99 on page 15 of the Draft Strategy be amended to clarify that the reference to costs associated with “Welborne planning and supporting delivery” refer to potential expenditure in addition to those incurred in the preparation of the Welborne Local Plan and supporting strategic masterplan;
- (e) the Executive be advised that the Board noted the significance and uncertainties surrounding the areas identified, and suggested that further work should be undertaken to broadly quantify the financial risk to support the Finance Strategy; and
- (f) the Executive be advised that the Board suggested that the following wording in paragraph 99 on page 15 of the Draft Strategy, “but have yet to be costed”, be replaced with “but because of the high level of uncertainty, these costs have yet to be included in the financial projections” to more accurately reflect the position.

## **8. LEISURE AND COMMUNITY**

- (1) Fareham Park Project - Action Plan

At the invitation of the Executive Leader, Councillor P J Davies addressed the Executive on this item.

RESOLVED that the Executive agrees:

- (a) to note the progress of the Fareham Park Project;
- (b) to approve the draft Action Plan;
- (c) to support the two priorities selected by the Steering Group; and
- (d) to receive an annual update on the progress of the project, as guided by the Action Plan.

## **9. STREETSCENE**

- (1) Play Area Safety Surface Replacement Programme

RESOLVED that the Executive agrees:

- (a) a budget of £350,000 funded from the open spaces maintenance reserve, be approved for a 10 year replacement programme for the Council's play area safety surfaces; and
- (b) that officers conduct a tender exercise or identify a suitable framework agreement to enable procurement of the necessary works.

## **10. PUBLIC PROTECTION**

- (1) Traffic Regulation Order Re-consolidation - Fareham Borough

RESOLVED that the Executive agrees:

- (a) that a new Borough of Fareham (Prohibition and Restriction of Waiting and Parking Places) (Consolidation) Order in Fareham Borough is introduced, so that all existing Traffic Regulation Orders covering prohibition and waiting restrictions and on-street parking places made since the last consolidation order dated 2 April 2007 are amalgamated into one new order; and
- (b) that the Executive Portfolio holder for Public Protection be given delegated authority to approve future consolidation orders.

## **11. STRATEGIC PLANNING AND ENVIRONMENT**

- (1) Environmental Sustainability Strategy - Action Plan Annual Update

RESOLVED that the Executive agrees the actions and targets in the revised Environmental Sustainability Action Plan (shown in full in Appendix A to the report) and note the achievements and completed actions since the ESAP's inception in 2010.

## **12. POLICY AND RESOURCES**

- (1) Annual Review of the Council's Finance Strategy

The Executive Leader introduced the item by explaining that analysis of financial projections has identified the need to make significant savings over the next five years.

The Executive Leader confirmed that estimates of income and expenditure over the five year period highlight a budget shortfall of £800,000 which has been caused by factors such as the ongoing reduction in Government funding, inflation and low interest rates on investments.

In anticipation of this substantial shortfall, the Executive Leader advised that he has asked the Chief Executive Officer to prepare and bring forward a range of options for the budget gap to be closed by using the four elements of the Council's Efficiency plan (Priorities, Proceeds, People/Process and Procurement) as a basis, with a view to finding £800,000 of savings by 2015.

The comments of the Scrutiny Board were taken into account for this item (see minute 7 above).

RESOLVED that the Executive agrees:

- (a) the Council's finance strategy and the budget guidelines for 2014/15, as set out in the finance strategy document attached to this report;
- (b) to note that the Chief Executive Officer must carry out a review of the Council's budgets with the aim of reducing costs by £800,000 before April 2015; and
- (c) to submit the updated Pay Policy, annexed to the Medium Term Finance Strategy, to the Council for approval.

- (2) Award of Tender: Resurfacing Contract - Approach to Fareham Shopping Centre

RESOLVED that the Executive agrees:

- (a) to approve an additional £35,000 budget provision from reserves; and
- (b) that the tender submitted by the contractor ranked 1 (as set out in the confidential appendix A), being the most advantageous tender received, be accepted and the contract awarded to the company.

- (3) Daedalus Investment Opportunity - Update

The Executive Leader, Councillor S D T Woodward, declared a Non-Pecuniary Interest for this item as he is the Hampshire County Council Executive Member for Economy, Transport and Environment and subject to approval of the item, Hampshire County Council would be appointed as the contractor for the Daedalus site.

He remained present throughout the meeting and took part in the discussion and decision.

Councillor K D Evans declared a Non-Pecuniary Interest for this item as he is the Hampshire County Councillor for Fareham Warsash and subject to approval of the item, Hampshire County Council would be appointed as the contractor for the Daedalus site.

He remained present throughout the meeting and took part in the discussion and decision.

The comments of the depute were taken into account during consideration of this item (see item 6 above).

RESOLVED that the Executive agrees:

- (a) the revised funding arrangements for the project as set out in the report;
- (b) in the event that the Growing Places loan conditions cannot be satisfied within the project timescales, the Executive supports an alternative approach backed by prudential borrowing; and
- (c) the Executive includes the project in the Council's capital programme at its next review.

### **13. EXCLUSION OF PUBLIC AND PRESS**

RESOLVED that in accordance with the Local Government Act 1972 the Public and Press be excluded from the remainder of the meeting, as the Executive considers that it is not in the public interest to consider the matters in public on the grounds that they will involve the disclosure of exempt

information, as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act.

#### **14. LEISURE AND COMMUNITY**

(1) Fareham Leisure Centre Contract

RESOLVED that the Executive agrees:

- (a) to provide £1.5m from the Council's capital reserves in 2014 to address the refurbishment of the Fareham Leisure Centre wet side facilities and pool water filtration plant; and
- (b) a five year extension to the current management contract with Sport & Leisure Management Ltd until May 2020 (as per the conditions set out in paragraph 35 of the report).

#### **15. STRATEGIC PLANNING AND ENVIRONMENT**

(1) Welborne Plan Evidence Studies

RESOLVED that the Executive notes the variation of contracts for work being undertaken.

(The meeting started at 6.00 pm  
and ended at 6.42 pm).

# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Executive

**(to be confirmed at the next meeting)**

**Date:** Monday, 4 November 2013

**Venue:** Collingwood Room - Civic Offices

**Present:**

S D T Woodward, Policy and Resources (Executive Leader)  
T M Cartwright, Public Protection (Deputy Executive Leader)  
B Bayford, Health and Housing  
K D Evans, Strategic Planning and Environment  
Mrs C L A Hockley, Leisure and Community  
L Keeble, Streetscene

**Also in attendance:**

Mrs M E Ellerton, Chairman of Health and Housing Policy Development and Review Panel  
M J Ford, JP, Chairman of Appeals Committee  
Miss T G Harper, Chairman of Streetscene Policy Development and Review Panel  
Mrs K Mandry, Chairman of Public Protection Policy Development and Review Panel  
D C S Swanbrow, Chairman of Scrutiny Board  
R H Price, JP, for item 12(1)



**1. APOLOGIES FOR ABSENCE**

There were no apologies given for this meeting.

**2. MINUTES**

RESOLVED that the minutes of the meeting of the Executive held on 7 October 2013 be confirmed and signed as a correct record.

**3. EXECUTIVE LEADER'S ANNOUNCEMENTS**

There were no Executive Leader's announcements at this meeting.

**4. DECLARATIONS OF INTEREST**

There were no Interests declared at this meeting.

**5. PETITIONS**

There were no petitions presented at this meeting.

**6. DEPUTATIONS**

There were no deputations given at this meeting.

**7. MINUTES / REFERENCES FROM OTHER COMMITTEES**

- (1) The Executive received comments from the Leisure and Community Policy Development and Review Panel regarding the Service Level Agreement Review for Community Action Fareham and took account of these comments in determining the matter at item 9(2) below:

Leisure and Community PDR Panel – 4 September 2013:

Minute 8 –Community Action Fareham Service Level Agreement (SLA) Review

It was AGREED that:-

- c) the Executive be recommended to approve an extension of the Council's current Service Level Agreement with Community Action Fareham up until 31 March 2014.
- (2) The Executive received comments from the Streetscene Policy Development and Review Panel regarding the Street Lighting Maintenance and took account of these comments in determining the matter at item 10(1) below:

Streetscene PDR Panel – 5 September 2013

Minute 8 – Street Lighting

It was AGREED that the Panel recommends to the Executive that the remaining 62 street lights should be transferred to the Hampshire County Council Street Lighting Public Finance Initiative.

## **8. HEALTH AND HOUSING AND POLICY AND RESOURCES**

### **(1) Local Housing Company**

RESOLVED that the Executive:

- (a) agrees to Fareham Borough Council forming a new Joint Venture company (limited by guarantee) in partnership with Eastleigh Borough Council, First Wessex and Radian Housing Association for the purposes of facilitating housing and economic development in the borough;
- (b) authorises the Solicitor to the Council and the Director of Finance and Resources to prepare and sign on behalf of Fareham Borough Council the necessary documents leading to the formation of the new company;
- (c) authorises the Director of Finance and Resources to incur any necessary expenditure leading to the formation of the company; and
- (d) agrees the appointment of the Executive Member for Health and Housing and the Director of Finance and Resources to serve on the Board of the company.

## **9. LEISURE AND COMMUNITY**

### **(1) Open Spaces Improvement Programme**

RESOLVED that the Executive approve the open spaces improvement programme 2013 - 2023.

### **(2) Community Action Fareham - Service Level Agreement**

The comments of the Leisure and Community Policy Development and Review Panel were taken into account in consideration of this item (see minute 7(1) above).

RESOLVED that the Executive agrees to extend the current service level agreement with Community Action Fareham until 31 March 2014.

## **10. STREETSCENE**

### **(1) Street Lighting Maintenance**

The comments of the Streetscene Policy Development and Review Panel were taken into account in consideration of this item (see minute 7(1) above).

RESOLVED that the Executive approves:

- (a) the transfer of 62 light columns to the Hampshire PFI maintenance agreement; and

- (b) the capital expenditure of £85,000 to complete the transfer.

## 11. STRATEGIC PLANNING AND ENVIRONMENT

- (1) Maintaining the Vibrancy of Fareham Town Centre: Update

RESOLVED that the Executive approves the provision of new pedestrian fingerpost signs, seats and cycle racks, along with the provision of town centre maps in car parks and advertising of town centre events in the multi-storey car parks. The total estimated cost is £75,000.

## 12. POLICY AND RESOURCES

- (1) Commercial Property Investment Acquisition Strategy

At the invitation of the Executive Leader, Councillor R H Price, JP addressed the Executive on this item.

RESOLVED that the Executive:

- (a) agrees to provide an additional £5m to fund further commercial property investment acquisitions for the reasons set out in the report; and
- (b) reaffirms the criteria for selecting investment opportunities as set out in the Commercial Property Investment Acquisition Strategy attached as Appendix B to the report and agreed by the Executive on 7 January 2013.

- (2) Land Adjoining 268 Brook Lane, Sarisbury Green

The Executive Leader agreed to bring this item forward on the agenda.

The Executive Leader announced that following an informal meeting with the ward Councillors (Councillor B Bayford and Councillor Mrs M E Ellerton) at which an alternative division of the land was suggested, both interested parties (numbers 266 and 268 Brook Lane) have agreed to the suggested compromise arrangement, subject to an independent valuation of the land.

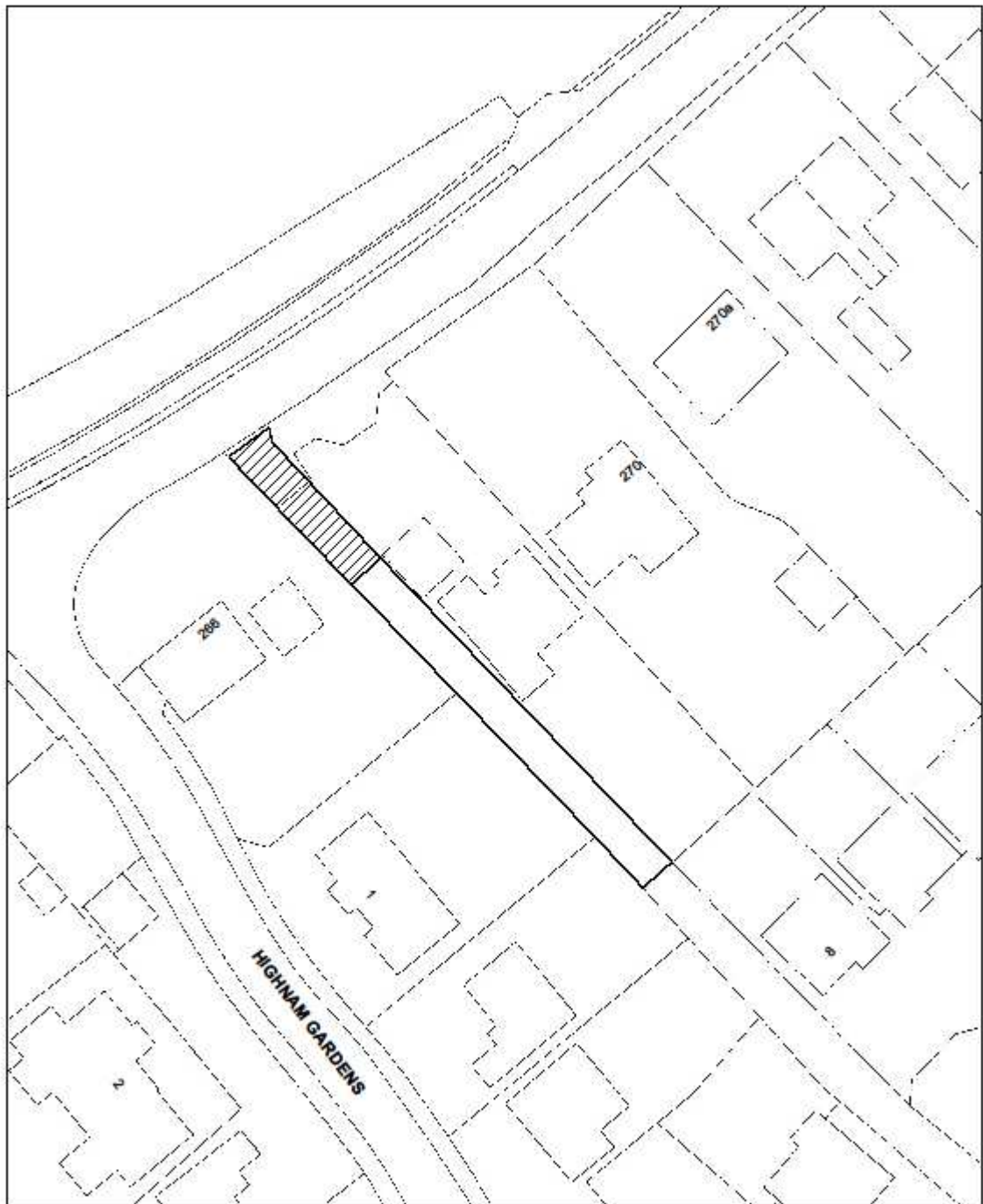
A revised plan showing the compromise arrangement was tabled at the meeting and is appended to these minutes. The hatched area on the plan represents the area of land to be ring-fenced for disposal to the owners of 266 Brook Lane with the remainder of the strip of land being ring-fenced for disposal to the owners of 268 Brook Lane.

RESOLVED that the Executive approves the compromise agreement to offer, for disposal, the land adjoining 268 Brook Lane, Sarisbury Green, subject to an independent valuation of the land and that the area of land shown hatched on the revised plan be ring-fenced for offer of disposal to the owners of 266 Brook Lane with the remainder of the strip of land being ring-fenced for offer of disposal to the owners of 268 Brook Lane, following the termination of the existing licence on 9 April 2014.



# FAREHAM

BOROUGH COUNCIL



Brook Lane

Scale 1:500

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## (3) Quarterly Financial Monitoring Report 2013/14

RESOLVED that the report on revenue and capital budget monitoring be noted.

## (4) Daedalus Investment Project: Project Appraisal and Governance Arrangements

RESOLVED that the Executive:

- (a) agrees the governance and decision-making structure as set out in Appendix A to the report;
- (b) delegates authority to the Director of Finance and Resources to:
  - i. appoint a Quantity Surveyor and Construction Project Manager for the project;
  - ii. conclude land transactions within the Enterprise Zone, sufficient to enable construction to be undertaken;
  - iii. formally sign off the final design specification for the built assets;
  - iv. award the construction contracts for the three project elements, to the most economically advantageous bidder, using previously agreed award criteria; and
  - v. award the contract for operate the Innovation Centre;with all above listed delegations being subject to the costs being contained within the overall budget available for the project and, in relation to iii, iv and v above, only following consultation with the Project Member Working Group with all decisions being reported retrospectively to the Executive; and
- (c) confirms the composition of the Project Member Working Group as Councillor T M Cartwright (Chairman), Councillor Mrs K Mandry, Councillor M J Ford, JP and Councillor J S Forrest.

## (5) Treasury Management Monitoring Report 2013/14

RESOLVED that the treasury management monitoring report be noted.

(The meeting started at 6.00 pm  
and ended at 6.21 pm).

# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Executive

**(to be confirmed at the next meeting)**

**Date:** Monday, 2 December 2013

**Venue:** Collingwood Room - Civic Offices

**Present:**

S D T Woodward, Policy and Resources (Executive Leader)  
T M Cartwright, Public Protection (Deputy Executive Leader)  
B Bayford, Health and Housing  
K D Evans, Strategic Planning and Environment  
Mrs C L A Hockley, Leisure and Community  
L Keeble, Streetscene

**Also in attendance:**

J V Bryant, Chairman of Strategic Planning and Environment Policy Development and Review Panel  
Mrs P M Bryant, Chairman of Licensing and Regulatory Affairs Committee  
Mrs M E Ellerton, Chairman of Health and Housing Policy Development and Review Panel  
M J Ford, JP, Chairman of Appeals Committee  
Miss T G Harper, Chairman of Streetscene Policy Development and Review Panel  
Mrs K Mandry, Chairman of Public Protection Policy Development and Review Panel  
D C S Swanbrow, Chairman of Scrutiny Board  
P W Whittle, JP, for items 9(1) 10(2) 10(4) and 10(5)



**1. APOLOGIES FOR ABSENCE**

There were no apologies given for this meeting.

**2. MINUTES**

RESOLVED that the minutes of the meeting of the Executive held on 4 November 2013 be confirmed and signed as a correct record.

**3. EXECUTIVE LEADER'S ANNOUNCEMENTS**

There were no Executive Leader's announcements given at this meeting.

**4. DECLARATIONS OF INTEREST**

There were no Interests declared at this meeting.

**5. PETITIONS**

There were no petitions presented at this meeting.

**6. DEPUTATIONS**

The Executive received a deputation from Mr Charles Cole in relation to item 8(1) – Hire of Open Spaces – Coles Funfair and was thanked accordingly.

The Executive received a deputation from Mr Percy O'Dell in relation to item 10(2) – 2014/15 Draft Spending Plans and was thanked accordingly.

The Executive Leader agreed to bring these items for consideration forward on the agenda.

**7. MINUTES / REFERENCES FROM OTHER COMMITTEES**

- (1) Minutes of meeting Monday, 28 October 2013 of Housing Tenancy Board

The Executive received the minutes of the Housing Tenancy Board held on 28 October 2013 and accepted comments regarding the Review of Car Parking on Housing Estates at minute 8.

RESOLVED that the Executive:

- (a) receive the minutes of the Housing Tenancy Board held on 28 October 2013;
- (b) agrees to set aside £25,000 per annum from the Housing Revenue Account Capital Programme to improve parking on Housing Estates; and
- (c) notes the Work Programme for 2013/14, as attached at Appendix A to the minutes.

- (2) References from the Scrutiny Board - 21 November 2013.
  - (a) The Executive received comments from the Scrutiny Board regarding the Council Tax Support Scheme Year 2 and took account of these comments in determining the matter at Item 10(1) below; and
  - (b) The Executive received comments from the Scrutiny Board regarding the Updates to the Constitution and took account of these comments in determining the matter at Item 10(4) below.
- (3) The Executive received comments from the Audit and Governance Committee regarding the Updates to the Constitution and took account of these comments in determining the matter at Item 10(4) below.

## **8. LEISURE AND COMMUNITY**

- (1) Hire of Open Spaces - Coles Funfair

The comments of the depute were taken into account in determining this item.

RESOLVED that the Executive grants approval for Charles Cole to operate a Community Fair at:

- (a) Titchfield Recreation Ground between 12-19 May 2014; and
- (b) Fareham Park, Hillson Drive between 11-18 August 2014, both subject to the following conditions:
  - (i) all requirements of the Council's Safety Advisory Group being met;
  - (ii) payment in advance of £300 per trading day to the Council;
  - (iii) a returnable damage deposit of £1000 payable in advance;
  - (iv) proof of £10 million public liability insurance; and
  - (v) all relevant safety certificates being supplied.

## **9. STRATEGIC PLANNING AND ENVIRONMENT**

- (1) Preparation of Welborne Plan: Quarterly Financial Update

At the invitation of the Executive Leader, Councillor P W Whittle, JP addressed the Executive on this item.

RESOLVED that the Executive notes the quarterly update on the financial costs of producing the Welborne Plan.

## **10. POLICY AND RESOURCES**

- (1) Council Tax Support Scheme 2014/15

RESOLVED that the Executive:

- (a) approves the final Council Tax Support scheme as set out in the report;
- (b) recommends the final scheme to Council for final adoption; and
- (c) approves that the Director of Finance and Resources be given delegated authority to make any necessary minor amendments, and to publish the final scheme prior to 1 April 2014.

(2) 2014/15 Draft Spending Plans

The comments of the depute were taken into account in determining this item.

At the invitation of the Executive Leader, Councillor P W Whittle, JP addressed the Executive on this item.

RESOLVED that the Executive:

- (a) approves the updated capital programme as set out in Appendix A to the report;
- (b) approves the revised revenue budget for 2013/14 and the proposed revenue budget for 2014/15, as set out in Appendix B to the report;
- (c) approves the proposed fees and charges for 2014/15, as set out in Appendix D to the report; and
- (d) requests officers to undertake a full review of beach hut rents during 2014/15.

(3) Award of Tender - Supply of Multi-Functional Devices, Print Room Equipment and Associated Software

RESOLVED that the Executive approves that the tender submitted by the contractor ranked 1 (as set out in the confidential appendix), being the most advantageous tender received, be accepted and the contract awarded to the company.

(4) Updates to the Constitution

At the invitation of the Executive Leader, Councillor P W Whittle, JP addressed the Executive on this item.

RESOLVED that the Executive:

- (a) agrees that future changes to Standing Orders should be considered by the Audit and Governance Committee, as outlined in paragraph 9 of the report; and
- (b) agrees the updated Standing Orders with Respect to Meetings, as set out in Appendix A to the report and recommends the amendments for consideration by Council.

(5) Vanguard Method Implementation Update

At the invitation of the Executive Leader, Councillor P W Whittle, JP addressed the Executive on this item.

RESOLVED that the Executive notes the progress on the implementation of the Vanguard method, as detailed in the report.

(6) Matched Funding - Update

RESOLVED that the Executive agrees:

- (a) that a matched funding award of up to £7,500 be awarded for St Margaret Mary Church, Park Gate;
- (b) the award be subject to all contributory funding being secured; and
- (c) a Community Use Agreement is entered into with St Margaret Mary Church.

**11. EXCLUSION OF PUBLIC AND PRESS**

RESOLVED that in accordance with the Local Government Act 1972 the Public and Press be excluded from the remainder of the meeting, as the Executive considers that it is not in the public interest to consider the matters in public on the grounds that they will involve the disclosure of exempt information, as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act.

**12. POLICY AND RESOURCES**

(1) Tenders - Six Monthly Report

RESOLVED that details of all tenders received and contracts awarded during the six month period ending 7<sup>th</sup> October 2013, as set out in Appendix A to the report, be noted.

(The meeting started at 6.00 pm  
and ended at 7.02 pm).





# FAREHAM

## BOROUGH COUNCIL

### SCHEDULE OF EXECUTIVE MEMBER DECISIONS

The following decisions have been made by individual Executive Members since those reported at the last ordinary meeting of Council:-

#### Health and Housing

- (1) **Emergency Lighting Upgrading Works Contract at Frosthole Close and Garden Court** (Decision 2013/14-336)

RESOLVED that tender submitted by the contractor which achieved the highest overall score, as detailed in the appended evaluation matrix, be accepted and a contract awarded to this company. (This decision is subject to call-in which will end on 11<sup>th</sup> December 2013.)

#### Policy and Resources

- (2) **Attendance at Planning Policy Seminar** (Decision 2013/14-303)

RESOLVED that approval is given for the Executive Member for Strategic Planning and Environment to attend the Planning Policy Seminar, to be held on 3rd December 2013 in London.

- (3) **Attendance at Town & Country Planning Association Annual Conference 2013** (Decision 2013/14-317)

RESOLVED that approval is given for the Executive Member for Strategic Planning and Environment to attend the Town & Country Planning Association Annual Conference and Parliamentary Reception, to be held on 20th November 2013 in London.

- (4) **Community Fund Application – David Weyman** (Decision 2013/14-337)

RESOLVED that the application for £1,500 from Fareham Council's Community Funding Programme, submitted by Mr David Weyman, for the purchase of outdoor LED Christmas lights be approved. (This decision is subject to call-in which will end on 6<sup>th</sup> December 2013.)

**(5) Community Fund Application – Crofton Judo Club** (Decision 2013/14-335)

RESOLVED that the application for £4,787.94 from Fareham Borough Council's Community Funding Programme, submitted by Mr Barnes for Crofton Judo Club for the purchase of sports mats, be approved. (This decision is subject to call-in which will end on 11<sup>th</sup> December 2013.)

**Policy and Resources**

**(6) Traffic Regulation Order – Arundel Drive** (Decision 2013/14-318)

RESOLVED that the waiting restrictions as shown at Appendix C, to the report, are introduced.

**Strategic Planning and Environment**

**(7) Article 4 Directions – Warsash and Hook Conservation Areas** (Decision 2013/14-331)

RESOLVED that the Article 4 Directions for Warsash Conservation Area and Hook Conservation Area are confirmed in accordance with the procedure set out in The Town and Country Planning (General Permitted Development) Order 1995 (as amended) to come into force on the 22 November 2013.

# FAREHAM

BOROUGH COUNCIL

## Minutes of the Scrutiny Board

**(to be confirmed at the next meeting)**

**Date:** Thursday, 21 November 2013

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

D C S Swanbrow (Chairman)

Mrs K Mandry (Vice-Chairman)

**Councillors:** Miss S M Bell, Mrs M E Ellerton, M J Ford, JP, J S Forrest, Miss T G Harper, T J Howard (deputising for J V Bryant) and D J Norris (deputising for P W Whittle, JP)

**Also Present:** Councillor B Bayford, Executive Member for Health and Housing (minute 6); and Councillor K D Evans, Executive Member for Strategic Planning and Environment.



**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J V Bryant and P W Whittle, JP.

**2. MINUTES**

It was AGREED that the minutes of the meeting of the Scrutiny Board held on 26 September 2013 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman welcomed Councillors Bayford and Evans to the meeting.

**4. DECLARATIONS OF INTEREST AND DISCLOSURES OF ADVICE OR DIRECTIONS**

There were no declarations of interest or disclosures of advice or directions made at this meeting.

**5. DEPUTATIONS**

There were no deputations made at this meeting.

**6. PRESENTATION BY, AND QUESTIONING OF, THE EXECUTIVE MEMBER FOR HEALTH AND HOUSING**

The Board received a presentation from the Executive member for Health and Housing, Councillor B Bayford, on the performance of services within the Health and Housing portfolio over the last year and on future plans. The presentation included: details of the portfolio responsibilities, current issues, local priorities and key challenges ahead in respect of Health, Strategic Housing and Council Housing.

The Executive member for Health and Housing answered members' questions concerning the presentation.

It was AGREED that:-

- (a) the Executive member for Health and Housing be thanked for his presentation; and
- (b) it be noted that members were invited to advise Councillor Bayford of any examples of problems with health services so that he could forward them to the appropriate authority.

**7. REVIEW OF THE BOARD'S WORK PROGRAMME**

The Board considered a report by the Director of Finance and Resources, which invited members to review the Board's work programme for 2013/14.

It was AGREED that:-

- (a) the programme of items as set out in Appendix A to the report be noted; and
- (b) the progress on actions since the last meeting, as set out in Appendix B to the report, be noted.

## **8. COSTS ASSOCIATED WITH THE PREPARATION WORK FOR THE WELBORNE DEVELOPMENT**

The Board considered a report by the Director of Planning and Environment on costs associated with the preparation for the Welborne development.

It was noted that the first sentence of paragraph 8 of the report had been included in error and should be deleted.

It was AGREED that the approach taken in respect of the production of the Welborne Plan, together with the cost implications and the external funding attracted to offset these, be noted.

## **9. COUNCIL TAX SUPPORT YEAR 2**

The Board considered a report by the Director of Finance and Resources on the Local Council Tax Support Scheme.

It was AGREED that the report be commended to the Executive for approval.

## **10. UPDATES TO THE CONSTITUTION**

The Board considered a report by the Director of Regulatory and Democratic Services on an update to the Constitution.

Members were advised that, following further advice from the Solicitor to the Council, the draft Standing Orders with Respect to Meetings had been further updated and copies of the revised version were circulated to those present.

It was AGREED that:-

- (a) the officers be requested to amend the wording of paragraph 6 of Appendix Two to the revised Standing Orders with Respect to Meetings, the Scheme for Deputations to Meetings of the Planning Committee, to make the situation with regard to written deputations and other written material clearer; and
- (b) subject to (a) above, the revised Standing Orders with Respect to Meetings, as shown in the revised Appendix A to the report as circulated at the meeting, be commended to the Executive.

## **11. EXECUTIVE BUSINESS**

The Chairman invited members to indicate if they wished to consider any other item of business dealt with by the Executive since the last meeting of the Board. There were no other items of Executive business considered.

(The meeting started at 6.00 pm  
and ended at 7.22 pm).

# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Planning Committee

**(to be confirmed at the next meeting)**

**Date:** Wednesday, 9 October 2013

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

**Councillors:** B Bayford, P J Davies, T M Cartwright (deputising for M J Ford, JP), K D Evans, J S Forrest (deputising for Mrs K K Trott), R H Price, JP and D C S Swanbrow.



**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors M J Ford, JP and Mrs K K K Trott.

**2. MINUTES OF PREVIOUS MEETINGS**

RESOLVED that the minutes of the meeting held on 24 September 2013 be confirmed and signed as a correct record.

**(1) Minutes of Meeting on 11 September 2013**

RESOLVED that the minutes of the Planning Committee meeting held on 11 September 2013 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

There were no Chairman's announcements made at this meeting.

**4. DECLARATIONS OF INTEREST**

In accordance with Standing Orders and the Council's Code of Conduct the following declarations of interest were made:-

Application P/13/0691/FP - Swanwick Marina, Bridge Road Swanwick - Councillor Evans and Councillor Cartwright both declared a non-pecuniary interest (minute 6(3) refers)

Application P/13/0730/OA - 2, Crofton Lane, Fareham - Councillor Forrest declared a non-pecuniary interest (minute 6(17) refers).

**5. DEPUTATIONS**

The Committee received deputations from the following in respect of the applications indicated and the deputies were thanked accordingly:-

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	MinuteNo/ Application No /Page No
<b>ZONE 1</b>				
Mr P Greenhalgh		6 Coleridge Close Warsash– garage conversion and erection of single storey front extension	<b>Opposing</b>	Minute 6(5) P/13/0728/FP
Mr Simon Gray		-ditto-	<b>Supporting</b>	-ditto-



<b>ZONE 2</b>				
Ms M Beasley		Good Manors Day Nursery, Manor Lodge, Church Path, Fareham - (A) Variation of Condition 7 P/12/1017/VC to allow increase in number of children present in rear garden at any one time to 18. (B) Variations of conditions 4 & 7 of P/12/1017/VC to allow nursery events to be held up to 5 times per year	<b>Supporting</b>	Minute 6(9) P/13/0651/VC
<b>ZONE 3</b>				
Ms L Hurst		Cams Hall Estate, Portchester Road, Fareham – Details in pursuant to condition 6 (external lighting) of P/09/0892/FP	<b>Opposing</b>	Minute 6 (12) P/09/0892/DP/F
Ms L Hurst		Cams Mill Public House, Cams Hill Fareham– Erection of various items of illuminated and non-illuminated signage	<b>Opposing</b>	Minute 6(13) P/13/0655/AD
Mrs P Cope		-ditto-	<b>-ditto-</b>	-ditto-
Mr D Marlow		2 Crofton Lane, Hill Head - Outline application for demolition of existing dwelling closure of existing vehicular access and	<b>Supporting</b>	Minute 6(17) P/13/0730/OA

		redevelopment of the site by the erection of two detached dwellings with revised access off Crofton Lane.		
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DECISIONS UNDER DELEGATED POWERS

**6. PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS INCLUDING AN UPDATE ON PLANNING APPEALS**

The Committee noted a report by the Director of Planning and Environment on development control applications and miscellaneous matters (copy of report circulated with the agenda). An Update Report was tabled at the meeting.

**(1) P/13/0531/CU - PARK GATE BUTCHERS 4B MIDDLE ROAD - PARK GATE**

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

**(2) P/13/0610/FP - 44 OSBORNE ROAD WARSASH**

The Committee was referred to the Update Report which provided the following information:- *A plan has been submitted showing one parking space on site. Suggested condition: Parking space to be laid out before the extensions hereby approved are first brought into use.*

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to:-

- (i) the conditions in the report, and
- (ii) a condition requiring the on-site parking space to be laid out before the proposed extensions are first brought into use

was voted on and CARRIED.  
(Voting: 9 in favour; 0 against)

RESOLVED that, subject to:-

- (i) the conditions in the report, and
- (ii) a condition requiring the on-site parking space to be laid out before the proposed extensions are first brought into use

PLANNING PERMISSION be granted.

**(3) P/13/0691/FP - SWANWICK MARINA BRIDGE ROAD SWANWICK**

The Committee was referred to the update report which provided the following information:- *The River Hamble Board granted Harbour works consent for the proposed development on 27 September 2013.*

Councillor Evans declared a non-pecuniary interest in this application on the grounds that he is Chairman of the River Hamble Harbour Board. Councillor Cartwright also declared a non-pecuniary interest on the grounds that he is a member of the River Hamble Harbour Management Committee.

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the condition in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the condition in the report, PLANNING PERMISSION be granted.

**(4) P/13/0720/TO - BLUEBELL 9A MONTEREY DRIVE LOCKS HEATH**

Upon being proposed and seconded, the officer recommendation to grant consent to crown raise oak to 6 metres above ground level by removing small diameter branches <75mm, tip reduce remaining upper branch work to north of crown by 2 metres to suitable growth points – maximum diameter of live pruning wounds <75mm to tree protected by Tree Preservation Order 607, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, CONSENT be granted.

**(5) P/13/0728/FP - 6 COLERIDGE CLOSE WARSASH**

The Committee received the deputations referred to in minute 5 above.

It was reported that the plan attached to the report was incorrect and did not show the correct boundary of the application site which extended into Coleridge Close

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to:-

- (i) all glass front door panels including proposed glass panels on either side of the front door to be of frosted glass; and
- (ii) the conditions in the report

was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to:-

- (i) all glass front door panels including proposed glass panels on either side of the front door to be of frosted glass; and
- (ii) the conditions in the report

PLANNING PERMISSION be granted.

**(6) P/13/0750/FP - 178A LOCKS ROAD LOCKS HEATH**

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

**(7) P/13/0751/FP - 90 PETERS ROAD LOCKS HEATH**

The Committee was referred to the Update Report which provided the following information:- *An amended plan has been received showing three car parking spaces on the frontage and correcting the errors relating to boundary and neighbouring property positioning.*

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to the conditions in the report was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

**(8) P/13/0636/FP - 95 KILN ROAD FAREHAM**

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to the conditions in the report was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

**(9) P/13/0651/VC - GOOD MANORS DAY NURSERY MANOR LODGE CHURCH PATH FAREHAM**

The Committee received the deputation referred to in minute 5 above.

The Committee was referred to the Update Report which provided the following information:- *Informative to applicant: It is advised that a minimum of one week's notice should be given in writing to the occupants of adjacent properties of the upcoming occurrence of an event at the nursery including the date and timing.*

A motion was proposed and seconded, as follows:-

Proposal (A) – to grant temporary permission for a period of 12 months for the variation of condition 7 of P/12/1017/VC, to allow an increase in the number of children permitted in the rear garden at any one time in association with the day nursery from 12 to 18; and

Proposal (B) - subject to the conditions in the report, including the informative to the applicant referred to in the Update Report, permission be granted for the variation of planning conditions 4 (Opening Hours) and 7 (Limited use of Garden) of P/12/1017/VC to allow social events to be held at the nursery for up to 5 times per year with unrestricted access to the garden.

The motion was voted on and CARRIED.  
(Voting: 9 in favour; 0 against)

RESOLVED that the application be determined as follows:-

Proposal (A) – TEMPORARY PLANNING PERMISSION be granted for a period of 12 months for a variation of condition 7 of P/12/1017/VC, to allow an increase in the number of children permitted in the rear garden at any one time in association with the day nursery from 12 to 18;

Proposal (B) - PLANNING PERMISSION be granted, subject to the conditions in the report, for the variation of planning conditions 4 (Opening Hours) and 7 (Limited use of Garden) of P/12/1017/VC to allow social events to be held at the nursery for up to 5 times per year with unrestricted access to the garden.

**(10) P/13/0712/VC - 260 WEST STREET FAREHAM**

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, for the removal of condition 4 of planning reference P/13/0187/VC, to allow cooking at the premises after 30 September 2013, was voted on and CARRIED.  
(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted for the removal of condition 4 of planning reference P/13/0187/VC, to allow cooking at the premises after 30 September 2013.

**(11) P/13/0724/FP - 9 NICHOLAS CRESCENT FAREHAM**

Upon being proposed and seconded, the officer recommendation to grant planning permission was voted on and CARRIED.  
(Voting: 9 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be granted.

**(12) P/09/0892/DP/F - CAMS HALL ESTATE PORTCHESTER ROAD FAREHAM**

The Committee received the deputation referred to in minute 5 above.

The Committee was referred to the Update Report which provided the following information:- *For point of clarification this details pursuant application relates to bollard lighting only. The additional lighting mentioned in the second paragraph on page 83 of the officers report refers to the advertisement lighting.*

A correction to the wording in the second paragraph on page 83 of the report was noted at the meeting. The Committee was advised that **all** under eaves lighting has now been removed apart from that which would light the advertisements

Upon being proposed and seconded, the officer recommendation to approve details of the external lighting scheme submitted in pursuant to condition 6 (External Lighting – Bollard lighting) of P/09/0892/FP, reduced as amended by plans and details received on 23 September 2013, was CARRIED.  
(Voting: 9 for; 0 against).

RESOLVED that the details of the external lighting scheme submitted in pursuant to condition 6 (External Lighting – Bollard lighting) of P/09/0892/FP, as amended by plans and details received on 23 September 2013, be APPROVED.

**(13) P/13/0655/AD - CAMS MILL PUBLIC HOUSE CAMS HILL FAREHAM**

The Committee received the deputations referred to in minute 5 above.

The Committee was referred to the update report which provided the following information: *Members are advised that the amended plans received on the 25th September 2013 were readvertised and the expiry date for any further comments is the 9th October 2013. An update will be provided if any additional material planning considerations are received. The comments of the Director of Planning & Environment (Conservation) - Further to my previous comments I have the following additional comments concerning the amended proposals submitted. I remain of the view that the pole sign (J) that is proposed to the east end of the car park, close to the entrance to Cams Hall Estate and the gate lodges, is inappropriate. In this location it is isolated from the pub building, prominent in important views, and harmful to the character and appearance of the conservation area and the setting of the Cams Hall and its estate buildings. Its impact is significantly increased owing to its proposed location on top of the earth bund, this will add over 2.5 m to its 3.5m height in relation to the pavement; at over 6m this is taller than the ridge of the gate lodges. Portchester Road also gradually rises from the roundabout to the estate entrance which increases the height of the sign in relation to the new pub building. In my view this sign is not acceptable in this location and should be relocated to the west to relate closely to the new pub building it is intended to advertise. Further comments received from The Fareham Society: The Society is pleased that most of its concerns and objections to the scale and amount of advertising signage and illumination proposed have been addressed; However, the Society considers that the height and positioning of the pole mounted sign is unacceptable. It would be the same height as the adjacent lodges and be positioned away from the group of pub buildings; The advertising associated with the pub should be adequate and low key and not impinge on the setting of the parkland and the long views of Cams Hall and*

*The Creek. One further comment has been received advising that the Cams Mill is in a light sensitive area and every effort should be made to respect the site and planning restrictions as detailed by the Council*

A motion was proposed and seconded, that the application be determined as follows:-

- (a) With regard to the proposed freestanding pole sign (J), currently shown as facing the A27, close to the entrance to Cams Hall Estate and the gate lodges, the Head of Development Management and Trees be delegated authority to:-
1. negotiate with the applicant for submission of an amended plan to show the proposed freestanding pole sign (J) relocated to an agreed area in the north eastern corner of the service yard within the development site; and
  2. in the event the applicant is not willing to submit an amended plan to show relocation of this freestanding sign to the agreed location within the development site, to refuse this element of the application.
- (b) The remaining proposed six signs on the building illuminated by floodlights attached to the building and the proposed amended freestanding car park entrance sign be granted consent.

The motion was voted on and CARRIED. (Voting: 7 in favour; 1 against; 1 abstention).

RESOLVED that:-

- (a) the Head of Development Management and Trees be delegated authority to:-
1. negotiate with the applicant for submission of an amended plan to show the proposed freestanding sign relocated to an agreed area in the north eastern corner of the service yard within the development site; and
  2. in the event the applicant is not willing to submit an amended plan to show relocation of the freestanding sign to the agreed location within the development site, this element of the application be REFUSED ADVERTISEMENT CONSENT.
- (b) The remaining proposed six signs on the building illuminated by floodlights attached to the building and the proposed amended freestanding car park entrance sign be GRANTED ADVERTISEMENT CONSENT

Reasons for the decision The proposed location of the free standing sign (J) at the entrance to the Cams Hall Estate is considered inappropriate and harmful to the character and appearance of the conservation area and the setting of the Cams Hall and its estate.

Policies Fareham Borough Local Plan Review; DG7 – Signs and Advertisements.

**(14) P/12/0984/MA/A - 64 CASTLE STREET PORTCHESTER**

The Committee was referred to the Update Report which provided the following information:- *Recommendation: APPROVE*

It was proposed and seconded to grant planning permission for the minor amendment to P/12/0984/FP regarding the removal of the 45 degree return on the north flank wall to a 90 degree return squaring off the extension. The proposal was voted on and CARRIED.

(Voting: 7 in favour; 2 against)

RESOLVED that PLANNING PERMISSION be granted for the minor amendment to P/12/0984/FP.

**(15) P/13/0697/FP - 73 LEITH AVENUE PORTCHESTER**

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the condition in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the condition in the report, PLANNING PERMISSION be granted.

**(16) P/13/0703/FP - 17 MONKS WAY FAREHAM**

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

**(17) P/13/0730/OA - 2 CROFTON LANE FAREHAM**

Councillor Forrest declared a non-pecuniary interest in this application on the grounds that he has already publicly expressed his views on the matter. He further declared that he would leave the room during consideration of the application taking no part in the discussion or voting thereon. Councillor Forrest then left the meeting room.

The Committee received the deputation referred to in minute 5 above.

Upon being proposed and seconded, the officer recommendation to grant outline planning permission subject to :-

- (i) receipt of comments from Natural England; and
- (ii) the conditions in the report



was voted on and CARRIED.  
(Voting: 8 in favour; 0 against)

RESOLVED that, subject to:-

- (i) receipt of comments from Natural England; and
- (ii) the conditions in the report

OUTLINE PLANNING PERMISSION be granted.

**(18) P/13/0734/FP - 6 SWORDFISH CLOSE LEE ON THE SOLENT**

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the comments of the Director of Regulatory and Democratic Services (Environmental Health), was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the comments of the Director of Regulatory and Democratic Services (Environmental Health), PLANNING PERMISSION be granted.

**(19) P/13/0784/PH - 28 MULBERRY AVENUE STUBBINGTON**

Upon being proposed and seconded, the officer recommendation to grant prior approval was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that PRIOR APPROVAL be granted.

**(20) N/13/0011 - TRAFALGAR WHARF HAMILTON ROAD PORTSMOUTH**

The Committee was referred to the update report which provided the following information: *The following additional consultee comments have been received:*

*Director of Planning & Environment (Highways): There are concerns over the detail contained in the Transport Assessment (TA) relating to the use of the Paulsgrove Ward as the basis for the estimated trip distribution given that the socioeconomic profile of residents living on the site and the attraction to Portchester, rather than Portsmouth, may differ from that of existing residents in the Ward. Ward data is often used to predict travel mode and distribution although, in the case of this site, it would be more appropriate to combine this with Portchester East ward data, given the position of the site almost on the boundary between the two wards. This would better predict the likely impacts to ensure that the supporting information is precise and accurate enough to inform the Local Planning Authority's decision. There is also an absence of accident data provided in the TA for the section of A27 East Street, west of Portsdown and thus no indication of an intrinsic highway safety problem along this section, including the Castle Trading Estate signalised junction. In essence, therefore, the assessment has largely concentrated on the impact*

*upon Portsmouth with no real account being taken of the attractions of Portchester or Fareham etc. to the west.*

*With regard to the effect on the immediate surrounding highway network to the west of the site, the TA predicts a 16% increase in inbound vehicles into the Trading Estate in the morning peak and an 11% increase in outbound vehicles in the afternoon peak. Having taken these increases into account, it is considered that the existing signalised junction layout with the Trading Estate Road and East Street will still be capable of dealing with the increased flows. The Trading Estate Road provides the most direct route for not only motorists but also pedestrians and cyclists travelling between the southern half of the site and Portchester, including the nearest railway station and, further westwards, Fareham. Given the anticipated increase in vehicle movements, an associated increase in cycle journeys and pedestrians is also likely to occur and given the poor condition of the pavements along the Trading Estate Road and the lack of cycle lane provision to link up with that on the A27, it is considered that highway improvements should be sought in this regard to improve sustainable transport links.*

*It is recommended that a holding highway objection should be raised to the application until a more comprehensive transport assessment is completed and measures have been secured to improve accessibility to the west of the site.*

*Eastern Solent Coastal Partnership:*

*We have had the opportunity to review the revised Flood Risk Assessment for the above site following our holding objection response of 24 October 2012 to the previously submitted outline application 12/00998/OUT. We can confirm that we are now in a position to support the proposal subject to a number of conditions that we propose to the PCC planning team around scheme delivery. We consider that the proposal and associated onsite flood defences in combination with the financial contribution towards a wider scheme offer a real opportunity to improve the flood and coastal erosion risk management assets and standard of protection that they offer to people and property within the locality. We can also confirm that the coastal defence proposals are in line with the recommendation of Hold The Line - Improve, from the Portchester Castle to Emsworth Draft Coastal Flood and Erosion Risk Management Strategy. This Coastal Strategy has also now been approved and adopted by both Portsmouth City Council and Fareham Borough Council. Through securing of contributions from this development it will also be possible to deliver a standard of protection over and above that proposed in the Coastal Strategy.*

*The flood defence work identified as being needed by the Portchester to Emsworth Flood & Coastal Erosion Risk Management Strategy to reduce the risk of flooding to the existing community between Paulsgrove and Portchester Castle would not currently score highly enough for it to become a national priority and secure Flood Defence Grant in Aid funding in whole. A significant external financial contribution is therefore considered necessary to increase the score to a level which would secure FDGiA. Without this contribution the coastal defence scheme is unlikely to go ahead.*

*The Flood Risk Assessment (FRA) proposes a package of measures to manage risk to an acceptable level. The most significant of these is the construction of an on-site tidal flood defence wall, and a financial contribution towards the off-site tidal flood defences that are required to address flood flow routes originating from outside the site boundary. Further measures are proposed to manage the residual risk of tidal flooding, and to manage the risk of flooding from other sources.*

*The off-site flood defences are likely to be delivered either by the Eastern Solent Coastal Partnership or the Environment Agency as a 'lead' authority. We have worked in partnership with the Environment Agency and used the best available information to determine the amount of central government Flood Defence Grant in Aid for which this scheme is likely to be eligible. The contribution offered by the developer equates to the best estimate of the sum of money that would be needed to supplement and secure the proportion of FDGiA available, and meet the full cost of the off-site flood defence scheme across 100 years.*

*It should be noted, however that competition for the limited amount of available FDGiA varies from year to year and there cannot therefore be certain over funding for the off-site scheme in any given year. We are, however, confident that the proposed contribution would offer a good likelihood of enabling the off-site scheme to be delivered. It should be noted that the off-site flood defence scheme is to be delivered in 2 phases. The level of necessary contribution has been calculated based on the assumption that a proportion of the contribution will be held to accrue at a standard rate, to be sufficient in value to unlock the required FDGiA when the second phase of work is required. This will therefore need to be administered by the relevant Authority. If a contribution and funding can be secured, the scheme will reduce the risk of flooding to 410 existing homes and bring nearly £84million of benefits. As approximately 80% of the homes that will benefit from an improved standard of protection lie within Fareham Borough, the community in Fareham will enjoy nearly £67million of the total £84million benefits. The remaining benefits are found in Portsmouth.*

*Benefits are counted against a number of 'outcome measures', included within this are properties protected and the costs of them not flooding. In this instance it is purely coincidence that there is an £8.4m cost and £84m in benefits.*

*Director of Planning & Environment (Ecology):*

*The application is supported by various ecological information contained within the ES. I would recommend that Portsmouth City's attention is drawn to the previous comments of their ecologist, and any comments which are made in respect of this new submission. It would appear that various concerns raised previously are still not addressed by this application and therefore remain outstanding. For example, the ecological assessment does not appear to fully address impacts to the Solent European designated sites, and assess the full extent of the proposals including the flood defence works. There also appear to be outstanding protected species issues. The ES states (12.86) that the scheme will contribute to upgrades to the flood defences around Portsmouth Harbour which will be implemented by the Environment Agency, and that the full details of the flood defences will be presented in an Environmental Management Plan. As far as I am aware this EMP has not yet been provided but would appear to contain information required for the determination of this*

*application. The proposal still appears potentially to rely partially on the EA's Medmerry habitat creation project in West Sussex as mitigation, which Portsmouth's ecologist raised concerns about in the previous application.*

*Fareham's interests:*

*We previously highlighted that it had been identified there would be a permanent minor adverse effect on nearby SINC's through the increase in recreational use. Castle Shore SINC and Urchins Copse SINC both lie outside of the development boundary and within the borough of Fareham. Our previous concern related to the fact that whilst the application suggested that footpath improvements would encourage visitors to walk around the edge of the Castle Shore park, there was no evidence to support this and detailed information (including relating to flood defences) was not provided. My concern is that there is still a lack of details about the proposed works and the impacts of those, inconsistency regarding what is actually proposed as part of this scheme, and finally lack of demonstration of how the works and associated funding will be secured through this application.*

*The current application (ES Non-technical summary, paragraph 97) mentions the upgrade of the footpath which leads from the site to the [Castle Shore] SINC. I have been unable to locate any details of this. Similarly it mentions a path associated with the new flood defences which will encourage visitors to walk around the edge of the park, away from more sensitive areas. I have not been able to locate details of this, and would highlight to Portsmouth City that the impact of this proposed path will need to be assessed with regards to impacts upon the European designated sites. My understanding is that the previously proposed footpath upgrades within the Castle Shore Park and surrounding areas are no longer planned, presumably due to the applicant having no control over the relevant land. The timing of provision of a new footpath alongside the SINC, relative to progression of development, appears not to have been set out.*

*However, the ES (section 12.129) states that although only minor adverse impacts are predicted on Castle Shore Park and Urchins Copse SINC's, a contribution will be made to Hampshire County Council to undertake measures to manage the additional visitors and associated impacts. Prior to the first inhabitant moving into the site, an information board will be installed at the northern entrance to Castle Shore Park (which will describe the interest features of the parts and of Portsmouth Harbour and to encourage people to keep to the footpaths, avoid disturbing waterbirds and keep their dogs on a leash). It is stated that annual funding would be provided for fifteen years for vegetation management. The funding would cover the costs of reseeding areas of the park that become degraded with grasses more tolerant of trampling. Similarly funding would be provided to control the encroachment of scrub into the more diverse grassland habitats. To combat the problems created by an increase in domestic dogs, two new dog waste bins will be provided along the main paths and funding would be provided for these to be emptied on a regular basis for 15 years.*

*These measures sound reasonable, and Hampshire County Council Countryside team, as owners and managers of the site, are best placed to comment on the proposed measures and their likely success in mitigating anticipated impacts. However, it is noted that at Appendix E6 of the ES it is*

*stated that it has been agreed that upgrading the permissive path, path 114, providing dog bins and interpretation boards in the park should be sufficient to offset the impacts of the scheme on the [Castle Shore] SINC and that the paths, bins and boards would need to be maintained for 15 years. This differs from what is set out in the main body of the ES and as such it remains unclear as to what works are actually proposed. This is surprising considering we provided detailed feedback previously on what information would be required. Further to this, the email correspondence from HCC Countryside contained within Appendix E6 suggests various other measures, including relating to other Countryside sites within Fareham Borough, should be provided. It is unclear whether these form part of the proposals.*

*Ultimately, measures will be required associated with at least the Castle Shore Park SINC, in order to mitigate for the anticipated impacts. Prior to determination of any application it will be necessary for the applicant to make clear what these proposals include, how the works will be carried out (taking into account any mitigation required for those works themselves, e.g. timing, methodology), and that the amount of funding secured through a S106 is sufficient to deliver those measures. My understanding is that a S106 will need to be prepared prior to determination of this application.*

*Officer comments:*

*In light of the above response from the Council's Ecologist, Officers consider that the previous objection has not been satisfactorily addressed in relation to the matter raised concerning the impact of the development on nearby protected habitats and species. An additional point of objection should therefore be included and the revised Officer recommendation is set out in full below for members consideration.*

*Recommendation:*

*Fareham Borough Council objects to the proposed development on the grounds that:*

*a) it would, by virtue of the inclusion of a ten storey tall building on the site, detract from the townscape character of Portchester and would be harmful to both the setting of Portchester Castle and the character and appearance of the Castle Street conservation area;*

*b) insufficient detail has been provided to demonstrate that the increase in vehicular movements to and from the site as a result of the development would not have unacceptable adverse implications on the wider strategic highway network;*

*c) in the absence of improvements to pedestrian and cycle links between the site and Portchester centre the development would have an unacceptable impact on the safety and convenience of users of the highway network and would fail to contribute towards the provision of sustainable transport options;*

*d) the development would fail to protect and enhance nearby designated protected habitats and species.*

*Fareham Borough Council requests that Portsmouth City Council formally reconsult this authority if any further information is received in respect of points a) to d) above.*

*The agent has submitted a letter on behalf of his client making some key observations relating to the committee report: The last two grounds for rejection have been put forward to Members without the advice of the Director of Planning and Environment (Highways). Discussions have taken place between the applicant, Hampshire County Council and Portsmouth City Highways and it is agreed there will be no adverse impact on the strategic highway network. Furthermore, there are no safety issues as there is no impediment for anyone wishing to walk or cycle along the length of the A27. The scheme is the submission of an amended scheme following discussions in several cases with officers of Fareham and in all cases with officers of Portsmouth City Council; It is unnecessary to repeat parts of the report which are factually correct but suffice to say the first reason for objecting is no doubt a typing error as the body of the report recognises that the previously designed twelve storey building has been reduced to just ten. It is a matter of judgement but having discussed the matter with officers at Portsmouth and accepting that English Heritage raised no objections to the twelve storey structure, it is considered that a ten storey building makes a positive contribution to the regeneration of the area and, in combination with the mixed form of commercial, industrial and residential development the scheme raises the quality of this entire area, creating the type of employment opportunities that the City requires and perhaps most important of all provides flood defences to a much wider area around Portchester and the harbour area which currently does not exist and for which otherwise there is no funding;*

*In summary, the applicant has taken on board the comments from both Fareham BC's planning Committee and officers at the City Council in respect of the now withdrawn application. The result of this new proposal will attract enormous economic and social benefits to the local community including new housing, major flood defence works and a range of employment opportunities*

A motion was proposed and seconded to approve the officer recommendation, as detailed in the Update Report, to object to the proposed development on the following grounds:-

(a) it would, by virtue of the inclusion of a ten storey tall building on the site, detract from the townscape character of Portchester and would be harmful to both the setting of Portchester Castle and the character and appearance of the Castle Street conservation area;

(b) insufficient detail has been provided to demonstrate that the increase in vehicular movements to and from the site as a result of the development would not have unacceptable adverse implications on the wider strategic highway network; and

(c) in the absence of improvements to pedestrian and cycle links between the site and Portchester centre the development would have an unacceptable impact on the safety and convenience of users of the highway network and would fail to contribute towards the provision of sustainable transport options; and

d) the development would fail to protect and enhance nearby designated protected habitats and species

was voted on and CARRIED.  
(Voting: 9 in favour; 0 against).

RESOLVED that:-

- (i) The Council's response to the consultation by Portsmouth City Council on outline planning application N/13/0011, be as follows:-
  - (a) it would, by virtue of the inclusion of ten storey tall building on the site, detract from the townscape character of Portchester and would be harmful to both the setting of Portchester Castle and the character and appearance of the Castle Street conservation area;
  - (b) insufficient detail has been provided to demonstrate that the increase in vehicular movements to and from the site as a result of the development would not have unacceptable adverse implications on the wider strategic highway network;
  - (c) in the absence of improvements to pedestrian and cycle links between the site and Portchester centre the development would have an unacceptable impact on the safety and convenience of users of the highway network and would fail to contribute towards the provision of sustainable transport options; and
  - d) the development would fail to protect and enhance nearby designated protected habitats and species.
- (ii) Portsmouth City Council be requested to formally re-consult this authority if any further information is received in respect of points (a) to (d) above.

## **(21) Planning Appeals**

The Committee noted the information in the report.

## **(22) Update Report**

The Update Report was tabled at the meeting and considered with the relevant agenda items.

(The meeting started at 2.30 pm  
and ended at 5.10 pm)





# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Planning Committee

**(to be confirmed at the next meeting)**

**Date:** Wednesday, 20 November 2013

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

**Councillors:** B Bayford, T M Cartwright (deputising for K D Evans)  
P J Davies, M J Ford, JP, Mrs C L A Hockley (deputising for D C  
S Swanbrow), R H Price, JP and Mrs K K Trott,

**Also Present:** Councillor L Keeble (Minute 7(15) and Councillor D J Norris  
(Minute 7 (18))



**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors K D Evans and D C S Swanbrow.

**2. MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Planning Committee meeting held on 9 October 2013 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman informed members that this was the last meeting to be attended by the Committee's legal advisor Ann Greaves, (Principal Solicitor, Southampton City Council) before she takes up a new post . On behalf of the Committee Ann was thanked for her contribution to the work of the Committee and sent good wishes in her new job.

**4. DECLARATIONS OF INTEREST**

In accordance with Standing Orders and the Council's Code of Conduct Councillor Mrs Hockley declared a non-pecuniary interest in application P/13/0754/FP – Bath Lane Recreation Ground, Fareham (minute 7(11) refers)

**DECISIONS UNDER DELEGATED POWERS**

*(It was proposed and agreed by the Committee that agenda Item 6 be brought forward for consideration)*

**5. SPENDING PLANS 2014/15**

The Committee considered a report by the Director of Finance and Resources which set out the overall level of revenue spending on the Committee's services and sought approval for the revised budget for 2013/14 and the base budget for 2014/15.

RESOLVED that:-

- (a) the revised budget for 2013/14 be approved;
- (b) the 5% increase for pre-application advice for 2014/15 be approved;  
and
- (c) the base budget for 2014/15 be approved.

**6. DEPUTATIONS**

The Committee received deputations from the following in respect of the applications indicated and the deputees were thanked accordingly:-

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	Minute No/ Application No
Ms S Green		69 Swanwick Lane, Swanwick – Formation of manege and extension to stable block	<b>Supporting</b>	Minute 7(4) P/13/0769/FP
Mr J McNaught (on behalf of Ms N Fisher)		167 Hunts Pond Road, Park Gate, – Erection of single storey rear extension and conservatory, provision of front and rear dormers with first floor side roof light to serve loft conversion	<b>Opposing</b>	Minute 7(5) P/13/0774/FP
Mrs A Marodeen		239 West Street, Fareham – Change of use from alarm company office (use class B1) to a children’s day nursery (use class D1)	<b>Supporting</b>	Minute 7(12) P/13/0785/CU
Mr B Alldis	Ms H Lovett Mr D Turner Mr A Robinson Mr R Lacey Mr Cataroche	28 Langstone Walk, Fareham – Erection of single storey side extension to create garage, family room and utility room	<b>Opposing</b>	Minute 7(15) P/13/0858/FP
Mr J Romer		166 Old Street, Fareham – Erection of front porch, single storey rear and side extensions	<b>Supporting</b>	Minute 7(17) P/13/0779/FP

Mr S Cunningham		2-3 New Parade, 38 West Street, Portchester – Change of use of double unit to retail, day nursery, small meeting/training room	<b>Supporting</b>	Minute 7(18) P/13/0789/CU
Ms P Houghton Clarke (Agent)		-ditto-	<b>-ditto-</b>	-ditto-
Mr J Hancock		-ditto-	<b>-ditto-</b>	-ditto-
Mr R Reay (Agent)		20-26 Titchfield Road, Fareham – Erection of four two bedroom detached bungalows with associated access, parking and landscaping	<b>Supporting</b>	Minute 7(19) P/13/0807/FP
Mr P Sweetenham		TPO 684 – 6 & 8 Abshot Close, Titchfield Common	<b>Opposing</b>	Minute 8(3) TPO 684

## 7. PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS INCLUDING AN UPDATE ON PLANNING APPEALS

The Committee noted a report by the Director of Planning and Environment on development control applications and miscellaneous matters. An Update Report was tabled at the meeting.

### (1) P/13/0714/FP - 22 DENE CLOSE PARK GATE

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting:9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

**(2) P/13/0742/OA - 33 LOWER DUNCAN ROAD PARK GATE**

Upon being proposed and seconded, the officer recommendation to grant outline planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, OUTLINE PLANNING PERMISSION be granted.

**(3) P/13/0760/FP - 48 SHORE ROAD WARSASH**

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

**(4) P/13/0769/FP - 69 SWANWICK LANE SWANWICK**

The Committee received the deputation referred to in minute 6 above.

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

**(5) P/13/0774/FP - 167 HUNTS POND ROAD PARK GATE**

The Committee received the deputation referred to in minute 6 above.

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the condition in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the condition in the report, PLANNING PERMISSION be granted.

**(6) P/13/0805/FP - 56 SHORE ROAD WARSASH**

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the condition in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the condition in the report, PLANNING PERMISSION be granted.

**(7) P/13/0818/TO - 5 THE FARTHINGS TITCHFIELD COMMON**

Upon being proposed and seconded, the officer recommendation to grant consent to fell one oak tree protected by Tree Preservation Order no. 501, subject to the conditions in the report, was voted on and CARRIED.  
(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, CONSENT be granted to fell one oak tree protected by Tree Preservation Order no. 501.

**(8) P/13/0843/TO - 11 SOUTHAMPTON ROAD PARK GATE**

Upon being proposed and seconded, the officer recommendation to grant consent, subject to the conditions in the report, for the removal of the following:-

- (i) one lower left lateral limb,
- (ii) three lowest limbs back to source,
- (iii) deadwood; and
- (iv) three old stubs

on one oak tree protected by Tree Preservation Order no. 334, was voted on and CARRIED.  
(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, CONSENT be granted for the removal of one lower left lateral limb, three lowest limbs back to source, deadwood and three old stubs, on one oak tree protected by Tree Preservation Order no. 334.

**(9) P/09/1024/FP - 69 BOTLEY ROAD PARK GATE**

Upon being proposed and seconded, the officer recommendation that the applicant/owner enters into a Deed of Variation on terms drafted by the Solicitor to the Council to allow deferment of open space contributions until the first dwelling granted under planning permission P/09/1024/FP is first occupied, was voted on and CARRIED.  
(Voting: 9 in favour; 0 against)

RESOLVED that the applicant/owner enters into a Deed of Variation on terms drafted by the Solicitor to the Council to allow deferment of open space contributions until the first dwelling granted under planning permission P/09/1024/FP is first occupied.

**(10) P/12/0974/FP - LAND AT PETERS ROAD LOCKS HEATH**

The Head of Development Management and Trees provided the Committee with a verbal update. Members were advised that the amount of open space which had been secured through the planning permission exceeds the minimum amount the Council would normally seek based on the number and size of houses provided. To meet the Environment Agency's requirements for a balancing pond, a portion of the approved public open space would need to be used to accommodate the pond. Consequently a variation is required to the current legal agreement entered into as part of the planning permission concerning the amount of land on the site restricted for use as public open space.

A motion to approve was proposed and seconded as follows:-

- (1) Subject to the applicant/ owner first entering into a deed of variation to the existing planning obligation (s) in place at this site, on terms drafted by the Solicitor to the Council, to secure the following matters:-
  - (i) Remove the area occupied by the balancing pond from the area of public open space as defined on the plan attached to the earlier planning obligation;
  - (ii) A requirement to ensure that the balancing pond is within the responsibility of a management company
  - (iii) A requirement to provide details of how the management company who will be responsible for the future maintenance and upkeep of the balancing pond will be formed and their responsibilities; and
  - (iv) A requirement to erect a fence around the balancing pond (details to be agreed) and to ensure its future maintenance and upkeep by the management company.

The motion was CARRIED.

(Voting: 8 in favour; 0 against; 1 abstention).

RESOLVED to APPROVE the amendments to the approved layout for Planning Application P/12/0974/FP:-

- (1) Subject to the applicant/ owner first entering into a deed of variation to the existing planning obligation (s) in place at this site, on terms drafted by the Solicitor to the Council, to secure the following matters:
  - (i) Remove the area occupied by the balancing pond from the area of public open space as defined on the plan attached to the earlier planning obligation;
  - (ii) A requirement to ensure that the balancing pond is within the responsibility of a management company
  - (iii) A requirement to provide details of how the management company who will be responsible for the future maintenance and upkeep of the balancing pond will be formed and their responsibilities; and

- (iv) A requirement to erect a fence around the balancing pond (details to be agreed) and to ensure its future maintenance and upkeep by the management company.

**(11) P/13/0754/FP - BATH LANE RECREATION GROUND FAREHAM**

Councillor Mrs Hockley declared a non-pecuniary interest in this application as Executive Member for Leisure and Community.

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

**(12) P/13/0785/CU - 239 WEST STREET FAREHAM**

The Committee received the deputation referred to in minute 6 above.

The Committee was referred to the update report which provided the following information:- *Comments of the Director of Regulatory and Democratic Services (Environmental Health) - Further to the receipt of a revised acoustic report in support of the application, I can advise that I am satisfied with the information provided, subject to the following conditions being applied in line with the reports findings: - The applicants shall submit, prior to the use commencing, a written noise management plan, to be approved in writing by the LPA. - The external play area is to be limited to Play area 2 furthest away from the majority of noise sensitive premises.*

*Additional conditions: Noise management plan, Limit external play to Play Area 2, Contaminated land site investigation required if soft landscaping of external play area is proposed.*

It was reported that the age range of children to be accommodated should read 0 – 2yrs 7 months and not 30 months as stated.

Upon being proposed and seconded, the officer recommendation to grant permission for a change of use subject to:-

- (a) the conditions in the report; and
- (b) the additional conditions proposed in the Update Report.

was voted on and CARRIED.

(Voting: 9 in favour; 0 against)



**Note:** The Committee also requested the inclusion of an informative note to the applicant requesting that where possible parents should be discouraged from using the car park for Western Court as a dropping off/collection point for children attending the nursery.

RESOLVED that, subject to:-

- (a) the conditions in the report; and
- (b) the additional conditions proposed in the update report.

Add an informative note to the applicant requesting that where possible parents should be discouraged from using the car park for Western Court as a dropping off/collection point for children attending the nursery.

**(13) P/13/0790/VC - 1-3 PEAK LANE FAREHAM**

Upon being proposed and seconded, the officer recommendation to grant planning permission for the variation of condition 13 of P/12/0246/FP (to gain permitted development rights for plots JT1 and JT2), subject to the conditions in the report, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted for the variation of condition 13 of P/12/0246/FP (to gain permitted development rights for plots JT1 and JT2).

**(14) P/13/0839/FP - 42 HILL PARK ROAD FAREHAM**

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the condition in the report, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that, subject to the condition in the report, PLANNING PERMISSION be granted.

**(15) P/13/0858/FP - 28 LANGSTONE WALK FAREHAM**

The Committee received the deputation referred to in minute 6 above.

At the invitation of the Chairman, Councillor Keeble addressed the Committee on this application.

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 5 in favour; 3 against; 1 abstention)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

**(16) P/13/0759/FP - 25 LONSDALE AVENUE PORTCHESTER**

The Committee was referred to the Update Report which provided the following information:- *Further details have been submitted by the applicant to satisfy the requirements of the conditions suggested in the Officer's committee report and to avoid the need for them to be imposed. The materials to be used include stonewold concrete slate-effect roof tiles to match those currently on the dwelling. The gable end to be constructed will be rendered and colour washed in a light colour. A block plan has been submitted demonstrating space on the frontage of the property for parking three vehicles.*

*Recommendation: PERMISSION*

Upon being proposed and seconded the officer recommendation to grant planning permission, as per the Update Report, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that PLANNING PERMISSION be granted.

**(17) P/13/0779/FP - 166 OLD STREET FAREHAM**

The Committee received the deputation referred to in minute 6 above.

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the condition in the report, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that, subject to the condition in the report, PLANNING PERMISSION be granted.

**(18) P/13/0789/CU - 2-3 NEW PARADE 38 WEST STREET PORTCHESTER**

The Committee received the deputations referred to in minute 6 above.

At the invitation of the Chairman Councillor Norris addressed the Committee on this application.

A motion was proposed and seconded, that the officer recommendation to grant planning permission for change of use, subject to the conditions in the report, be approved. The motion was voted on and was NOT CARRIED.

(Voting: 2 in favour; 6 against). (N.B. Councillor Bayford had left the meeting when this matter was considered).

A further motion was proposed and seconded that the application be granted planning permission for a change of use subject to:-

- (i) the conditions in the report, and
- (ii) a condition stating that the development of the nursery element of the proposal shall not commence until evidence has been provided to the satisfaction of the local planning authority that the nursery meets the requirements of Ofsted.

The motion was voted on and CARRIED.

(Voting: 7 in favour; 1 abstention).

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that subject to:-

- (i) the conditions in the report, and
- (ii) a condition stating that the development of the nursery element of the proposal shall not commence until evidence has been provided to the satisfaction of the local planning authority that the nursery meets the requirements of Ofsted.

PLANNING PERMISSION be granted.

#### **(19) P/13/0807/FP - 20-26 TITCHFIELD ROAD FAREHAM**

The Committee received the deputation referred to in minute 6 above.

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

**(20) P/13/0922/FP - 5 FARM HOUSE CLOSE FAREHAM**

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the condition in the report, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that, subject to the condition in the report, PLANNING PERMISSION be granted.

**(21) Planning Appeals**

The Committee noted the information contained in the report. It was requested that officers prepare a report for a future meeting which provided an analysis of the appeal decisions received from 31 January 2013 when details were last reported to members.

RESOLVED that a summary report analysing Planning Appeal decisions received from 31 January 2013 be prepared for the next meeting of the Committee on 18 December 2013.

**(22) Update Report**

The Update Report was tabled at the meeting and considered with the relevant agenda items.

**8. TREE PRESERVATION ORDERS**

The Committee considered the confirmation of the following Fareham Tree Preservation Orders to which objections had been received.

**(1) Fareham Tree Preservation Order 645 - Land at Sarisbury Court: Sarisbury Court Gardens & woodland to the east, The Birches, The Dell, Alban House, Timbers and Fynone 91 Holly Hill Lane.**

The Committee considered a report by the Director of Planning and Environment regarding confirmation (subject to minor amendment) of Fareham Tree Preservation Order No 645 to which an objection (in respect of a provisional order made in July 2013) had been received.

A motion was proposed and seconded that, subject to the removal of T14 and T42 from the order and an amendment to the description of woodland ( W1) to read "all species", Fareham Tree Preservation Order No 645 be confirmed. Upon being put to the vote the motion was CARRIED.

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that, subject to the removal of T14 and T42 from the order and an amendment to the description of woodland (W1) to read "all species", Fareham Tree Preservation Order No 645 be confirmed.

**(2) Fareham Tree Preservation Order 652 - The Glade, The Copse & Kingston Gardens, Fareham.**

The Committee considered a report by the Director of Planning and Environment regarding confirmation (subject to a minor modification) of Fareham Tree Preservation Order No 652 to which an objection (in respect of a provisional order made in July 2013) had been received. It was also requested that should Fareham Tree Preservation Order No 652 be confirmed then the existing Fareham Tree Preservation Order No 33 be revoked as, where appropriate, those trees currently worthy of protection have been included in the new Order.

A motion was proposed and seconded that, subject to the re-plotting of the position of trees T1, T2 and T40 on the TPO map, Fareham Tree Preservation Order No 652 be confirmed and Fareham Tree Preservation Order No 33 be revoked. Upon being put to the vote the motion was CARRIED

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that:-

- (a) Subject to the re-plotting of the position of trees T1, T2 and T40 on the TPO map, Fareham Tree Preservation Order No 652 be confirmed; and
- (b) Fareham Tree Preservation Order No 33 be revoked as, where appropriate, those trees currently worthy of protection have been included in the new Order.

**(3) Fareham Tree Preservation Order No 684 - 6 and 8 Abshot Close, Titchfield Common**

The Committee received the deputation referred to in minute 6 above.

The Committee considered a report by the Director of Planning and Environment regarding confirmation of Fareham Tree Preservation Order No 684 to which an objection (in respect of a provisional order made in July 2013) had been received.

A motion was proposed and seconded that Fareham Tree Preservation Order No 684 be confirmed as made and served. Upon being put to the vote the motion was CARRIED.

(Voting: 5 in favour; 3 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that Fareham Tree Preservation Order No 684 be confirmed as made and served.

**(4) Fareham Tree Preservation Order No 685 - Priestfields, Ascot Close & Locks Heath Free Church, Titchfield Common**

The Committee considered a report by the Director of Planning and Environment regarding confirmation of Fareham Tree Preservation Order No 685 to which an objection (in respect of a provisional order made in July 2013) had been received. It was also requested that should Fareham Tree Preservation Order No 685 be confirmed then the existing Fareham Tree Preservation Orders No 154 and 315 be revoked as, where appropriate, those trees currently worthy of protection have been included in the new Order.

A motion was proposed and seconded that, Fareham Tree Preservation Order No 685 be confirmed and Fareham Tree Preservation Orders No 154 and 315 be revoked. Upon being put to the vote the motion was CARRIED

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that:-

- (a) Fareham Tree Preservation Order No 685 be confirmed as made and served; and
- (b) Fareham Tree Preservation Orders No 154 and 315 be revoked as, where appropriate, those trees currently worthy of protection have been included in the new Order.

(The meeting started at 2.30 pm  
and ended at 6.16 pm).

# FAREHAM

BOROUGH COUNCIL

## Minutes of the Strategic Planning and Environment Policy Development and Review Panel

(to be confirmed at the next meeting)

**Date:** Tuesday, 5 November 2013

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

J V Bryant (Chairman)

T J Howard (Vice-Chairman)

**Councillors:** J S Forrest, Miss T G Harper, A Mandry, P J Davies (deputising for N J Walker) and Mrs K K Trott (deputising for P W Whittle, JP)

**Also Present:** Councillor K D Evans (Executive Member for Strategic Planning and Environment)



## **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor N J Walker and Councillor P W Whittle, JP.

## **2. MINUTES**

It was AGREED that the minutes of the meeting of the Strategic Planning and Environment Policy Development and Review Panel held on 3 September 2013 be confirmed and signed as a correct record.

## **3. CHAIRMAN'S ANNOUNCEMENTS**

There were no Chairman's announcements made at this meeting.

## **4. DECLARATIONS OF INTEREST AND DISCLOSURES OF ADVICE OR DIRECTIONS**

In accordance with Standing Orders and the Council's Code of Conduct Councillor Howard declared a non-pecuniary interest in agenda item 8, Presentation – Parking Update (see minute 8 below).

## **5. DEPUTATIONS**

There were no deputations made at this meeting.

## **6. PETITION**

The Panel received a report from the Director of Planning and Environment regarding the submission of a petition which requested the Council to put an end to infill developments particularly in the Locks Heath area.

Members were referred to appendix A of the report which provided details of the planning policies most relevant to infill development. It was noted that the Draft Development Sites and Policies Plan (October 2012) is still in preparation and therefore this may provide an opportunity to consider if a specific policy concerning infill development would be a necessary addition to the existing and emerging policies. The Panel discussed the matter in more detail, in particular the proposal that the petition be referred to the Development Sites and Policies Plan Member Working Group so that the petitioner's views could be taken into account when considering other comments and representations submitted on the Draft Plan.

It was AGREED that :-

- (a) the petition be noted,
- (b) the petitioners be informed of the current and emerging planning policy in relation to infill developments, and
- (c) the request be referred to the Development Sites and Policies Plan



Member Working Group for consideration alongside other representations and comments made on the Draft Plan, to consider whether a specific policy concerning residential infill development would be a necessary addition to the existing and emerging suite of policies.

## **7. PRESENTATION/QUESTION & ANSWER SESSION WITH REPRESENTATIVES OF THE ECONOMY, TRANSPORT AND ENVIRONMENT DIRECTORATE OF HAMPSHIRE COUNTY COUNCIL**

The Panel received a presentation from the following representatives of the Economy, Transport and Environment Directorate, Hampshire County Council namely Keith Willcox, (Head of Strategic Transport), Heather Walmsley, (Major Schemes Project Co-ordinator) and Steve Faulkner, (Transport Planner) which provided members with an update on transport issues relating to the Fareham/Gosport area and the inter-relationship with and impact upon the services delivered by the Strategic Planning and Environment portfolio of Fareham Borough Council.

The presentation included information about recent changes in funding provision accessed through Local Enterprise Partnerships (LEPs), the major schemes identified to date and more detailed information about the key Fareham Strategic sites of Welborne, Solent Enterprise Zone (Daedalus) and North Whiteley. Reference was made to the Fareham and Gosport Strategic Transport Infrastructure Plan which:-

- Reviews and updates relevant strategy documents, plans & reports in light of changing funding environment;
- Provides a phased delivery plan for Fareham and Gosport for the next 10-20 yrs;
- Will help inform the Solent Local Enterprise Partnership's priorities for the emerging Strategic Economic Plan; and
- Identifies strategic infrastructure proposals

Officers also provided an overview of the performance of the South East Hampshire Bus Rapid Transit – Fareham to Gosport Eclipse, which it was noted had achieved a number of transport related awards and nominations. The presentation was followed by a question and answer session.

It was AGREED that:-

- (a) the officers be thanked for their informative and comprehensive presentation; and
- (b) arrangements be made for a copy of the presentation slides to be circulated to all members and deputy members of the Panel, for their information.

## **8. PRESENTATION - PARKING UPDATE**

The Panel received a presentation from the Head of Regeneration and the Head of Community Safety and Enforcement, which provided an update on the

implementation of the Fareham Town Centre Parking Strategy adopted by the Council's Executive in December 2012.

Councillor Howard declared a non-pecuniary interest in this matter on the grounds that he is a member of his local resident's parking scheme.

Members were informed that the Strategy was formulated to contain a number of policies designed to help support the town centre in terms of parking on offer. Its aims are to ensure that parking is provided efficiently in terms of designation, tariff and location. Details were provided of the policies that are capable of implementation over a five year period from adoption and the proposed implementation plan.

A map showing all 18 town centre car parks within the town centre was circulated at the meeting. It was noted that the car park, currently referred to on the map as the Multi Storey Civic Way Car Park, was now known as Fareham Shopping Centre Multi Storey Car Park.

The presentation included information about:-

- income trends 2010 to 2013;
- an analysis of data/trends relating to the average daily occupancy of inner pay on foot car parks and outer pay and display car parks, both before and after April 2013;
- the increase in the use of season tickets;
- new parking payment methods,
- other external influences on parking; and
- the proposal to review Parent & Child parking provision within Fareham town centre

Members were reminded that Fareham Town Centre residents parking schemes had been in place since 2010, have become well established, prompting requests for the schemes to be extended to other areas. It was considered that the schemes have been most successful in reducing commuter and shopper parking in residential streets.

The Panel asked questions and made comments on various issues covered in the presentation.

It was AGREED that the officers be thanked for their very helpful presentation.

## **9. STRATEGIC PLANNING AND ENVIRONMENT POLICY DEVELOPMENT AND REVIEW PANEL WORK PROGRAMME 2013/14**

The Panel considered a report by the Director of Planning and Environment regarding the work programme for 2013/14.

Members were informed that a petition of approximately 350 signatures had been submitted by Councillor Forrest at the Council meeting on 10 October 2013 in the following terms - "We call on Fareham Borough Council to stand firm on its policy of strategic gaps to prevent over-development and to protect

the open countryside between Stubbington and Fareham". It was agreed that in accordance with the Council's petition scheme the matter should be referred to the Panel for consideration and an item be added to the agenda for the next meeting on 7 January 2014.

The Panel also noted and endorsed paragraph 2 (ii) of the report regarding the arrangements for an all-Member briefing by representatives of HCC Education Services to take place before the meeting on Tuesday, 7 January 2014.

Consideration was given to the Strategic Planning and Environment portfolio Work Programme 2013/14, (Appendix C), which highlighted those matters to be considered by the Executive. Concern was expressed by some members that the Panel did not appear to have a significant input into initiating and developing policy matters and this was reflected in the work programme. The Director of Planning and Environment explained that, for example, it had been an Executive decision to establish dedicated member working groups to assist in the preparation of the Welborne Plan and the Development Sites and Policies Plan and to report their conclusions directly back to the Executive. However members were assured that their comments and concerns would be taken into account.

It was AGREED that:-

- (a) an item regarding the petition submitted by Councillor Forrest be added to the Panel's work programme for the meeting on 7 January 2014;
- (b) arrangements proceed for an all member briefing to take place at 4.30pm to 5.30pm on Tuesday 7 January 2014, (prior to the next Panel meeting), for representatives of Hampshire County Council to advise members on County education strategy and proposals as they affect Fareham Borough;
- (c) consideration be given to including more policy matters in the Panel's future work programme;
- (d) subject to the addition of the item referred to in (a) above, the programme of items for 2013/14 as set out in Appendix A to the report, be approved; and
- (e) the progress on actions since the last meeting, as set out in Appendix B, be noted.

(The meeting started at 6.00 pm  
and ended at 7.55 pm).



# FAREHAM

BOROUGH COUNCIL

## Minutes of the Leisure and Community Policy Development and Review Panel (to be confirmed at the next meeting)

**Date:** Wednesday, 6 November 2013

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

Councillor Miss S M Bell (Chairman)

Councillor M J Ford, JP (Vice-Chairman)

**Councillors:** T G Knight, Mrs S Pankhurst and R H Price, JP

**Also Present:** Councillor Mrs C L A Hockley ( Executive Member for Leisure and Community) and L Keeble ( Executive Member for Streetscene) (Minute 7)



**1. APOLOGIES FOR ABSENCE**

Apologies for absence were made by Councillors Mrs P M Bryant, N R Gregory and D Whittingham (deputy)

**2. MINUTES**

It was AGREED that the minutes of the Leisure and Community Policy Development and Review Panel meeting held on 4 September 2013 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

There were no announcements made at this meeting.

**4. DECLARATIONS OF INTEREST AND DISCLOSURES OR ADVICE OR DIRECTIONS**

There were no declarations of interest made at this meeting.

**5. DEPUTATIONS**

There were no deputations made at this meeting.

**6. PRESENTATION - UPDATE ON THE FUTURE OF WESTBURY MANOR MUSEUM**

The Chairman welcomed Dr Janet Owen, Head of Museums and Arts, (Hampshire County Council) who had been invited to make a presentation to members regarding the Hampshire Solent Cultural Trust Project and how this impacts on the future of arts and museum provision in Fareham, currently provide by Westbury Manor Museum and Ashcroft Arts Centre.

It was reported that the Project has been on-going since 2011/12 and is still at a transformational stage. Reference was made to the benefits from strategic partnership working with Winchester, Southampton and Portsmouth local authorities in securing funding for example from Arts Council England (ACE) and the Lottery. The proposed next step was the transfer of arts and museums services to a charitable trust to be supported by local authority grant funding.

Members were informed of the proposals for the setting up of a charitable trust which it was envisaged would take 2-3 years to become established. In the interim Fareham Borough Council was requested to agree to maintaining the current situation, in terms of the use of the venue (Westbury Manor) and the funding arrangements, for a period of 3 years. During this period the Council, the Trust and Hampshire County Council would work together towards a collective vision for the future of arts and museum services in Fareham and allow sufficient time for the Trust to establish itself financially and organisationally.

As regards timetabling, it was noted that Hampshire County Council has made the decision to establish the Trust and in principle to transfer services and staff during 2014/15 in partnership with Winchester City Council. During the implementation stage, November 2013 to March 2014, consultation would take place with Fareham Borough Council on the detailed proposals. The final decision on transfer arrangements was expected to be made in Spring 2014 and transfer to the Trust to come into effect by Autumn 2014.

Members asked a number of questions on various issues raised in the presentation and also expressed some concern about the new proposals and how they would affect museum services at Westbury Manor Museum.

It was AGREED that:-

- (a) Dr Owen be thanked for her very informative and helpful presentation; and
- (b) a copy of the presentation be circulated to all Panel members.

## **7. REVIEW OF WORK PROGRAMME**

The Panel considered a report by the Director of Community regarding the Panels work programme for 2013/14.

At the invitation of the Chairman Councillor Mrs Hockley and Councillor Keeble both addressed the Panel during consideration of this item.

The Director of Community informed members of two issues likely to come to the Panel at a future date:-

- (i) Following Executive approval in October 2013 to the refurbishment of the Fareham Leisure Centre swimming pool, it is proposed that details of the refurbishment plans will be presented to members in due course; and
- (ii) It is expected that a decision, in principle, will be made within the next few months regarding the future of the Western Wards swimming pool and the Panel will be involved in the decision making process.

Reference was made to the consultation with the Council on the detailed proposals concerning Westbury Manor Museum, referred to in minute 6 above. It was stated that timescales may not allow the officer's response to the consultation documents to be reported back to the Panel before the matter is considered by the Executive. Overall, members were of the view that the Panel should have the opportunity to have some input into the consultation process and comment on the proposals. It was therefore suggested that officers prepare a draft response to be discussed at a dedicated workshop/seminar to which all Panel members would be invited.

It was AGREED that the Panel's work programme for 2013/1, as set out in Appendix A attached to the report, be endorsed.

## **8. EXCLUSION OF PUBLIC AND PRESS**

The Panel considered whether it was in the public interest to exclude the public and representatives of the Press from the remainder of the meeting on the grounds that the following matter 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.

It was AGREED that the public and representatives of the press be excluded from the remainder of the meeting.

## **9. FERNEHAM HALL PERFORMANCE REVIEW 2012/13**

The Panel considered a report by the Director of Community which provided a summary of the financial performance of Ferneham Hall for the financial year 2012/2013. Members were also provided with information about the financial performance for the first six months of 2013/14 and were requested to note the new initiatives proposed for 2013/14.

Particular reference was made to the key questions set out in paragraph 27 of the report. Members discussed and endorsed the proposal that three members of the Leisure and Community Policy Development and Review Panel be appointed to participate in a Member and Officer Working Group whose purpose was to consider each of the key questions more fully and report the Group's findings back to a future Panel meeting. The Chairman invited nominations from Panel members.

It was AGREED that:-

- (a) the information contained in the report regarding the financial performance of Ferneham Hall in 2012/13 be noted; and
- (b) the following three members of the Leisure and Community Policy Development and Review Panel be appointed to a Ferneham Hall Member and Officer Working Group:-

Councillor Miss S M Bell  
Councillor Mrs S Pankhurst  
Councillor R H Price, JP

(The meeting started at 6.00 pm  
and ended at 7.37 pm).



# FAREHAM

BOROUGH COUNCIL

## Minutes of the Streetscene Policy Development and Review Panel

**(to be confirmed at the next meeting)**

**Date:** Thursday, 24 October 2013

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

Miss T G Harper (Chairman)

Mrs S Pankhurst (Vice-Chairman)

**Councillors:** J V Bryant, G Fazackarley, M J Ford, JP, D J Norris and  
D C S Swanbrow

**Also Present:** Councillor L Keeble Executive Member for Streetscene (items 7  
& 9)

The Vice-Chairman, Councillor Mrs S Pankhurst took the chair at the start of the meeting due to Miss T G Harper being delayed.



**1. APOLOGIES FOR ABSENCE**

There were no apologies for the absence.

**2. MINUTES**

It was AGREED that the minutes of the meeting of the Streetscene Policy Development and Review Panel held on 5 September be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

There were no Chairman's announcements.

**4. DECLARATIONS OF INTEREST AND DISCLOSURES OF ADVICE OR DIRECTIONS**

There were no declarations of interest or disclosures of advice or directions made at this meeting.

**5. DEPUTATIONS**

There were no deputations made at this meeting.

**6. STREETSCENE POLICY AND DEVELOPMENT AND REVIEW PANEL WORK PROGRAMME**

The Panel considered a report by the Director of Streetscene which reviewed the Panel's Work Programme.

The Director of Streetscene informed the Panel that on the agenda for the next meeting in January 2014, is a report on the preliminary work programme for 2014/15, and asked members to bring ideas for the work programme to that meeting.

Members were asked to note the revisions to the work programme as set out in item 2 of the report.

It was AGREED that the content of the report be noted.

**7. GROUNDS MAINTENANCE WORKING ARRANGEMENTS**

The Panel considered a report by the Director of Streetscene on the changes to working arrangements with the grounds maintenance service, in order to provide a more consistent standard of work across the service.

It was explained to members that the new working arrangements are having a positive effect on all grounds maintenance services and that the new team structure is allowing for a more proactive approach to the work being undertaken by each team and allows employees to take ownership over the work they do.

Compliments were given to the grounds maintenance team for the high standards maintained across the Borough.

It was AGREED that the content of the report be noted.

## **8. GLOBAL POSITIONING SYSTEM FOR VEHICLE FLEET**

The Panel considered a report by the Director of Streetscene which provided an update on the progress of the procurement of a GPS system for the Council's vehicle fleet.

At the invitation of the Chairman Councillor Keeble addressed the Panel on this item.

It was AGREED that the content of the report be noted.

## **9. OPEN FORUM**

At the invitation of the Chairman, Councillor Ford addressed the Panel to give an update on his recent visit to the Materials Recovery Facility.

The Director of Streetscene addressed the Panel regarding the recent media coverage surrounding legislation that comes into effect on the 1 January 2015, which concerns the segregation of all recycling. The Director of Streetscene explained that the biggest problem identified was concerning glass that is collected with other recycling, co-mingled recyclate. Fareham already collects glass separately to other recycling and therefore the quality of material for reprocessing is much higher.

It was explained to the Panel that it is likely that Fareham will meet two excluding criteria which will prevent the need to introduce separate recycling collections:

- 1) The high quality of the end product that the Project Integra Material Recovery Facilities are currently producing; and
- 2) It would not be environmentally and economically practical, due to the severe increase in capital costs, additional running costs and employee costs.

At the invitation of the Chairman Councillor Keeble addressed the Panel on this item.

The Director of Streetscene also addressed the Panel regarding the recent change of management of the Building Services department which now falls under the responsibility of the Director of Streetscene. As Building Services is a support service mainly involved with Council Housing it will not become part of the Streetscene Policy Development and Review Panel.

(The meeting started at 6.01 pm  
and ended at 6.54 pm).



# FAREHAM

BOROUGH COUNCIL

## Minutes of the Public Protection Policy Development and Review Panel

**(to be confirmed at the next meeting)**

**Date:** Tuesday, 12 November 2013

**Venue:** Collingwood Room - Civic Offices, Fareham

**PRESENT:**

Councillor Mrs K Mandry (Chairman)

Councillor D L Steadman (Vice-Chairman)

**Councillors:** Mrs S M Bayford, Mrs P M Bryant, Mrs M E Ellerton and  
G Fazackarley



**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. MINUTES**

It was AGREED that:-

- (a) it be noted that, following a question from Councillor Fazackarley at the Council meeting on 10 October 2013 regarding minute 8(b) and irresponsible cycling on footpaths, it had been clarified that, in this context, reference to footpaths would also include footpaths in subways; and
- (b) the minutes of the meeting of the Public Protection Policy Development and Review Panel held on 10 September 2013 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

There were no Chairman's announcements.

**4. DECLARATIONS OF INTEREST AND DISCLOSURES OF ADVICE OR DIRECTIONS**

There were no declarations of interest or disclosures of advice or directions made at this meeting.

**5. DEPUTATIONS**

There were no deputations made at this meeting.

**6. PUBLIC PROTECTION POLICY DEVELOPMENT AND REVIEW PANEL WORK PROGRAMME**

The Panel considered a report by the Director of Regulatory and Democratic Services, which reviewed the Panel's work programme for 2013/14.

It was AGREED that:-

- (a) it be noted that the Community Safety Update item on 14 January 2014 would include an update on the Strategic Assessment, that is being used to inform the development of the four year Community Safety Plan;
- (b) the programme items as set out in Appendix A to the report be confirmed; and
- (c) the progress on actions since the last meeting, as set out in Appendix B to the report, be noted.

## 7. TRAFFIC MANAGEMENT PROGRAMME

The Panel considered a report by the Director of Regulatory and Democratic Services on the Traffic Management Programme.

Members received a presentation from the Traffic and Design Manager illustrating various aspects of the report, including the work of the Traffic Management Team, Traffic Investigations, Traffic Regulation Orders (TROs), TROs Externally Funded, Speed Limit Reminder Signs (SLRs) and the TRO Flowchart.

It was AGREED that:-

- (a) the progress on current programmes and the planned work for 2014/15, as shown in Appendices A – E of the report, be noted;
- (b) the Proposed Traffic Regulation Order Programme, as shown in Table 4 of Appendix B to the report, be commended to the Executive for approval;
- (c) the Executive be recommended to note the work undertaken on the deployment of the Speed Limit Reminder signs, as detailed in Appendix D to the report;
- (d) the officers be requested to arrange for a link to the map-based Traffic Regulation Order information on the Council's web site to be included in the next Members' Newsletter;
- (e) the officers be requested to highlight the availability and deployment of SLRs as a regular agenda item for the Community Action Team (CAT) meetings;
- (f) the officers also be requested to arrange for the police to be asked to provide other relevant statistics besides the usual crime statistics reported at the CAT meetings;
- (g) the officers be requested to arrange a presentation for all members of the Council on Traffic Management, specifically relating to dealing with requests for Traffic Regulation Orders and the use of the Speed Limit Reminder Signs; and
- (h) it be noted that the Proposed Traffic Regulation Order Programme would be submitted to the Executive for approval in February 2014 and that members could therefore still advise the officers of any priority areas for consideration.

(The meeting started at 6.00 pm  
and ended at 6.55 pm).





# FAREHAM

BOROUGH COUNCIL

## Minutes of the Health and Housing Policy Development and Review Panel

(to be confirmed at the next meeting)

**Date:** Thursday, 14 November 2013

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

Mrs M E Ellerton (Chairman)

T G Knight (Vice-Chairman)

**Councillors:** Miss S M Bell, N R Gregory, D L Steadman and  
D M Whittingham

**Also  
Present:**



## **1. APOLOGIES FOR ABSENCE**

Apologies of absence were received from Councillors Mrs K K Trott and G Fazackarley.

An apology of absence was also received from Councillor B Bayford, Executive Member for Health and Housing who asked the Director of Community to update the Panel on the outcomes of the recent Clinical Commissioning Group (CCG) meeting, which were:

A report was presented to the CCG on a review of cardiovascular services. Following the report the likely recommendation will be that all cardiovascular services are dealt with at Southampton General Hospital.

It was reported to the CCG that there were concerns from residents who were registered with GP practices outside of the Borough and CCG area regarding access to health visitors and nursing services.

Councillor Bayford would like members to share with him any health complaints or issues that they are informed of by residents so that he can address these with at the CCG meetings.

Members raised concerns over the increasing problem of patients accessing GP appointments at their local surgeries and the impact that this is having on the A&E departments at local hospitals. The Director of Community addressed the Panel to inform them that Councillor Bayford continues to address this issue with the Clinical Commissioning Group.

## **2. MINUTES**

It was AGREED that the minutes of the Health and Housing Policy Development and Review Panel held on 12 September be confirmed and signed as a correct record.

## **3. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman addressed the Panel regarding the sad news of the passing of Alderman Ernest Crouch. The Panel's thoughts are with his family.

The Chairman also highlighted to the Panel, the Homelessness Event taking place in Ferneham Hall on 9<sup>th</sup> December 2013.

## **4. DECLARATIONS OF INTEREST AND DISCLOSURES OF ADVICE OR DIRECTIONS**

There were no declarations of interest or disclosures of advice or direction made at this meeting.

## **5. DEPUTATIONS**

There were no deputations made at this meeting.

## **6. PUBLIC HEALTH GRANT FUNDING APPLICATION**

The Panel received a presentation from the Community Development Manager on a recent Public Health Grant funding application submitted by the Council in respect of Fareham Park.

The presentation provided members with information on the public health and well-being funding bid submitted by the Council for use in the Fareham Park area and which will specifically focus on young people in this neighbourhood. The presentation explained that the Fareham Park area was chosen because it ranks in the top 3% nationally for skills deprivation and that the Fareham Park Project is a key corporate priority for the Council.

The presentation gave information on the Fareham Park 'Clued up 2 Go' project which aims to provide support to young people through three key areas;

1. the establishment of accessible health and wellbeing sessions including sexual health screening and drug and alcohol services,
2. the development of neighbourhood youth opportunities; and
3. initiatives and opportunities to challenge attitudes towards domestic violence and improving relationships among young people.

The Panel were also informed that there will be opportunity second phase in the New Year to bid for funding for other initiatives.

It was AGREED that the Community Development Manager be thanked for her comprehensive presentation.

## **7. ALLOCATIONS POLICY - SIX MONTH REVIEW**

The Panel considered a report by the Director of Community which gave a Six Month Review of the Allocations Policy.

The Housing Options Manager presented the report to the Panel and highlighted the proposed changes to the allocations policy and the reasons for them.

The Panel expressed concern over the quality of medical information being provided by GP's in respect of medical applications and over the cost being charged for this information, and requested that Councillor Bayford address this issue with the Clinical Commissioning Group.

It was AGREED that the Panel approves the proposed amendments to the Allocations Policy, for these to be subject to consultation before implementation on 1 April 2014.

**8. REVIEW OF HOMELESSNESS AND ROUGH SLEEPING IN THE BOROUGH**

The Panel considered a report by the Director of Community which reviewed homelessness for the past year and outlined the approach to preparing the next Homelessness and Housing Options Strategy for the period 2014-2017.

The Panel asked how the Strategic Housing division is dealing with the increasing number of parental evictions. It was explained to the Panel that a more active approach in dealing with parental evictions has been adopted by the Housing Options team with the Housing Options Officers working more closely with families to try and prevent these evictions.

It was AGREED that the content of the report be noted.

**9. REVIEW OF THE WORK PROGRAMME 2013/14**

The Panel considered a report by the Director of Community which reviewed the Work Programme for 2013/14.

The Panel were informed that since the report had been published a further change to the work programme had been made, and that the report due in January 2014 on the New Tenancy Agreement has now been moved to the March 2014 meeting.

It was AGREED that, subject to the revisions above, the Work Programme for 2013/14 as set out in Appendix A of the report, be approved.

(The meeting started at 6.00 pm  
and ended at 7.13 pm).

# FAREHAM

BOROUGH COUNCIL

## Minutes of the Licensing and Regulatory Affairs Committee

**(to be confirmed at the next meeting)**

**Date:** Tuesday, 19 November 2013

**Venue:** Collingwood Room - Civic Offices, Fareham

**PRESENT:**

Councillor Mrs P M Bryant (Chairman)

Councillor T M Cartwright (Vice-Chairman)

**Councillors:** Mrs S M Bayford, Miss S M Bell, Mrs M E Ellerton,  
M J Ford, JP, J S Forrest (deputising for D J Norris),  
T J Howard, L Keeble, Mrs K Mandry and R H Price, JP.

**Also Present:** Councillor Mrs K K Trott (minute 7)



**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors D J Norris and N R Gregory.

**2. MINUTES**

RESOLVED that the minutes of the meeting of the Licensing and Regulatory Affairs Committee held on 17 September 2013 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

There were no Chairman's announcements.

**4. DECLARATIONS OF INTEREST**

In accordance with Standing Orders and the Council's Code of Conduct, the following Members declared interest in the matters indicated:

Councillor Mrs K K Trott – Street Trading Concessions – minute 7;

Councillor L Keeble – Street Trading Concessions – minute 7;

Councillor Miss S M Bell – Review of Polling Districts and Polling Places – minute 6;

Councillor Mrs K Mandry – Review of Polling Districts and Polling Places – minute 6;

Councillor M J Ford – Review of Polling Districts and Polling Places – minute 6;

Councillor Mrs M E Ellerton – Review of Polling Districts and Polling Places – minute 6;

Councillor R H Price – Review of Polling Districts and Polling Places – minute 6;

Councillor Mrs S M Bayford – Review of Polling Districts and Polling Places – minute 6.

**5. DEPUTATIONS**

The Committee received a deputation from Ms S Dunn in respect of minute 7 below, Street Trading Concessions.

RESOLVED that Ms Dunn be thanked for her deputation.

**MATTER SUBMITTED FOR CONFIRMATION**

**6. REVIEW OF POLLING DISTRICTS AND POLLING PLACES**

Councillors Miss Bell (Portchester Community Centre), Mrs Mandry (Crofton Youth Centre), Ford (Victory Hall), Mrs Ellerton (Priory Park Community Hall), Price (Portchester Community Centre) and Mrs Bayford (Lockwood Community Centre) all declared personal non-pecuniary interests in this item, indicating that they had connections with the management committees of the buildings in which the polling stations shown were located.

The Committee considered a report by the Director of Regulatory and Democratic Services on a review of polling districts and polling places.

RECOMMENDED that:-

- (a) the amended scheme, as set out in Appendix A to the report, be approved;
- (b) the revised register of electors be published at the conclusion of the annual audit to reflect the approved scheme;
- (c) electors be advised of the changes to the electoral districts and polling stations in advance of the next election; and
- (d) a comprehensive review of the polling districts and polling places across the Borough be undertaken following the next scheduled elections to ensure a revised scheme is in place before 31 January 2015.

## **DECISIONS UNDER DELEGATED POWERS**

### **7. STREET TRADING CONCESSIONS**

Councillors Mrs Trott and Keeble declared personal non-pecuniary interests in this item, indicating that they were occasional customers of Dunns Catering.

The Committee's attention was drawn to the deputation referred to in minute 5 above.

At the invitation of the Chairman, Councillor Mrs Trott addressed the Committee during the consideration of this item.

The Committee considered a report by the Director of Regulatory and Democratic Services on Street Trading Concessions.

RESOLVED that Option 1 as detailed in paragraph 8 of the report be approved, as follows:

Subject to continued compliance with the Council's Street Trading Policy and Conditions, the existing trader's consent continue to be renewed annually for a further period of five years; and the three vacant consents be advertised and the Licensing Trading Concessions Panel select the traders it deems to have the most appropriate commercial offer for Fareham Town Centre and offer the three vacant consents to those traders; all consents would be renewed annually for a further five year period subject to compliance with the Council's Street Trading Policy and Conditions.

### **8. SPENDING PLANS 2014/15**

The Committee considered a report by the Director of Finance and Resources on spending plans for 20014/15.

It was noted that the Licences and Fees shown in Appendix A to the report included several new fees as a result of the Scrap Metal Dealers Act 2013, which came into force on 1 October 2013.

RESOLVED that:-

- (a) the revised budget for 2013/14 be approved;
- (b) the fees and charges for 2014/15 be approved;
- (c) the base budget for 2014/15 be approved; and
- (d) the officers be requested to arrange for a press release and an article in Fareham Today to advise residents of the provisions of the Scrap Metal Dealers Act 2013.

## **9. LICENSING AND REGULATORY AFFAIRS COMMITTEE WORK PROGRAMME**

The Committee considered a report by the Director of Regulatory and Democratic Services on the Committee's Work Programme for 2013/14.

RESOLVED that:-

- (a) a members' training session be arranged prior to the scheduled meeting on Tuesday 21 January 2014;
- (b) subject to the availability of the trainers, the training session be arranged to commence at 4pm and to be of no more than two hours duration;
- (c) it be noted that the training would be carried out by Peter Savill, of the Legal Chambers used by the Southampton and Fareham Legal Partnership, together with Ben Attrill, a solicitor from the Partnership;
- (d) it be noted that there were currently no items of business for the meeting on 21 January 2014 and that, if no urgent matters arose in the meantime, the meeting might be cancelled;
- (e) the unassigned item on Individual Elector Registration (IER) be added to the work programme for 18 March 2014;
- (f) subject to (a) and (e) above, the work programme for 2013/14, as shown on Appendix A to the report, be confirmed; and
- (g) the progress on actions since the last meeting of the Committee, as shown in Appendix B to the report, be noted.

(The meeting started at 6.00 pm  
and ended at 6.41 pm).



# FAREHAM

BOROUGH COUNCIL

## Minutes of the Audit and Governance Committee (to be confirmed at the next meeting)

**Date:** Monday, 25 November 2013

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

T G Knight (Chairman)

L Keeble (Vice-Chairman)

**Councillors:** P J Davies, J M Englefield, Miss T G Harper, D L Steadman and  
P W Whittle, JP

**Also  
Present:**



**1. APOLOGIES**

There were no apologies for absence.

**2. MINUTES**

RESOLVED that the minutes of the Audit and Governance Committee held on 23 September 2013 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman welcomed to the meeting Kate Handy and Catherine Morganti from Ernest and Young, and Andy Jefford and Pat Stothard from Deloittes.

**4. DECLARATIONS OF INTEREST AND DISCLOSURES OF ADVICE OR DIRECTIONS**

In accordance with the Standing Orders and the Council's Code of Conduct, Councillor Whittle, JP declared a non-pecuniary interest for minute 15 – Counter Fraud Investigation Progress as he is a Justice of the Peace for the South East Magistrates and has recently adjudicated on several fraud cases outside of the Borough.

**5. DEPUTATIONS**

There were no deputations made at this meeting.

**6. LATEST FINANCIAL REGULATIONS UPDATE**

The Committee considered a report by the Director of Finance and Resources which reviewed Financial Regulation 19 – Income Collection and Banking.

RESOLVED that the Committee recommends to Council that the proposed changes to Financial Regulation 19, as set out in Appendix B of the report, be approved.

**7. CORPORATE ANTI-FRAUD & CORRUPTION POLICY**

The Committee considered a report by the Director of Finance and Resources on the Corporate Anti-Fraud and Corruption Policy.

Members discussed the issue of zero tolerance towards acts of fraud against the Council. The Committee supported the need to uphold the highest standards of financial probity and accountability in relation to fraud, and felt strongly that the policy should be well publicised to convey a clear message of intolerance towards acts of fraud and corruption.

RESOLVED that the Committee recommends to Council that:-

- (a) the Committees comments regarding intolerance towards acts of fraud and corruption against the Council be noted; and

- (b) the revised Anti-Fraud and Corruption Policy, as set out in Appendix A of the report, be adopted.

## **8. UPDATES TO THE CONSTITUTION**

The Committee considered a report by the Director of Regulatory and Democratic Services on the proposed changes to the Constitution and to Standing Orders with respect to meetings.

Members were advised that following further advice from legal services, further amendments had been made to the revised Standing Orders with Respect to Meetings document. The Director of Regulatory and Democratic Services addressed the Committee to update them on the new amendments.

Councillor Whittle, JP requested that his reservations be recorded that he feels that there has not been sufficient time allowed for members to review and consult on the proposed changes to the Standing Orders with Respect to Meetings.

The Committee discussed this item at length and it was suggested that a cross-party working group or an all member workshop be set up to review any further changes to the Standing Orders.

RESOLVED that the Committee recommends to the Executive:-

- (a) that the wording of Paragraph 28, 28.1 and 28.2 be amended from 'other matters' to read 'other financial matters';
- (b) that the Executive forms a cross-party member working group to review all future revisions to the Standing Orders with respect to Meetings;
- (c) the Committee's comments and concerns regarding the process for reviewing the revisions to the Standing Orders with Respect to meetings be noted; and
- (d) subject to (a), (b) and (c) above the updated Standing Orders with Respect to Meetings be considered by the Executive before adoption by the Council.

## **9. CONTRACT PROCEDURE RULES**

The Committee considered a report by the Director of Regulatory and Democratic Services on Contract Procedure Rules.

RESOLVED that the Committee recommends to Council that the proposed change to Contract Procedure Rules be approved.

## **10. EXTERNAL AUDITORS ANNUAL AUDIT LETTER 2012/13**

At the agreement of the Committee the Chairman took this item at this point in the meeting.

The Committee considered a report by the Director of Finance and Resources on the External Audit Annual Inspection Letter.

At the invitation of the Chairman, Kate Handy from Ernst and Young presented the report to the Committee and took questions from members.

RESOLVED that the Committee notes the content of the Annual Audit Letter 2012/13 submitted by the Council's external auditors.

#### **11. CONTRACTOR QUARTERLY AUDIT REPORTS**

At the agreement of the Committee the Chairman announced that this item would be taken at this point in the meeting.

The Committee considered a report by the Director of Finance and Resources on the Contractor Quarterly Audit Report.

At the invitation of the Chairman, Andy Jefford from Deloitte presented the report to the Committee and took questions from members.

RESOLVED that the Committee notes the progress and findings arising from the Internal Audit planned work being carried out by the Contractor, attached as Appendix A to the report.

#### **12. REVIEW OF WORK PROGRAMME AND TRAINING PLAN**

The Committee considered a report by the Director of Finance and Resources which reviewed the Work Programme and the Training Plan.

RESOLVED that the Work Programme for the rest of the year, as set out in Appendix A, be approved.

#### **13. IMPLEMENTATION OF TREASURY MANAGEMENT POLICY AND STRATEGY**

The Committee considered a report by the Director of Finance and Resources on the Implementation of Treasury Management Policy and Strategy.

At the invitation of the Chairman the Finance Strategy and Development Manager presented the report to the Committee. Members were asked to note a figure error in the report; Appendix B, Building Societies with Assets over £500 bn, the correct figure should be £5 bn.

The Director of Finance and Resources was asked to explain the administrative arrangements for the Treasury Management Policy and Strategy.

RESOLVED that the Committee notes the mid-year review of the Treasury Management Policy and Strategy document.

#### **14. COUNTER FRAUD STRATEGY PROGRESS**

The Committee considered a report by the Director of Finance and Resources on the work carried out as part of the Counter Fraud Strategy.

RESOLVED that the progress made to date as part of the Counter Fraud Strategy be noted.

#### **15. COUNTER FRAUD INVESTIGATION PROGRESS**

The Committee considered a report by the Director of Finance and Resources on the nature and outcomes of frauds that are investigated.

Councillor Whittle declared a Non-Pecuniary Interest when he addressed the Committee on this item, as he is a Justice of the Peace for the South East Magistrates and has recently adjudicated on several fraud cases outside of the Borough.

Members discussed the possibility of an incentive for fraud reporting to encourage more people to come forward to report suspect fraud. The Director of Finance and Resources suggested the officers use the Local Authority fraud network to research the effectiveness of using incentives for fraud reporting, with the results being reported back to the Committee at a future date.

RESOLVED that:-

- (a) a report on the use of incentives by other authorities comes back to the Committee at a later date; and
- (b) the content of the report be noted.

#### **16. PUBLIC SECTOR INTERNAL AUDIT STANDARDS AND REVISED INTERNAL AUDIT CHARTER**

The Committee considered a report by the Director of Finance and Resources on the Internal Audit Charter.

RESOLVED that the Committee approves the revised Internal Audit Charter, attached as Appendix B of the report.

(The meeting started at 6.02 pm  
and ended at 8.18 pm).



# FAREHAM

## BOROUGH COUNCIL

### Report to Council

**Date**                    **12 December 2013**

**Report of:**            **Director of Finance and Resources**

**Subject:**                **COUNCIL TAX SUPPORT - YEAR 2**

#### **SUMMARY**

This report sets out a recommended local Council Tax Support scheme for adoption by the Council. The scheme will operate from 1 April 2014.

#### **RECOMMENDATION**

That the Council approve:

- The Council Tax Support scheme, as recommended by the Executive at their meeting of 2 December 2013.
- That delegated authority is given to the Director of Finance and Resources to make any necessary minor amendments and to publish the final scheme prior to 1 April 2014.

## **PROPOSED COUNCIL TAX SUPPORT SCHEME 2014-15**

1. At its meeting of 2 December 2013, the Executive considered a report setting out a draft local Council Tax Support scheme for the forthcoming financial year. The report can be seen at [Appendix A](#) and Full Council are asked to consider and adopt the scheme which will be implemented from 1 April 2014.
2. The Executive supported a scheme that would see the most vulnerable customers continue to be protected from any changes in support. These customers are those who are in receipt of the Enhanced Disability Premium and Severe Disability Premium.
3. The Executive also supported protection for customers in receipt of War Pensions and War Widows Pensions from reductions in support by continuing with the existing scheme of disregarding the income from these pensions when calculating entitlement.
4. A key principle of the scheme of support was to introduce a measure whereby all adults in the household contribute towards the Council services they receive. Therefore the Executive agreed that all working age non-dependants will be expected to contribute a minimum of £3.30 per week.
5. The remaining working age customers will receive support based on 80% of their Council Tax liability (as opposed to current 91.5% of liability), also capped at a Band C liability for those living in properties in Bands D and above.
6. As the proposed scheme will result in lower levels of support from April 2014, the local Hardship Fund arrangements as approved by the Executive at their meeting of 15 April 2013 will remain in place.
7. To support the Government's desire to incentivise work, the Executive agreed to retain the extended payments provisions, treatment of child care costs and earned-income disregards that currently exist.
8. The proposed scheme is set out in detail at [Appendix B](#).

## **RISK ASSESSMENT**

9. The risk considerations are as set out in the Executive report at Appendix A

## **CONCLUSION**

10. The decision requested in this report should enable the Council to contain the cost of the proposed scheme within the available resources and takes into account the feedback from the consultation exercise carried out. Additionally it will ensure that the Council fulfils its responsibility under the Local Government Finance Act 2012 in relation to local Council Tax Reduction Schemes.

## **Enquiries:**

For further information on this report please contact Caroline Holmes. (Ext 4645)



# FAREHAM

## BOROUGH COUNCIL

### Report to the Executive for Decision 2 December 2013

**Portfolio:** Policy and Resources  
**Subject:** Council Tax Support Scheme 2014/15  
**Report of:** Director of Finance and Resources  
**Strategy/Policy:**

**Corporate Objective:** To be a dynamic, prudent and progressive Council

**Purpose:**

To provide the Executive with the results of the public consultation and seek approval of the Fareham Local Council Tax Support scheme to be effective from 1<sup>st</sup> April 2014.

**Executive summary:**

In September 2013, the Executive agreed a draft Local Council Tax Support scheme for the purposes of a public consultation exercise. Formal consultation was carried out from 9 September to 4 October 2013 and 162 responses were received.

Having analysed the responses from the consultation, a detailed Equalities Impact Assessment has been concluded, and a final scheme has now been prepared for the Executive to consider. This will enable a scheme to be recommended to Full Council later in the month and prior to the deadline of 31<sup>st</sup> January 2014.

**Recommendation:**

- The Executive approve the final Council Tax Support scheme as set out in the report
- The Executive recommend the final scheme to Full Council for final adoption
- The Director of Finance and Resources be given delegated authority to make any necessary minor amendments, and to publish the final scheme prior to 1<sup>st</sup> April 2014.

**Reason:**

To enable a Council Tax Support scheme to be agreed in advance of the 31<sup>st</sup> January 2014 deadline.

**Cost of proposals:**

The proposals within this report are estimated to cost £3.8m, and it is anticipated that this can be contained within devolved funding from central Government.

- Appendices A:** Results of the consultation exercise  
**B:** Equality Impact Assessment Summary

# FAREHAM

## BOROUGH COUNCIL

### Executive Briefing Paper

**Date:** 2 December 2013

**Subject:** Council Tax Support Scheme 2014/15

**Briefing by:** Director of Finance and Resources

**Portfolio:** Policy and Resources

#### INTRODUCTION

1. The Local Government Finance Act 2012 requires Council's to agree and adopt a scheme which reduces the amounts of council tax payable by persons whom it considers to be in financial need. It specifies that for each financial year, each billing authority must consider whether to revise its existing scheme or replace it with another scheme no later than 31 January in the financial year preceding that for which the revised or replacement scheme is to have effect.
2. At its meeting on 2 September 2013, the Executive agreed to consult upon a draft 2014/15 Council Tax Support (CTS) scheme. The draft scheme contained the key principles as set out in our 2013/14 scheme prior to the decision by Members to make the necessary amendments in order to qualify for the transitional grant.
3. This report sets out the results of the consultation exercise and proposes a final scheme for council tax support.

#### RESULTS OF CONSULTATION

4. At their meeting of 14 May 2012, the Executive agreed a set of guiding principles upon which a draft CTS scheme for Fareham was designed. The features of the draft scheme were :-
  - **Principle 1:** Every Working Age claimant should pay something towards their Council Tax
  - **Principle 2:** The scheme should protect the most vulnerable claimants
  - **Principle 3:** The scheme should incentivise work
  - **Principle 4:** Everyone in the household who can contribute, should contribute
  - **Principle 5:** Benefit should not be paid to those with large capital or savings
5. These principles were widely supported by responders to the 2012/13 consultation exercise where over 600 responses were received. Following the announcement by Central Government to grant additional funding to Local Authorities, the Council were able to delay the introduction of some of the

proposals from April 2013 thereby creating a more generous scheme of support. This funding will not be available for 2014/15 therefore, at their meeting of 2 September 2013, the Executive agreed to retain the original principles within the proposed 2014/15 scheme, and those that were suspended for the 2013/14 scheme have formed the basis of the consultation exercise carried out.

6. A consultation exercise ran from 9 September 2013 to 4 October 2013 and sought views on the following proposals:
  - Every working age claimant should pay the first 20 or 25% of their Council Tax bill
  - Capping the Council Tax Support to a Band C for those in larger properties
  - All non-dependants should pay something towards the household's Council Tax bill
  - Continue to protect certain vulnerable groups
  - Extra financial support should be available for those suffering genuine hardship as a result of any changes introduced from April 2014
7. The following methods were used to ensure views were gathered from as wide a range of customers, residents and other interested parties as possible:
  - On-line survey, available for all to access
  - Paper copies available for all, upon request
  - Targeted request for feedback to residents, via the e-Panel
  - Proactive, "face to face" engagement with claimants visiting the civic offices
  - Information leaflets accompanying all benefit correspondence, encouraging feedback
  - Targeted publication of consultation to those organisations listed on the Community Groups database
  - Regular reminders via press release and social media (Facebook and Twitter).
8. In total, 162 responses to the consultation exercise were received, and the results are shown at Appendix A.
9. The results of the consultation indicate that the draft scheme is supported by the majority of the respondents. This mirrors the results seen in the 2012/13 consultation exercise where 630 responses were received.

## **PROPOSED LOCAL COUNCIL TAX SUPPORT SCHEME**

10. The results of the consultation exercise have been taken into account when designing the final scheme for CTS as seen below.

Key Principle	Draft Scheme
Every working age claimant should pay something towards their Council Tax	Working age claimants will receive a maximum of 80% of the means-tested financial support award, capped at a Band C
The scheme should protect the most vulnerable claimants	<p>The current means-test, comprising disregards, premiums and allowances will be retained in full.</p> <p>Those claimants in receipt of the Enhanced Disability Premium and Severe Disability Premium will continue to be protected from the changes</p> <p>Those claimants in receipt of a war pension or war widow/ers pension will continue to be protected from the changes</p>
The scheme should incentivise work	The current scheme of extended payments, child care costs and earned-income disregards will be retained.
Everyone in the household who can contribute, should contribute	All working age non-dependants will be expected to contribute a minimum of £3.30 per week
Benefit should not be paid to those with large capital or savings	The capital thresholds will remain in place, with no support paid to claimants where their capital exceeds the upper threshold of £16,000. (The lower threshold, £6,000, also remains unchanged).

11. The Local Government Finance Act (LGFA) states *“if any revision to a scheme or any replacement scheme has the effect of reducing or removing a reduction to which any class of persons is entitled, the revision or replacement must include such transitional provision relating to that reduction or removal as the authority thinks fit”*. As the proposed scheme will result in lower levels of support from April 2014, the local Hardship Fund arrangements as approved by the Executive at their meeting of 15 April 2013 will remain in place.
12. In order to comply with the LGFA, it is necessary for the Council to publish the full details of the scheme. Once agreed, this will be made available to the public, and be submitted to the Tribunals Service, who will be responsible for considering any appeals against the decisions taken in administering the CTS scheme. The detailed scheme is currently being prepared and will be submitted to Full Council when the scope of the scheme is finally determined.

## EQUALITIES IMPACT ASSESSMENT

13. A full and detailed equalities impact assessment has been carried out on the proposals contained within the report. In summary, it is felt that the scheme complies with the requirements upon the Council.
14. A summary of the findings from the impact assessment is attached as Appendix B.

## **FINANCIAL IMPLICATIONS**

15. It is anticipated that the proposals for the Fareham CTS scheme will cost in the region of £3.8m.
16. A sum of £112,000 was allocated in the 2013/14 budget to cover the costs to Fareham of the local scheme. £30,000 will be paid to the Citizen's Advice Bureau to help fund a Debt Adviser with the rest being used for the hardship fund.
17. When the funding was approved by the Executive for the 2013/14 budgets it was envisaged that this would be on going funding and subsequently has been incorporated in the Council's Medium Term Finance Strategy that was approved by the Executive in October.

## **CONCLUSION**

18. The proposed scheme within the report should enable the Council to contain the cost within the available resources, and fully take account of the feedback from the consultation. The proposals include the continuing provision of additional financial support for those suffering exceptional hardship.
19. Members are asked to consider the final proposals contained within the report, and make a recommendation to the meeting of Full Council, scheduled later this month.

## **Reference Papers:**

Council Tax Support Exceptional Hardship Fund Policy

**Analysis of Consultation Responses**

<b>QUESTION</b>	<b>RESPONSE</b>	<b>RESPONSES (%)</b>	<b>RESPONSES (no.)</b>
Do you think that 20% is a fair amount for people who have a low income to pay towards their Council Tax bill?	People should pay less	22%	34
	20% is a fair amount to pay	49%	78
	People should pay more	29%	46
Do you agree that people who receive Council Tax Support who are in properties with a higher Council Tax charge be asked to pay more?	Yes	54%	86
	No	33%	53
	Don't know	13%	20
Do you agree that other adults living in a household where the Council Tax payer claims Council Tax Support be asked to pay something towards the Council Tax bill?	Yes	84%	133
	No	11%	18
	Don't know	5%	8
Do you think that the severely disabled and war pensioners should still be protected from any cuts to the level of support available to them?	Yes	91%	145
	No	5%	8
	Don't know	4%	7
Do you think there are any other groups of people in the community who should be protected?	Yes	61%	97
	No	25%	40
	Don't know	14%	22
If answered yes to question above, please tick which groups you think should be protected from any cuts to the support they receive .	Families with children		22
	Lone parents		39
	Carers		61
	Part time and full time workers		7
	People who are disabled		82
	People without children		10
Should some people suffering genuine hardship receive extra support to help them move onto the new Council Tax Support scheme?	Yes	77%	122
	No	10%	16
	Don't know	13%	23
Do you currently claim Council Tax Support?	Yes	17%	28
	No	83%	133

QUESTION	RESPONSE	RESPONSES (%)	RESPONSES (no.)
If you represent a group or organisation please tell us its name	No responses		
Your age	16-24	1%	1
	25-34	8%	12
	34-44	18%	29
	45-54	21%	34
	55-64	28%	44
	65+	22%	36
	Prefer not to say	2%	3
Your gender	Male	49%	78
	Female	49%	77
	Prefer not to say	2%	3
Do you consider yourself to have a disability, or long-term illness, physical or mental health condition?	Yes	16%	25
	No	78%	125
	Prefer not to say	6%	10
Your ethnic origin	White British	90%	141
	Prefer not to say	5%	8
	White – other	2%	3
	Asian Bangladeshi	1%	1
	Black African	1%	1
	Chinese	1%	1
	Asian Indian		
	Asian Pakinstani		
	Asian – other		
	Black Caribbean		
	Black – other		
	Mixed race		
Your religion	No religion	40%	
	Buddhist		
	Christian	53%	
	Hindu		
	Jewish		
	Muslim	1%	
	Sikh		
	Prefer not to say	6%	



# Equality Impact Assessment

## Executive Summary Report

<b>Name of function, policy or strategy being assessed:</b>	Council Tax Support Scheme
<b>Service:</b>	Revenues and Benefits
<b>Department:</b>	Finance and Resources
<b>Name and job titles of officers completing this assessment:</b>	Caroline Holmes – Head of Revenues and Benefits Jenny Moses – Corporate Policy Officer
<b>Date of Assessment:</b>	25 <sup>th</sup> October 2013

## **Summary of findings of detailed assessment:**

An EIA has been undertaken in response to the Governments' requirement that each billing authority must consider whether to revise its existing Council Tax Support scheme or replace it with another scheme no later than 31 January in the financial year preceding that for which the revised or replacement scheme is to have effect. It has looked at the potential impact for each of the proposals for the second year of the scheme.

The Council Tax Reduction scheme proposed has been found to be legal and justified as it meets Governments requirement to reduce the countries welfare bill and DCLG guidance that:

1. Every working age claimant should pay something towards their Council Tax.
2. The scheme should protect the most vulnerable claimants.
3. The scheme should incentivise work.
4. Everyone in the household, who can contribute, should contribute.

It is fair as it spreads the burden of financial cuts across all claimants taking into account those that cannot pay.

The revised proposals continue to protect the most vulnerable claimants, and the work incentives of the current scheme will remain.

The numbers of claimants in houses of band D or above are very low being less than 300.

However, to mitigate the negative impact there will be a Hardship Fund to provide help in extreme cases of financial hardship. Additionally, the Council will continue to invest into the provision of a Money Advice service through the existing arrangements with CAB.

Once the Council has decided on the final scheme to be implemented it will give full details of its decisions as feedback to all those who have taken part in the consultation process.

Monitoring of the impact of the scheme and particularly the application of the hardship fund will continue to be undertaken to ensure the scheme is administered fairly and does not negatively impact or discriminate against any particular groups of people.

# FAREHAM

## BOROUGH COUNCIL

### **Council Tax Support Scheme Policy 2014-15**

#### **SUMMARY (PROPOSED)**

S13A and Schedule 1a of the Local Government Finance Act 1992

## Introduction

This document summarises Fareham Borough Council's Council Tax Support Scheme for 2014-15 which will replace the scheme currently in place for 2013-14 and if adopted will take effect from 1 April 2014.

This policy summarises how the scheme will operate for both pension credit age and working age applicants and in accordance with Section 13a of the Local Government Finance Act 1992 specifies the classes of customer who are to be entitled to a reduction under the scheme.

### Customers of Pensionable Age

The scheme in respect of pension age customers is defined by Central Government within the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 and the Local Government Finance Act 1992 (as amended). The Council has no discretion in relation to the calculation of Council Tax Support in respect of the pension age scheme and it is designed to provide broadly the same level of support provided within the previous (Council Tax Benefit) scheme.

### Customers of Working Age

All the features, except those set out in the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 that are applicable to working age customers, are determined by Fareham Borough Council.

## **The Council Tax Support Scheme for Pensioners (customers who have reached the age at which Pension Credit can be claimed)**

The Government has created three classes and the Council must decide which class each applicant is in based on their circumstances. The class will determine the level of Council Tax Support that can be provided:

### **Class A**

To obtain support the customer must:

- a. have attained the qualifying age for state pension credit;
- b. not be somebody with a partner of working age in receipt of income support, income-based jobseeker's allowance or income-based employment and support allowance;
- c. be liable to pay council tax in respect of a dwelling in which they are resident;
- d. not have capital savings above £16,000;
- e. must have their assessed income less than or equal to the set living allowances (applicable amounts) set by Central Government; and
- f. have made a valid application for support

This class also includes customers who have successfully claimed Pension Credit Guarantee.

### **Class B**

To obtain support the customer must:

- a. have attained the qualifying age for state pension credit;
- b. not be somebody with a partner of working age in receipt of income support, income-based jobseeker's allowance or income-based employment and support allowance;
- c. be liable to pay council tax in respect of a dwelling in which they are resident;
- d. not have capital savings above £16,000;
- e. have made a valid application for support; and
- f. have assessed income above the set living allowances (applicable amounts) set by Central Government

### **Class C**

To obtain support the customer must:

- a. have attained the qualifying age for state pension credit;
- b. not be somebody with a partner of working age in receipt of income support, income-based jobseeker's allowance or income-based employment and support allowance;
- c. be liable to pay council tax in respect of a dwelling in which they are resident;
- d. made a valid application for support;
- e. be somebody who has at least one second adult living with them who is not his/her partner, not somebody who pays rent, and who is on a prescribed low wage and/or prescribed benefit, as set out by Central Government.

### **What Council Tax Support will be payable to Pension Age customers?**

If a customer matches the criteria in Class A, including that their income is less than their living allowances (applicable amounts) that customer qualifies for 100% reduction on their council tax liability, (net of any council tax discounts, such as single customer discount), adjusted down for any non- dependent deductions. This also applies if a customer is in receipt of State Pension Credit (guarantee credit) from the Pensions Service.

If a customer matches the criteria in Class B, it will mean the customer's income is greater than their applicable amount (living allowances). Twenty per cent of the difference between the two will be subtracted from this individual's council tax liability (net of any council tax discounts, such as single person discount), adjusted down for any non- dependent deductions

Council Tax Support for customers in Class C may be awarded in respect of a second adult sharing the household who would normally be expected to contribute towards the council tax bill, but who cannot afford to do so, based on their low income or on prescribed benefits. This reduction may be awarded at 100%, 25%, 15% or 7.5% of the council tax liability, depending on individual circumstances.

The calculation of customer applicable amounts can be seen at [Appendix A](#)

The calculation of customer income and capital can be seen at [Appendix B](#)

## The Council Tax Support Scheme for Working Age customers

The Council has decided that there will be two classes and will decide which class each applicant is in. The class will determine the level of Council Tax Support that can be provided:

### Class D

To obtain support the customer (or their partner) must:

- a. have not attained the qualifying age for state pension credit; or
- b. have attained the qualifying age for state pension credit if they, and his partner, is a customer on income support, on an income-based jobseeker's allowance or on an income-related employment and support allowance.
- c. be liable to pay council tax in respect of a dwelling in which he is solely or mainly resident;
- d. not have capital savings above £16,000;
- e. be a customer whose income is **less** than their living allowances (*applicable amount*) or the customer or partner is in receipt of Income Support, Jobseekers allowance (income based) or Employment and Support Allowance (income related); and
- f. have made a valid claim for support.

### Class E

To obtain support the customer (or their partner) must:

- a. have not attained the qualifying age for state pension credit;
- b. be liable to pay Council Tax in respect of a dwelling in which they are solely or mainly resident;
- c. be somebody in respect of whom a maximum council tax support amount can be calculated;
- d. not have capital savings above £16,000;
- e. be a customer whose income is **more** than their living allowances (applicable amount);
- f. have made a valid claim for support;

### What Council Tax Support will be payable to a working age customer?

If a customer matches the criteria in Class D, including that their income is less than their living allowances (applicable amounts) that customer qualifies for 80% reduction on the lower of either their council tax liability or the council tax liability of a Band C dwelling (less any non dependant's deductions). This also applies if a customer is in receipt of income support, on an income-based jobseeker's allowance or on an income-related employment and support allowance.

If a customer matches the criteria in Class E, it will mean the customer's income is greater than their living allowances (applicable amount). Twenty per cent of the difference between the two will be subtracted from the maximum council tax liability allowed. The maximum council tax liability will be 80% of the lower of either the

customer's council tax liability or the council tax liability of a Band C dwelling (less any non dependant's deductions).

If a customer or their partner receives a Severe Disability Premium or a Enhanced Disability Premium within either their Council Tax Support, Income Support, income-based Jobseekers Allowance or income-related Employment and Support Allowance or is in receipt a war disablement pension or a war widow's pension or war widower's pension, their support will be based on a maximum council tax liability of 100% of council tax the customer is liable to pay (less any non dependant's deductions).

The calculation of customer applicable amounts can be seen at [Appendix A](#)

The calculation of customer income and capital can be seen at [Appendix B](#)



## General Information

### How Council Tax Support is paid

Council Tax Support is normally credited to the council tax account which results in a reduced council tax bill for the customer.

### Who can claim

Anyone who is the person (or one of the persons) who is responsible for paying the Council Tax for the property they live in can make a claim for Council Tax Support.

People can only get support if they have a right to reside and are habitually resident in the United Kingdom (including those given refugee status, humanitarian protection or exceptional leave to remain in the country).

Most full-time students are not entitled to Council Tax Support unless they are vulnerable (such as disabled or lone parents) or part of a couple and one partner is not a student.

### How claims for Council Tax Support are made

Claims for Council Tax Support can be made by telephone or electronically and must be supported by documentary evidence where requested.

Entitlement to Council Tax Support will be calculated as soon as possible after receipt of all the information and supporting evidence. The date of claim will be the date of first contact, typically by phone, provided that the claim form is received within one month of this date. In most circumstances, the support will start on the Monday after the date of claim. Support will end on the day the customer stops being liable for Council Tax or if the customer no longer qualifies due to a change in their circumstances, the support will be stopped from the beginning of the next support week.

Claims for Council Tax Support may be backdated in some circumstances if “continuous” good cause can be shown as to why the customer did not make an earlier claim.

### Changes to a customer’s circumstances

A change to a customer’s circumstances may affect the amount of Council Tax Support they receive; therefore all customers have a duty to advise the Council of any changes immediately they occur. Examples of changes that could affect Council Tax Support are:

- Changes of address
- Change of job
- Cessation of other welfare benefits
- Increase or decrease in household income
- Change in household composition

Most of the changes will affect the amount of Council Tax Support from the following support week, but changes in the amount of council tax payable (such as a change of address) will affect the Council Tax Support from the day on which the change occurs.

## Appeals

When the amount of Council Tax Support has been assessed, the customer will be notified in writing advising them how the entitlement was calculated. If the customer considers any of this is wrong or if they disagree with a decision, they can make an appeal in writing.

The Council will review the original decision and notify the customer of the outcome. If the customer is still not satisfied with the outcome, or does not receive a reply within two months a further appeal may be made. This further appeal is to an independent body called the 'Valuation Tribunal'.

## Information and Information Sharing

The Council will use the information collected from the customer in order to process their claim for Council Tax Support. The Council may pass the information to other agencies or organisations such as the Department for Work and Pensions (DWP), Her Majesty's Revenue and Customs (HMRC), as allowed by the law. The Council may check information provided by the customer, or information about the customer that has been provided by someone else, with other information held. Information may also be obtained or provided to certain third parties to:

- Make sure the information is accurate
- Prevent or detect crime, and
- Protect public funds

These third parties include government departments, local authorities and private sector companies, such as banks and organisations that lend money.

Information about customers will not be supplied to anyone else, or used by the Council for other purposes, unless the law allows this.

## Fraud

In order to protect the finances of the Council and also in the interests of all council tax payers, the Council will undertake such actions as allowed by law to;

- Prevent and detect fraudulent claims and actions in respect of Council Tax Support;
- Carry out investigations fairly, professionally and in accordance with the law; and
- Ensure that sanctions are applied in appropriate cases

## Extended Payments

Four weeks 'Extended Payment' of Council Tax Support are available when certain other benefits stop because the customer goes back to work, works more hours or earns more money. Normally the same amount of Council Tax Support will be awarded as was paid before the other benefits stopped. The Council will decide whether or not there is an entitlement to an Extended Payment and will also consider whether there is an entitlement to further Council Tax Support based on the customer's new circumstances.

## Savings and Investments (capital)

If the customer has more than £16,000 they will not be able to get Council Tax Support (unless they are aged 60 or over and receive the Pension Credit Guarantee, in which case there is no limit to the amount of capital the customer can have). When calculating entitlement to Council Tax Support, capital below £6000 is ignored for those customers of working age and £10000 for those of pensionable age.

## Absences from home

Council Tax Support is normally only paid for the property the customer actually lives in. However, there are some exceptions which allow some people to continue claiming during periods of temporary absence.

## Non-dependants

Non-dependants are people like grown-up sons or daughters, friends and relatives. If the customer has any non-dependants living with them, they may get less Council Tax Support because a deduction is made from the amount of Council Tax Support in payment. The deduction is based on the gross income of the non-dependant. A deduction will not be made if:

- the non-dependants' normal home is somewhere else; or
- the customer, or their partner, is registered blind or treated as blind; or
- the customer, or their partner, is receiving the care component of Disability Living Allowance or Attendance Allowance

### Calculating applicable amounts

Applicable amounts (or living allowance) are set each year. For the Pension Age scheme this is set and approved by Parliament. For the Working Age scheme this is set by the Council. The applicable amount represents the needs of the customer and their family if they have one. The applicable amount is made up of three parts:

- a personal allowance; and
- personal allowances for children in the family; and
- premiums.

#### Personal allowance

The applicable amount always includes a personal allowance which is calculated according to the customer's age and whether they have a partner.

#### Personal allowances for children

If the customer has responsibility for children (other than foster children) then an allowance for each child is included in the applicable amount according to his or her age. This allowance is included until that child leaves school or reaches their 20th birthday. A different rule applies if the child has left school and started work before the Child Benefit stops.

#### Premiums

Once the personal allowances and allowances for children have been worked out, premiums may be added to make up the total applicable amount.

#### Premium for children

A family premium will be included if there are any dependent children in the household.

#### Premiums or components for disabilities

The following premiums are included in the applicable amount for people in the household with disabilities:

- **Disabled child premium**

The disabled child premium is a flat-rate premium, which may be awarded for each disabled child in the household and can be included with any other premiums. A child is considered disabled if they are:

- registered blind, or
- receiving Disability Living Allowance.

- **Disability premium**

A disability premium will be included in the applicable amount if the customer and partner are aged less than pension credit age and:

- either is registered blind; or
- either gets one of the 'qualifying benefits' listed below; or
- has been off sick for 52 weeks or more.

The 'qualifying benefits' are:

- Disability Living Allowance; or
- Working Tax Credit Disability Element; or
- Constant Attendance Allowance; or
- War pensioners' mobility supplement; or
- Severe Disablement Allowance; or
- Incapacity Benefit – long-term rate.

- **Severe disability premium**

This premium cannot be included on its own. The customer must first qualify for the disability premium.

*Single or lone parent* - The severe disability premium may be included in the applicable amount if the customer:

- receives the care component of Disability Living Allowance (DLA) at the highest or middle rate, Attendance Allowance (AA) or Constant Attendance Allowance (CAA); and
- lives alone; and
- no one receives Carer's Allowance for looking after them.

*Couple* – the severe disability premium may be included in the applicable amount if the customer and partner both:

- receive the care component of DLA at the highest or middle rate, AA or CAA; or
- the partner is blind and the customer receives the care component of DLA at the highest or middle rate, AA or CAA; and
- no one else lives with them; and
- no one receives Carers Allowance for looking after either one or both of them.

- **Enhanced Disability Premium**

Enhanced Disability Premium is awarded where the customer, or a member of his family, who is aged under 60 and receives the highest rate of DLA or where the customer is in receipt of Employment and Support Allowance Support Component. This premium will remain in payment if the DLA is suspended during hospitalisation. This premium is awarded at three different rates. They are:

- a rate for each dependent child/young customer in your household who receives the highest rate of DLA;
- a rate for a single customer who receives the highest rate of DLA;

- a rate for couples where at least one member of the couple receives the highest rate of DLA.

- **Work Related Activity Component**

This is awarded where the customer or partner receives main phase Employment and Support Allowance and receives a similar component within that benefit.

- **Support Component**

This is awarded where the customer or partner receives main phase Employment and Support Allowance and receives a similar component within that benefit

- **Carer Premium**

The carer premium is awarded for either or both the customer and partner, therefore it can be included twice, where the customer and/or partner:

- receives, or has an underlying entitlement to Carer's Allowance; or
- was entitled, or ceased to have underlying entitlement, to Carer's Allowance within the last eight weeks (the carer premium is awarded to the end of the eight week period)

### Calculating income and capital

The customer's income, outgoings and capital are assessed to establish entitlement to Council Tax Support. Income received by any partner is deemed to belong to the customer for Council Tax Support purposes.

### Income

Income is all the money that the customer and partner have coming in from earnings, social security benefits, maintenance payments and other sources. Depending on the type of income, it may be completely or partially ignored in the calculation of Council Tax Support, or taken fully into account.

### Income from employment

The net earnings (gross earnings less income tax, national insurance and half of any pension contributions) that the customer or partner are paid when they work for someone else will be used to work out entitlement to Council Tax Support.

### Self-employed earnings

There are three stages in working out the net self-employed earnings for Council Tax Support purposes. The first is calculating the gross profit of the business. In the second stage, deductions – which are called allowable expenses – are taken away from the gross profit to give the net profit of the business. In the third stage, tax, NI, and half of any pension contributions are taken away from the net profit to give the net earnings. The calculation for childminders is different as the net earnings are calculated by deducting tax, national insurance and half of any pension contributions from one third of the gross profit.

### Earnings disregards

After working out the net earnings, any amount that is not counted in the calculation of Council Tax Support is known as a disregard. The amount to be disregarded depends on which premium is included in the applicable amount.

If the customer is single and you cannot get a greater disregard by any of the means explained below, up to £10 of their weekly earnings will not be counted.

If the customer has a partner and they cannot get the £25 disregard by any of the means explained below, up to £15 of their joint weekly earnings will not be counted.

If the customer or partner is a part-time fire-fighter, an auxiliary coastguard, a part-time member of a crew launching or manning a lifeboat, or a member of the Territorial Army or Reserve Forces, up to £25 of their weekly earnings will not be counted.

If the applicable amount includes the disability premium, the severe disability premium or a component with Employment and Support Allowance or the carer premium (where the carer is working), up to £25 of their weekly earnings will not be counted.

If the customer is a lone parent, up to £30 of their weekly earnings will not be counted.

#### **Additional earnings disregard**

If the customer or partner works on average 30 hours a week or more (or in certain circumstances 16 hours a week or more), an additional earnings disregard can be awarded.

#### **State benefits**

The following benefits are counted in full as income for Council Tax Support:

- Contribution-based Jobseeker's Allowance
- Contribution-based Employment and Support Allowance
- Universal Credit
- State Pension
- Incapacity Benefit
- Severe Disablement Allowance
- Carer's Allowance
- Industrial Injuries Disablement Benefit
- Industrial Death Benefit
- Working Tax Credit
- Child Tax Credit (ignored if the customer or partner are of pension age)
- Savings Credit element of Pension Credit
- Bereavement Benefits (ignored if the customer or partner are of pension age).

#### **Income that is not counted**

The following types of income are not taken into account when working out Council Tax Support:

- Guarantee Credit of Pension Credit, Income Support, income related Employment and Support Allowance or income-based Jobseeker's Allowance;
- Disability Living Allowance;
- Attendance Allowance or Constant Attendance Allowance;
- Child Benefit;
- Child Maintenance
- war pensioners' mobility supplement;
- Guardian's Allowance;
- money received as a holder of the Victoria Cross, the George Cross, or any comparable award;
- any grants or allowances from a local education authority for a child who continues in education after school leaving age;
- any training premium and any refunded travelling expenses or living away from



home allowances when on a Department for Education and Employment Training Scheme training course or at an employment rehabilitation centre;

- any money such as interest or dividends from savings or investments;
- any expenses from an employer in order to carry out work;
- any expenses from a charity in order to carry out unpaid work;
- any income in kind;
- any income you have which has been held back outside this country;
- any money for fostering a child;
- special payments made with a War Widow's Pension (pre-1973 war widows);
- any charitable or voluntary payments which are made regularly;
- payments made under the Employment Department's 'Access to Work' scheme for disabled people; or
- War Disablement Pension or a War Widow's/Widower's Pension, or any similar payment from another country

Some types of income may be counted as capital.

#### **Income that is counted in part**

The following are the types of income that are only partly counted.

- the first £15 of Widowed Mother's Allowance or Widowed Parent's Allowance;
- the first £20 of any money from sub-tenants; or
- the first £20 then 50% of the excess of money received from a boarder is ignored. The balance is treated as income.

#### **Notional income**

There may be income which the customer or partner could get but have not claimed it. If this is the case, then notional income may be taken into account for Council Tax Support purposes.

#### **Student loan and grant income**

Maintenance Loans and Maintenance Grants are paid to full time students to help with their living costs. The maximum loan available to the customer will be taken into account for Council Tax Support purposes regardless of how much has been borrowed. Because much of a loan and grant is meant for essential educational items, some of the grant is ignored when working out Council Tax Support. The following elements of a loan or grant are not counted:

- up to £10 per week of the loan;
- tuition and examination fees;
- any disability allowance;
- the cost of term-time residential study away from college;
- any Two Homes Grant;
- an allowance for books and equipment; and
- travel expenses.

## Outgoings

Only certain outgoings are taken into account for Council Tax Support purposes:

### Childcare charges

In certain circumstances, average childcare charges of up to £175 (for one child) or up to £300 (for 2 or more children) per week per family can be offset against earnings. This disregard, which is in addition to the other earnings disregards, is available to:

- lone parents who are working 16 hours or more per week;
- couples where both are working 16 hours or more per week;
- couples where one member is working 16 hours or more per week and, generally, the disability premium, or, in certain circumstances, the higher pensioner premium, is included in the applicable amount on account of the other member's incapacity or the other member is in hospital or in prison.

It applies where formal childcare is provided by, for example, registered childminders or day nurseries for children until the first Monday in September following their 15th birthday (or the 16th birthday for children who are entitled to Disability Living Allowance or who are registered blind).

### Parental contributions to students

If a parental contribution to a student is being made then that part of the customer's income is not counted to take account of this.

### Occupational or personal pension contributions

50% of the value of the contributions is deducted from the gross employed earnings for Council Tax Support purposes.

## Capital

Capital includes savings and investments held by the customer in any form (for example, bank and building society accounts, investment trusts, and shares) from any source (for example, inheritance, redundancy payments, and irregular payments from a charitable or voluntary source). Actual interest payments or dividends are not counted as income but as capital. Any capital belonging to a partner is treated as belonging to the customer for the purposes of Council Tax Support

### Capital for Working Age customers

The first £6,000 of capital is not counted. Capital over £6,000 up to £16,000 is taken into account at £1 a week for each £250 (or part of £250) of capital over £6,000

### Capital for Pension Age customers

The first £10,000 of capital is not counted. Capital over £10,000 up to £16,000 is taken into account at £1 a week for each £500 (or part of £500) of capital over £6,000. For customers who receive the Guarantee Credit of Pension Credit there is

no upper capital limit.

#### **Property owned but not occupied by the customer**

Unless the property is occupied by an elderly or disabled relative as their home, the value of land and housing will normally be counted as capital. There are also certain circumstances where the value may not be counted for up to 26 weeks (property the customer intends to occupy as their home, property up for sale, property undergoing essential repairs so that the customer can occupy it, property subject to legal proceedings to enable the customer to occupy it, property left after the breakdown of a relationship and the former partner occupies it). The property will be valued at the price it would be expected to fetch on the open market, less any outstanding mortgage or legal charges on the property. Ten per cent of the current market value will also be deducted to take into account the cost of the sale.

#### **National Savings Certificates**

National Savings Certificates of the current issue are valued at purchase price. Certificates of a previous issue are valued as if they were purchased on the last day of that issue.

#### **Compensation payments**

For Council Tax Support purposes, compensation payments will normally be counted in full as capital. Capital will not be counted if it is held in trust or by the 'Court of Protection' as a result of a personal injury payment. For Pension Age customers compensation payments made as a result of personal injury are ignored whether or not placed in a trust.

#### **Business assets**

Business assets of a self-employed earner are not counted while engaged in that business. Nor are they counted in certain other circumstances, but any shares owned will be treated as capital.

#### **Notional Capital**

There may be capital which the customer or partner could get but which they do not have. If this is the case, then notional capital may be taken into account for Council Tax Support purposes.



# FAREHAM

## BOROUGH COUNCIL

### Report to Council

**Date**                    **12 December 2013**

**Report of:**            **Director of Regulatory and Democratic Services**

**Subject:**              **The Hampshire Partnership**

#### **SUMMARY**

The role previously undertaken by the Hampshire Senate has been reviewed and refreshed and the Senate will now be replaced by the Hampshire Partnership that will drive forward a new agenda for partnership working that recognises the important role of the County Council and District and Borough Council's working together with other organisations on matters of interest and service delivery within the county of Hampshire.

#### **RECOMMENDATION**

- (a) That the Council agree to Fareham Borough Council being part of the new Hampshire Partnership; and
- (b) That the Executive Leader represents the Council at these meetings with the Deputy Executive Leader deputising as necessary.

## **INTRODUCTION**

1. The role previously undertaken by the Hampshire Senate has been reviewed with the result that the Hampshire Senate will be replaced by the Hampshire Partnership that will better reflect the need to drive forward a new agenda for partnership working in Hampshire.
2. The former Hampshire Senate was a group of local authorities and other public agencies, together with the voluntary sector and business representatives that came together on a regular basis to consider issues on a Hampshire wide basis. The rationale behind the arrangement was that the County Council needed to work with partner agencies and other organisations that make up the different communities of interest in Hampshire, to best shape its policies and to respond to different communities. Hampshire Constabulary, Hampshire Fire and Rescue Service and the Armed Forces have also played a part in the Senate in the past. Partnership working, particularly among public organisations, but increasingly with the private sector and with other elements of the business community, is now well established as an effective way of bringing together different communities of interest that play a part in public life.
3. However, the Leader of Hampshire County Council recently set up a working group of Members, Leaders and Officers of the former Senate to review its purpose and following discussions with Leaders and other public sector representatives, there was near unanimous support for re-branding The Senate as the Hampshire Partnership and for refreshing and reinvigorating what it can do in terms of public sector outcomes.
4. It was recommended that the partnership be renamed The Hampshire Partnership as a working title while it looked to develop a forward agenda of issues, projects and tasks that would help improve public service outcomes for the people who live and work in Hampshire as a place amid on-going financial pressures. The current position of public sector finances especially at local government level, should only serve to reinforce the duty upon all agencies to explore efficiencies as well as the opportunities that arise from these.
5. A report with a recommendation to approve the new Hampshire Partnership was considered and agreed by Hampshire County Council's Cabinet on 28 October 2013.
6. Fareham was not a member of the former Hampshire Senate, but following the review that has been undertaken and the recognition of the importance and promotion of partnership working between the County and the District Councils, the new Hampshire Partnership provides the opportunity for Fareham to become involved and help influence and shape the outcomes that could benefit the community of Fareham.

## **THE HAMPSHIRE PARTNERSHIP**

7. Partnership working, particularly among public organisations, but increasingly with the private sector and with other elements of the business community, is now well established as an effective way of bringing together different communities of interest that play a part in public life.

8. The Hampshire Partnership will take on the role previously discharged by the Hampshire Senate agreeing ways of working together in the future at a time when financial constraints on the public purse are set to continue for a long time to come.
9. The Hampshire Partnership will provide the opportunity for Fareham to be involved with the County, the other district councils and other public sector organisations, voluntary and community sector and businesses in the development of a new agenda for partnership working in Hampshire.
10. The (new) partnership is looking to coordinate activities of the County Council with the District and Borough Councils in Hampshire together with the public and other agencies that make up the wider communities of interest in the county. The partnership is not designed to duplicate or undermine any of those other legitimate partnership arrangements that are in place. It is designed to fulfil a critical requirement that there has to be a single arrangement which is dedicated to the county of Hampshire.
11. To a large extent this provides the only focus in terms of partnership arrangements in Hampshire itself, giving a unique opportunity to bring together the organisations that work within the County to best secure improvements to public services, policy formulation and improved outcomes. It has been widely recognised that arrangements of this sort are common throughout local government and encouraged by the Secretary of State for Local Government and Communities.
12. It is not anticipated that the partnership will require significant budgets as it will be involved with existing services and their developments that are already budgeted for in the Council's and partners' main work streams and departmental spending plans.
13. The Leader of the County Council has given a strong commitment to partners that the County Council will work assiduously within the two tier system as a partner to improve outcomes for the people who live in Hampshire.
14. It is anticipated that the new partnership could consider how best to improve working arrangements in the two tier model of government, improvements to develop shared services amongst Councils, developments around caring for Hampshire's ageing population, issues impacting on criminal justice and youth offending and more generally those issues with the Constabulary, the Police & Crime Commissioner and Fire and Rescue Service that impact on making Hampshire safer and more secure as a place to live.
15. The Hampshire Partnership will not deal with the issues of or be a competitor body to the geographically larger Hampshire and Isle of Wight Local Government Association (HLOWLGA) which deals with matters of common interest to local government across the entire geographical area and across all tiers of local government.
16. The Hampshire Partnership will only deal with matters of particular interest to the County Council and District Councils working together on matters of interest and service delivery with partners within the administrative county of Hampshire.

17. The Partnership aims to meet no more than four times a year bringing together the major partners in Hampshire to address in a co-operative way those issues that can be dealt with more effectively together.

## **CONCLUSION**

18. The new Hampshire Partnership provides the opportunity for Fareham to become involved and help influence and shape outcomes that could benefit the community of Fareham.
19. It is therefore recommended that Council agree to Fareham being part of the Hampshire Partnership and that the Executive Leader represents the Council at these meetings with the Deputy Executive Leader deputising as necessary.

**Background Papers: None**

### **Enquiries:**

For further information on this report please contact Garry White. (Ext 4395)



# FAREHAM

## BOROUGH COUNCIL

### Report to Council

**Date**                    **12 December 2013**

**Report of:**            **Director of Regulatory and Democratic Services**

**Subject:**               **UPDATES TO THE CONSTITUTION**

#### **SUMMARY**

This report proposes changes to Part Four of the Constitution - Standing Orders with Respect to Meetings, following a review undertaken by the Head of Democratic Services, in consultation with the Monitoring Officer and the Solicitor to the Council.

#### **RECOMMENDATION**

That Council considers the amendments to the Standing Orders with Respect to Meetings and adopts the revised version, attached at Appendix A to the report.

## **INTRODUCTION**

1. The Head of Democratic Services has undertaken a review of the Council's Standing Orders with Respect to Meetings and has consulted the Scrutiny Board at its meeting on 21 November 2013 and the Executive at its meeting on 2 December 2013 on the suggested updates before making final recommendations to Council.
2. The Council may make changes to the Constitution and the Standing Orders with Respect to Meetings after consultation with the Scrutiny Board and the Executive as per Standing Order 62.1 – Variations and Revocations of Standing Orders.
3. The views of the Audit and Governance Committee have also been sought at its meeting of 25 November 2013, as part of a wider consultation and in light of the committee's general governance functions.

## **BACKGROUND**

4. Following the implementation work after the enactment of the Localism Act 2011, the Head of Democratic Services is undertaking a review of the Council's Constitution and will be recommending updates for each chapter and section of the Constitution which has been affected by recent legislative changes. The first section to be considered for update is the Standing Orders with Respect to Meetings, as it has an effect on all of the Council's committee and panel meetings.
5. The current Standing Orders with Respect to Meetings were adopted in April 2007 and have subsequently been amended on four separate occasions (December 2008, April 2009, May 2010 and August 2011).

## **PROPOSAL**

6. This review provides an opportunity for the Standing Orders to be updated in full and a copy of the proposed updated document is attached at Appendix A.
7. The following key changes have been incorporated into the document:
  - a) all references to the Standards Committee have been removed;
  - b) additional and amended wording is highlighted in bold text and underlined (for ease of reference);
  - c) where applicable, cross-references to other parts of the Council's Constitution have been entered;
  - d) spelling, typing and formatting errors have been corrected;
  - e) wording amended throughout to ensure the use of plain English; and
  - f) inclusion of a section on the recording of meetings by the media.

8. The views of the Executive were sought at its meeting on 2 December 2013 regarding a change to Standing Order 62 – Variations and Revocations of Standing Orders. Officers consider that it would be more appropriate and less bureaucratic for future amendments of the Standing Orders with Respect to Meetings to become part of the function and Terms of Reference of the Audit and Governance Committee. This would help to clarify and support changes to the Constitution which require Parts One to Three to be considered by the Executive, in consultation with the Scrutiny Board. Parts Four to Eight would then be under the function of the Audit & Governance Committee.
9. The Executive agreed to the change and the wording of Standing Order 62.1 has been amended to reflect this (see Appendix A).

### **RISK ASSESSMENT**

10. There is a risk to the Council that not having Standing Orders with Respect to Meetings which are robust and up to date could damage its reputation for good governance and undermine public confidence in the Council as a whole.

### **CONCLUSION**

11. The recommended amendments of the Scrutiny Board, the Executive and the Audit and Governance Committee have been incorporated in to the revised Standing Orders with Respect to Meetings document at Appendix A which is submitted to Council for adoption.

**Reference Papers:** Fareham Borough Council Constitution.

### **Enquiries:**

For further information on this report please contact Leigh Usher. (Ext 4553)



# **FAREHAM**

## **BOROUGH COUNCIL**

### **STANDING ORDERS**

**WITH RESPECT**

**TO**

**MEETINGS**



**5 April 2007**  
***Amended : Dec 2008***  
***Further amended: April 2009***  
***Further amended wef 13 May 2010***  
***Revised October 2013***

## STANDING ORDERS WITH RESPECT TO MEETINGS

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## FAREHAM BOROUGH COUNCIL

### STANDING ORDERS WITH RESPECT TO MEETINGS

#### INTRODUCTION

- i. A local authority is permitted, but not required, by the Local Government Acts 1972 **and 2000**, to make Standing Orders for the regulation of its proceedings and business.
- ii. Such Standing Orders are for the purpose of establishing and maintaining the orderly conduct of meetings. The form and operation of the Standing Orders are under the control of the Council and may be worded to regulate meetings in the manner that the Council wishes. Apart from matters referred to in paragraph 4 below, there is no statutory requirement to provide Standing Orders in any particular form or for them to contain specific provisions. However, the Council is required by law to include its Standing Orders in its written Constitution.
- iii. Once Standing Orders have been established, however, failure to comply with them could, in some circumstances, render a decision void or subject to legal challenge. Further, it could be maladministration to do so. Except for those requirements mentioned at paragraph 4 below, the Council may rescind, suspend, waive, or vary Standing Orders in accordance with the procedures contained in them.
- iv. The Council is required by law to include in its Standing Orders the following:
  - (a) Provisions as to the Appointment of Chief Officers and other Statutory Officers;
  - (b) Provisions with regard to Disciplinary Action in respect of the Head of the Paid Service and other Statutory Officers.

These matters are contained in separate Standing Orders with respect to the Appointment, Dismissal and Discipline of Employees. (ref Part 4: Ch 2 of Constitution)

- v. The Appendix to these Standing Orders is for information only and does not form part of the Standing Orders themselves. Certain procedures of the Council are, however, prescribed by Statute (Local Government Acts 1972 and 2000).
- vi. These Standing Orders have been approved by the Council and are written in a form to enable members to identify the procedures to be followed in relation to any point or matter.

**NOTE:** This introduction does not form part of Standing Orders and is explanatory only.

## PART I

### ANNUAL MEETING OF THE COUNCIL

#### 1. DATE AND TIME OF MEETING

- 1.1. The Annual Meeting of the Council will be held on the second Thursday of May, subject to any statutory provisions to the contrary. If it cannot be held on that date, it must be held as soon as possible after the second Thursday of May as decided by the Council, or, failing decision by the Council, by the Mayor.
- 1.2. The Annual Meeting of the Council shall be held at 10:30 in the morning or such other time as the Mayor shall decide.

#### 2. ELECTION OF MAYOR

- 2.1. The first formal business shall be the election of a Mayor.
- 2.2. In addition to electing the Mayor at the Annual Meeting, the Council shall elect a Deputy Mayor.

#### 3. APPOINTMENT OF EXECUTIVE LEADER

- 3.1 The Council shall elect a member to act as Executive Leader in accordance with **section 9C(3) Local Government Act 2000**.
- 3.2 The Executive Leader shall be appointed for a term of office as provided for in the Council's Constitution (ref Part 1: Ch 6). The Executive Leader may hold office for more than one term.
- 3.3 The appointment of the Executive Leader may be terminated as provided for in the Council's Constitution (ref Part 3: Ch 7).

#### 4. APPOINTMENT OF EXECUTIVE MEMBERS

- 4.1 **The Executive Leader** shall **announce** the number of members to be appointed as Executive Members to act with the Executive Leader as the Executive under section **9C** of the Local Government Act 2000.
- 4.2 The **Executive Leader** shall **appoint** members to act as Executive Members under Standing Order 4.1.
- 4.3 The Executive Members shall each be appointed for such term of office as is provided for in the Council's Constitution (ref Part 1: Ch 6). The Executive Members may hold office for more than one term.
- 4.4 The appointment of any Executive Member may be terminated as provided for in the Council's Constitution (ref Part 3: Ch 7).

## **5. DETERMINATION OF AREAS OF EXECUTIVE RESPONSIBILITY**

- 5.1 The Executive Leader shall determine the separate areas of responsibility to be allocated to individual Executive Members in accordance with the Council's constitution.
- 5.2 A decision of the Executive Leader under 5.1 above shall be made in accordance with the Council's procedures for the taking of decisions by individual members of the Executive and a written record provided.

## **6. APPOINTMENT OF SCRUTINY BOARD AND POLICY DEVELOPMENT & REVIEW PANELS**

- 6.1 The Council shall appoint a Scrutiny Board and such Policy Development & Review Panels as are provided for in the Council's Constitution to undertake the functions of overview and scrutiny under **sections 9F and 21** of the Local Government Act 2000 (ref Part1: Ch 7 of Constitution).
- 6.2 The Scrutiny Board and Policy Development & Review Panels shall have such terms of reference and areas of responsibility as the Council approves from time to time in accordance with executive arrangements and the Constitution of the Council.
- 6.3 The Scrutiny Board and the Policy Development & Review Panels shall have such number of members and standing deputies as the Council from time to time appoints. Subject to any statutory provision providing otherwise, no member may be appointed to hold office later than the next Annual Meeting of the Council. This shall not prevent re-appointment to office.
- 6.4 The Council shall appoint the Chairmen and Vice-Chairmen of the Scrutiny Board and of the Panels.

## **7. APPOINTMENT OF OTHER COMMITTEES**

- 7.1 The Council shall appoint such committees as it is required to appoint under statute **and as it considers necessary to carry out its functions**.
- 7.2 Each Committee appointed under Standing Order 7.1 shall have such number of members and standing deputies as the Council from time to time appoints, subject to any applicable statutory requirements. Subject to any statutory provision providing otherwise, no member of a committee may be appointed to hold office later than the next Annual Meeting. This shall not prevent re-appointment to office.
- 7.3 The Council shall appoint the Chairman and Vice-Chairman of each of the Committees it appoints under Standing Order 7.1.
- 7.4 Each Committee appointed under Standing Order 7.1 shall have the terms of reference and delegated powers that the Council approves from time to time.

## **8. ALLOCATION OF SEATS**

- 8.1 Whenever the Council is either required to review the allocation of seats on committees between political groups or the Council resolves to carry out such a review, the Council must determine the allocation of seats to political groups in a way which best meets the requirements of Section 15 of the Local Government and Housing Act 1989 or other statutory provision.

## **9. POLICY FRAMEWORK**

- 9.1 The Council must establish or confirm the plans and strategies that are to comprise the Council's overall policy framework within which the Executive shall operate during the coming year.

## **10. OTHER BUSINESS**

- 10.1 The Council shall make appointments to outside bodies other than those appointments which are required by law to be made by the Executive.
- 10.2 Other business shall be conducted, where relevant, in accordance with Part II of these Standing Orders.

## PART II

### MEETINGS OF THE COUNCIL

#### 11. TIME OF MEETINGS

- 11.1 Meetings of the Council for the transaction of general business shall be held during each year on dates set by the Council. Meetings shall be held at 6:00 p.m. unless the Mayor determines otherwise.
- 11.2 Any additional meeting called by the Mayor or by five members of the Council under paragraph 3 of Schedule 12 of the Local Government Act 1972 shall be on the date and at the time the Mayor decides.

#### 12. CHAIRMAN

- 12.1 The Mayor must act as Chairman of the Council and, if present, must preside at meetings of the Council.
- 12.2 If the Mayor is absent, the Deputy Mayor must act as Chairman and shall preside.
- 12.3 If both Mayor and Deputy Mayor are absent from a meeting of the Council, the Council must elect a member to preside.

#### 13. QUORUM

- 13.1 A quorum of the Council is at least one third of the members.
- 13.2 If, after counting the number of members present during any meeting of the Council, the Mayor declares that there is not a quorum present, the meeting must stand adjourned.
- 13.3 The consideration of any business not transacted must be adjourned to a time fixed by the Mayor at the time the meeting is adjourned, or, if he/she does not fix a time, to the next ordinary meeting of the Council.

#### 14. ORDER OF BUSINESS

- 14.1 Except for variations allowed under Standing Order 65, the order of business at ordinary meetings of the Council shall be:
- (a) Prayers;
  - (b) To choose a person to preside in the absence of both the Mayor and Deputy Mayor;
  - (c) To approve as a correct record and sign the minutes of the last meeting of the Council;
  - (e) To deal with any business expressly required by statute to be done;
  - (f) Mayor's announcements;

- (g) Executive Leader's announcements;
- (h) Executive Members' announcements;
- (i) Declarations of Interest;
- (j) Presentation of Petitions;
- (k) Reception of Deputations;
- (l) To dispose of business (if any) remaining from the last meeting;
- (m) To receive, consider and answer questions on reports and recommendations of the Executive and of the Scrutiny Board or other Committees of the Council and minutes of Committees of the Council;
- (n) To answer questions asked under Standing Order 17.2;
- (p) To consider motions in the order in which notice has been received; and
- (q) Other business, if any, specified in the summons.

#### **Variation of Order of Business**

14.2 The Order of Business may be varied:-

- (a) By the Mayor at his/her discretion.
- (b) By a resolution passed on a motion properly moved and seconded. Such a motion shall be moved and put without discussion.

### **15. MOTIONS**

#### **Notices of Motion**

- 15.1 Except for motions under Standing Order 16, written notice must be given of each motion to be moved at the meeting of the Council. Such written notice may be given by electronic means provided that S.O.15.2 is complied with as to signature.
- 15.2 Each notice must be signed by the member or members of the Council giving the notice **unless sent electronically, then it must be sent from the lead member's Fareham Borough Council e-mail account.**
- 15.3 Each notice must be delivered at least **seven** clear working days before the next meeting of the Council, at the office of the Chief Executive Officer. The Chief Executive Officer must date each notice and number the notices in the order received. Motions shall be listed on the agenda in the order in which notice was received. The notices received must be retained and be open to the inspection of every member of the Council.

- 15.4 If notice is given of a motion which, in the opinion of the Chief Executive Officer is illegal, irregular or improper it shall not be accepted. In the event of non-acceptance, the Chief Executive Officer shall immediately inform the member giving notice.

### **Motions to be Set Out in Summons**

- 15.5 The summons for every meeting of the Council must have set out in it the properly notified motions, in the order in which they have been received.

### **Motion Not Moved**

- 15.6 If a motion set out in the summons is not moved either by a member who gave notice of it or by another member on his/her behalf it must, unless postponed by consent of the Council, be treated as withdrawn and cannot be moved without fresh notice.

### **Automatic Reference to the Executive or to a Committee**

- 15.7 If the subject matter of any properly notified motion comes within the terms of reference or functions of the Executive or of a committee of the Council it must, on being formally moved and seconded, stand referred without discussion to the Executive or the relevant committee. The Executive or committee to which the motion has been referred shall consider the motion and report back to the Council provided that, before considering a motion that has been referred to it, the Executive must consult the Scrutiny Board

If a motion is referred by the Council to the Executive, via the Scrutiny Board, the decision of the Executive shall not be subject to the call in procedure for Executive decisions, under the Council's Constitution.

If the Mayor considers it appropriate, he/she may allow the motion to be dealt with at the meeting at which it is moved and he shall inform the proposer accordingly before the meeting.

For the purposes of clarification, a decision upon an Executive function, arising from a Motion to Council, may not be taken by the Council unless it would contravene the Policy framework or be outside or not fully in accordance with the approved budget (in which case the Executive has no power to make it).

### **Scope of Motions**

- 15.8 Every motion must be directly relevant to some matter in relation to which the Council has powers or duties or which affects the economic, social or environmental well-being of the Borough of Fareham or any of its inhabitants. For the purposes of this Standing Order, Council shall be deemed to include the Executive.

## **16. NOTICE NOT REQUIRED**

16.1 The following motions and amendments may be moved without notice:

- (a) Appointment of a Chairman of the meeting.
- (b) Motions relating to the accuracy of the minutes.
- (c) That an item of business specified in the summons shall have precedence.
- (d) Reference to a committee or to the Executive.
- (e) Appointment of a committee or members thereof, prompted by an item mentioned in the summons to the meeting.
- (f) Receipt of reports and recommendations of the Executive, committees of the Council or officers and of minutes of Committees of the Council and any consequent resolutions.
- (g) That leave is given to withdraw a motion.
- (h) Extending the time limit for speeches.
- (i) Amendments to motions.
- (j) Motion to exclude the public under Section 100A(4) of the Local Government Act 1972.
- (k) Variation of order of business in accordance with Standing Order 65.
- (l) That a member named under Standing Order 20 be not further heard or must leave the meeting.
- (m) Suspending Standing Orders, in accordance with Standing Order 69
- (n) Removing the confidentiality from any item on the Council agenda provided that the motion must refer to the confidential item by minute reference number only.
- (o) That the Council proceed to the next business.
- (p) That the question is now put.
- (q) That the debate is now adjourned.
- (r) That the Council now adjourn.

## **17. QUESTIONS**

17.1 A member of the Council may ask the Executive Leader, Executive Members or the Chairman of a committee of the Council any question on an item contained in the recommendations or reports of the Executive or of a committee or minutes of a



committee when those reports, or recommendations or minutes, are under consideration by the Council.

17.2 A member of the Council may:-

- (a) If **seven** clear working days' notice in writing has been given to the Chief Executive Officer, ask the Mayor or the Executive Leader or the Chairman of any committee of the Council any question on any matter **falling within their terms of reference** in relation to which the Council has powers or duties or which directly affects the economic, social or environmental well-being of the Borough of Fareham or any of its inhabitants. For the purposes of this Standing Order, Council shall be deemed to include the Executive.
- (b) With the permission of the Mayor, put to him/her or the Executive Leader or the Chairman of any committee of the Council, any question relating to urgent business **falling within their terms of reference**, of which notice has not been given; but a copy of any such question must, if possible, be delivered to the Chief Executive Officer not later than ten o'clock in the morning of the day of the meeting.

17.3 Every question must be put and answered without discussion, but the person to whom a question has been put may decline to answer. If the member asking a question considers that the reply given requires further clarification, he/she may ask for a further reply. Otherwise no further question may be put except by permission of the Mayor.

17.4 An answer may take the form of:

- (a) a direct oral answer, or
- (b) where the desired information is contained in a publication of the Council, a reference to the publication; or
- (c) a written answer.

## 18. MINUTES

18.1 The Mayor must put the motion that the minutes of the meeting of the Council held on the.....day of.....be approved as a correct record.

18.2 No discussion shall take place on the minutes, except as to their accuracy, and any question of their accuracy must be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Mayor must sign the minutes.

18.3 Where the next meeting is an extraordinary meeting of the Council called under paragraph 3 of Schedule 12 to the Local Government Act 1972, the next following meeting of the Council shall be treated as a suitable meeting for the purposes of signing the minutes (in accordance with LGA1972 Sch12 paragraph 41(1) and (2).

## **19. RULES OF DEBATE FOR COUNCIL MEETINGS**

### **Motions and Amendments**

- 19.1 A motion or amendment may not be discussed unless it has been proposed and seconded. Unless notice has already been given in accordance with Standing Order 15, it must, if required by the Mayor, be put into writing and handed to the Mayor before it is further discussed or put to the meeting.

### **Secunder's Speech**

- 19.2 If he/she then declares his/her intention to do so, a member seconding a motion or amendment may reserve his/her speech until a later period of the debate.

### **Only One Member to Stand at a Time**

- 19.3 When speaking, each member must stand and address the Mayor. If two or more members rise at the same time, the Mayor shall call on one to speak; the other or others must then sit. While a member is speaking the other members shall remain seated, unless rising to a point of order or in personal explanation.

### **Content and Length of Speeches**

- 19.4 A member must direct his/her speech to the question under discussion or to a point of order or to a personal explanation. No speech may exceed five minutes except with the permission of the Council.

### **When a Member May Speak Again**

- 19.5 A member who has spoken on any motion may not speak again whilst it is the subject of debate, except:
- (a) To speak once on an amendment moved by another member;
  - (b) If the motion has been amended since he/she last spoke, to move a further amendment;
  - (c) If his/her first speech was on an amendment moved by another member, to speak on the main issue, whether or not the amendment on which he/she spoke was carried;
  - (d) In exercise of a right of reply given by Standing Order 19.11 or 19.16;
  - (e) On a point of order; or
  - (f) By way of personal explanation.

### **Amendments to Motions**

- 19.6 An amendment must be relevant to the motion and must be either:
- (a) to refer a subject of debate to the Executive or to a committee of the Council for consideration or re-consideration; or
  - (b) to leave out words; or
  - (c) to leave out words and insert or add others; or
  - (d) to insert or add words;

Any omission, insertion or addition of words must not have the effect of negating the motion before the Council.

- 19.7 Only one amendment may be moved and discussed at a time and no further amendment may be moved until the amendment under discussion has been disposed of.

However, the Mayor may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the proper conduct of the Council's business. The Mayor may postpone discussion of an amendment which in his/her view materially changes the meaning of the motion until in his/her opinion members who wish to speak on the motion as proposed have had the opportunity to do so.

- 19.8 If an amendment is lost, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion on which any further amendment may be moved.

### **Alterations of Motions**

- 19.9 With the consent of the Council signified without discussion, a member may:
- (a) alter a motion of which he/she has given notice, or
  - (b) with the further consent of his/her seconder, alter a motion which he/she has moved, if (in either case) the alteration is one which could be made as an amendment to it.

### **Withdrawal of Motion**

- 19.10 The mover may withdraw a motion or amendment with the consent of his/her seconder and of the Council. Consent, if given, must be signified without discussion. No member may speak on the motion or amendment after the mover has asked permission for its withdrawal, unless such permission has been refused.

## **Right of Reply**

- 19.11 The proposer of a motion must have a right to reply at the close of the debate on a motion immediately before it is put to the vote.

A member exercising a right of reply shall not introduce a new matter.

If an amendment or reference back is moved, its proposer shall have a right of reply at the close of the debate on it, subject to the proposer of the original motion (who shall not otherwise speak on the amendment) having the final right of reply immediately before that amendment or reference back is put to the Council.

After reply by the proposer of the original motion, a decision shall be taken on that amendment without further discussion or questions asked.

- 19.12 The recommendations, reports or minutes of the Executive, the Scrutiny Board or of a Committee of the Council shall be presented to the Council by the Executive Leader or the Chairman of the meeting concerned or, in his/her absence, by some other member of the Executive or of the committee who was present at that meeting. The Executive Leader, Chairman or other member shall move that the report or minutes be received and that any recommendation be approved and adopted.
- 19.13 After a motion has been proposed under Standing Order 19.12, a recommendation shall be determined by the members present. The Mayor or person presiding at the meeting shall require that the matter subject to debate be debated and disposed of before proceeding to the next motion except where otherwise agreed by the Council or where Standing Order 19.14 applies.
- 19.14 When the Council resolves that two or more motions or amendments shall be considered together, Standing Order No 19.11 shall apply so as to give to each proposer of any such motions or amendments the right of reply. The order specified in Standing Order 19.11 shall apply. The Mayor may direct as to the order in which the various motions and/or amendments are voted on.

## **Motions Which May be Moved During Debate**

- 19.15 When a motion is under debate no other motion may be moved except the following:
- (a) To amend the motion;
  - (b) That a member is not further heard;
  - (c) By the Mayor under Standing Order 21.2 that a member must leave the meeting;
  - (d) That the public be excluded under Section 100A(4) of the Local Government Act 1972;
  - (e) That the subject of debate be referred (back) to the Executive or committee of the Council;

- (f) That the Council proceed to the next business;
- (g) That the question is now put;
- (h) That the debate is now adjourned;
- (i) That the Council now adjourns.

### Closure Motions

19.16 At the conclusion of a speech of a member, another member may move without comment, "That the Council proceed to the next business," "That the question is now put", "That the debate is now adjourned," or "That the Council now adjourns," on the seconding of which the Mayor shall proceed as follows:

- (a) **On a motion to proceed to next business:** unless in his/her opinion the matter before the meeting has not been sufficiently discussed, he/she shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business;
- (b) **On a motion that the question is now put:** unless in his/her opinion the matter before the meeting has not been sufficiently discussed, he/she shall first put to the vote the motion that the question is now put. If the motion is passed the mover of the original motion shall have a right of reply under Standing Order 19.11 before putting his/her motion to the vote;
- (c) **On a motion to adjourn the debate (or the meeting):** if in his/her opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion he/she shall put the adjournment motion to the vote without giving the mover of the motion his/her right of reply on that occasion.

### Points of Order and Personal Explanation

19.17 A member may rise on a point of order or in personal explanation, and shall be entitled to be heard immediately.

A point of order may relate only to an alleged breach of a Standing Order or statutory provision and the member shall specify the Standing Order or statutory provision and the way in which he/she considers it has been broken.

A personal explanation must be confined to:

- (a) some material part of a former speech by him/her which may appear to have been misunderstood in the present debate and must be in order to clarify his/her former speech or to correct such misunderstandings, or
- (b) the correction of facts which concern himself/herself contained in a speech of another member in the present debate.

- 19.18 The ruling of the Mayor on a point or order or on the admissibility of a personal explanation shall not be open to discussion.

### **Respect for Chairman**

- 19.19 Whenever the Mayor rises during a debate, a member then standing must resume his/her seat and the Council shall be silent.

## **20. MOTIONS AFFECTING PERSONS EMPLOYED BY THE COUNCIL**

- 20.1 Questions as to the appointment, promotion, dismissal, salary, superannuation or conditions of service of any employee other than a Chief Officer, shall not be the subject of discussion at a meeting of the Council, the Executive, or a Committee or Sub-Committee of the Council other than the Appeals Committee
- 20.2 If any question arises at a meeting of the Council as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct of any person employed by the Council, such question may not be the subject of discussion until the Council has decided whether or not the power of exclusion of the public under section 100A(4) of the Local Government Act 1972 shall be exercised. This Standing Order applies also to the Executive or to a committee of the Council to which the Local Government Act 1972 applies by virtue of Sections 100A and 100E of that Act.

## **21. DISORDERLY CONDUCT**

### **Misconduct by a Member**

- 21.1 If, in the opinion of the Mayor notified to the Council, any member misconducts himself or herself by persistently disregarding the ruling of the Chairman or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Council, the Mayor or any other member may move that the member named be not further heard. If seconded, the motion must be put and determined without discussion.

### **Continuing Misconduct by a Named Member**

- 21.2 If the member named continues his/her misconduct after a motion under Standing Order 21.1 has been carried the Mayor shall either:-
- (a) move that the member named shall leave the meeting (in which case the motion shall be put and determined without seconding or discussion); or
  - (b) adjourn the meeting of the Council for such period as he/she in his/her discretion considers expedient.

### **General Disturbance**

- 21.3 In the event of general disturbance which in the opinion of the Mayor renders the due and orderly dispatch of business impossible, in addition to any other power vested in him/her, the Mayor may, without question put, adjourn the meeting of the Council for such period as he/she in his/her discretion considers expedient.

## 22. DISTURBANCE BY MEMBERS OF THE PUBLIC

- 22.1 If a member of the public interrupts the proceedings at any meeting the Mayor shall warn him/her/them. If he/she/they continue(s) the interruption, the Mayor shall order his/her/their removal from the Council Chamber. In the case of general disturbance in any part of the Chamber open to the public, the Mayor shall order that part to be cleared and/or the meeting to be adjourned.

## 23. RESCISSION OF PRECEDING RESOLUTION

- 23.1 No motion to rescind any resolution passed within the preceding six months and no motion or amendment to the same effect as one which has been rejected within the preceding six months, may be proposed unless:
- (a) a member gives notice as required by Standing Order 15; and
  - (b) the notice has been signed by at least six other members.
- 23.2 This Standing Order does not apply to **a decision or** recommendation of the Executive, the Scrutiny Board or of a committee of the Council.
- 23.3 Any motion to rescind a previous resolution of the Council that has been passed within the preceding six months may be dealt with by the Council at the meeting at which it is moved.

## 24. VOTING

- 24.1 All questions coming or arising before the Council shall be determined by a majority of those members of the Council present and voting. If there is an equality of votes, the person presiding at the meeting shall have a second (or casting) vote.
- 24.2 Members shall vote:
- (a) by show of hands; or
  - (b) by the use of an electronic system of recording votes,
- as the Mayor shall determine on each occasion.
- 24.3 If any member so requests before the vote is taken, the voting on any question shall be by roll call and shall be recorded so as to show how each member present and voting gave his/her vote. The name of any member present and not voting must also be recorded.
- 24.4 If any member so requires immediately after a vote is taken at a meeting of the Council, there must be recorded in the minutes of the proceedings of that meeting whether that person cast his/her vote for the question or against the question or whether he/she abstained from voting.

## 25. VOTING ON APPOINTMENTS

- 25.1 Where there are more than two persons nominated for any position to be filled by the Council, and of the votes given there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.

## 26. MOTIONS ON EXPENDITURE

- 26.1 Any motion or recommendation which is not accompanied by a recommendation of the Executive and which if carried, would materially increase the expenditure on any service or reduce revenue or involve capital expenditure must, when proposed and seconded, be adjourned without discussion to the next ordinary meeting of the Council. The Executive and any committee of the Council affected by the motion must consider and report their view thereon.

## 27. DURATION OF COUNCIL MEETINGS

- 27.1 After a meeting has lasted three hours, the Mayor may direct that only unopposed or formal business shall be proceeded with and any remaining motions shall stand adjourned to a subsequent meeting.

## 28. INTERESTS OF MEMBERS IN CONTRACTS AND OTHER MATTERS

### **Disclosable Pecuniary Interests and Pecuniary Interests**

- 28.1 If any member of the Council has any **disclosable pecuniary interest** or a pecuniary interest within the meaning of the Council's Code of Conduct for Members in any contract, proposed contract, or other financial matter, that member must:

- (a) disclose the existence and nature of that interest in accordance with the Council's Code of Conduct for Members; and
- (b) withdraw from the meeting while the contract, proposed contract, or other matter, is under consideration by the Council unless he has obtained a dispensation from the **Monitoring Officer or can attend in accordance with paragraph 1.7 and/or 5.4 of the Code (i.e. making representations)**.

### **Non-pecuniary Interests**

- 28.2 If any member of the Council has a **non-pecuniary** interest, within the meaning of the Council's Code of Conduct for Members, in any contract, proposed contract, or other matter, that member must disclose the existence and nature of that interest in accordance with the Council's Code of Conduct for Members.

### **General**

- 28.3 **Any interest under the Council's Code of Conduct for Members** must be declared at or as near as possible to the start of a meeting.



- 28.4 Reference in this Standing Order to the Council shall include the Executive, the Scrutiny Board, a committee, sub-committee or panel of the Council.
- 28.5 The agenda for each meeting of the Council, the Executive, the Scrutiny Board, a committee, sub-committee or panel, must include an item at the beginning allowing for members of the Council to declare interests on any matter(s) under consideration at that meeting.

**29. BUDGET AND POLICY FRAMEWORK**

- 29.1 The Council will approve the Budget and Policy Framework in accordance with the Budget and Policy Framework Procedure Rules (ref Part 3:Ch 4 of the Constitution).

## PART III

### MEETINGS AND PROCEEDINGS OF THE EXECUTIVE

#### 30. STATUTORY REQUIREMENTS

- 30.1 All meetings and proceedings of the Executive shall be conducted in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012 or any amendment or addition to those Regulations.

#### 31. AREAS OF RESPONSIBILITY

- 31.1 The areas of Executive Responsibility shall be as determined by the Executive Leader and recorded in accordance with Standing Order 5 above.

#### 32. DELEGATION BY THE EXECUTIVE LEADER

- 32.1 The Executive Leader may discharge any Executive function in accordance with S9E Local Government Act 2000. The Executive Leader may choose to delegate any Executive function to:

- (a) the Executive;
- (b) an individual member of the Executive;
- (c) a committee of the Executive;
- (d) a sub-committee of the Executive; or
- (e) an officer of the Council.

- 32.2 **Where the delegation takes place this will be reflected in the Constitution and/or the terms of reference of the committee or the scheme of delegation, as appropriate.** A decision of the Executive Leader under 32.1 above shall be made in accordance with the Council's procedures for the taking of decisions by individual members of the Executive and a written record provided.

- 32.3 Such written record shall include:

- (a) the extent of the authority delegated, including any limitation whether as to time or otherwise; and
- (b) the name of the committee or Executive Member, or the title of the officer to whom the delegation is made.

#### 33. CONDUCT OF EXECUTIVE MEETINGS

##### **Meetings**

- 33.1 The Executive shall meet no less than six times a year. *(Note: see also paragraph 6.4 of Part1: Chapter 6 of the Council's Constitution)* .The Executive shall meet on such dates and at such times and at such location to be agreed by the Executive Leader.
- 33.2 The quorum for a meeting of the Executive, or a committee of the Executive, shall be three.
- 33.3 If the Executive Leader is present at a meeting of the Executive, he/she shall

preside. In his/her absence, the Deputy Leader (if appointed) shall preside, and in the absence of the Deputy Leader, a person appointed to do so by those present shall preside.

- 33.4 At a meeting of a committee of the Executive, those present shall appoint a person to preside.

**Business to be conducted**

- 33.5 At each meeting of the Executive the following business shall be transacted:

- (a) **apologies for absence;**
- (b) **consideration of minutes of the last meeting;**
- (c) **Executive Leader's announcements;**
- (d) **declarations of interest;**
- (e) **petitions;**
- (f) **deputations;**
- (g) **matters referred to the Executive (whether by the Scrutiny Board, a Policy Development & Review Panel or by the Council) for consideration by the Executive;**
- (h) **matters set out in the agenda for the meeting and which shall indicate which are key decisions and which are not;**
- (i) **consideration of reports from the Scrutiny Board or a Policy Development & Review Panel; and**
- (j) **other business, if any, specified in the summons.**

- 33.6 All reports to the Executive from any member of the Executive or an officer on proposals relating to the budget and policy framework must contain details of the consultation undertaken, including that with the Scrutiny Board or relevant Policy Development and Review Panel, and the outcome of consultation as appropriate.

- 33.7 Any Executive member may require that an item be placed on the agenda of the next available meeting of the Executive for consideration.

- 33.8 There shall be a standing item on the agenda of each meeting of the Executive for matters referred by the Scrutiny Board. The Chairman or Vice-Chairman of the Scrutiny Board shall be entitled to attend and speak at a meeting of the Executive when a recommendation or report of that Board is being considered.

- 33.9 Any member of the Council may ask the Executive Leader to put an item on the agenda of an Executive meeting for consideration and, if the Executive Leader agrees, the item shall be considered at an appropriate meeting of the Executive. The member asking for the item to be considered shall be invited to attend and

speak at the meeting, whether or not it is a public meeting.

- 33.10 The **Head of Paid Service**, Monitoring Officer and/or the Chief Financial Officer may include an item for consideration on the agenda of an Executive meeting and may require such a meeting to be called in pursuance of their statutory duties.
- 33.11 **Notwithstanding the provisions of this section 33, no matter may be placed on the agenda for an Executive decision or meeting unless it has complied with the requirements of the Constitution in relation to the Access to Information Procedure Rules (Constitution Part 3, Chapter 1), the Executive Procedure Rules (Constitution Part 3, Chapter 2), Forward Plans and Key Decisions (Constitution Part 3, Chapter 3), Decision making by individual members of the Executive and key decisions by Officers (Constitution Part 3, Chapter 5) or Urgent Decisions Outside the Policy Framework and / or Budget (Constitution Part 3, Chapter 6) and the provisions of the Local Authorities (Executive Arrangements)(Meetings & Access to Information) Regulations 2012.**
- 33.12 **Items of business containing exempt or confidential information within the meaning of the Local Authorities (Executive Arrangements)(Meetings & Access to Information) Regulations 2012 may only be added to the agenda following a period of 28 days notice of the item containing exempt or confidential material.**
- 33.13 **Urgent business may only be transacted having complied with Regulations 10 (General Exception) or 11 (Urgency) of the Local Authorities (Executive Arrangements)(Meetings & Access to Information) Regulations 2012. Regulation 10 requires notice to have been given to the Chairman of the Scrutiny Board, or in his absence, every member of the Scrutiny Board at least 5 clear days prior to the date of the decision / decision meeting. Regulation 11 requires the written consent to the matter being urgent having been obtained from the Chairman of the Scrutiny Board, or in his absence, the Chairman of the Authority, or in both of their absence, the Vice Chairman of the Authority.**

#### **Confidentiality of Proceedings**

- 33.11 The provisions of Standing Order 39, relating to confidentiality of proceedings, shall apply to proceedings of the Executive.

#### **Right to Attend Meetings**

- 33.12 In addition to the rights of members to attend meetings under the Regulations referred to at Standing Order 30, Standing Order 47 (Right for Mover of Motion to Attend Meeting) shall apply to meetings of the Executive.

## PART IV

### COMMITTEES AND SUB-COMMITTEES

#### 34. GENERAL PROCEDURE

- 34.1 In these Standing Orders, the term "Committee" also includes the Scrutiny Board and Policy Development & Review Panels appointed by the Council under Standing Order 6.
- 34.2 The provisions of Standing Orders 34 to 55 shall apply to meetings of all committees and sub-committees of the Council, including the Scrutiny Board, the Policy Development & Review Panels and the Standards Committee.

#### 35. TERMS OF REFERENCE

- 35.1 Each Committee of the Council shall exercise such functions, duties and powers as are allocated or required by statute.
- 35.2 Each Committee of the Council shall, in addition, have the terms of reference and delegated powers that the Council approves for it from time to time.

#### 36. CHAIRMAN OF COMMITTEE

- 36.1 In the absence from a meeting of the Chairman and Vice-Chairman, a Chairman for that meeting may be appointed from those members of the committee present.

#### 37. RIGHT TO ATTEND MEETINGS

- 37.1 The Mayor **and the Executive Leader** shall ex officio have the right to attend and speak at meetings of all committees of which he or she is not otherwise a voting member.
- 37.2 Each elected member of the Council has a right to attend any meeting of a committee of the Council or any sub-committee thereof, provided that he or she takes no part whatever in the discussions held in the committee or sub-committee except by direct invitation of the Chairman of that committee or sub-committee. Standing Orders 28 (Interests) and 39 (Confidentiality) shall apply to such visiting members.
- 37.3 The Chairman and Vice-Chairman of a committee of the Council ex officio have the right to attend and speak at meetings of every sub-committee appointed by that committee, if the said Chairman or Vice-Chairman is not otherwise appointed as a voting member.

Members of Panels who are co-opted for the consideration of specific business or for a specified period only, such appointment being less than a full municipal year, shall not be entitled to receive copies of reports relating to other business of the Panel containing information which is exempt.

### **38. STANDING DEPUTIES**

- 38.1 When making or terminating appointments of voting members to committees under Standing Order 6 and 7 or to other bodies of the Council under Standing Order 43, each appointing body shall also make or terminate the appointment of such deputies as nominated by political groups.
- 38.2 Each political group may nominate one member to act as deputy for that group for each committee or other body of the Council, with the exception of the Planning Committee, to which each group may appoint two deputy members, the Scrutiny Board to which each group may appoint such number of deputies as the Council may decide.
- 38.3 In the absence from a meeting of a voting member holding a seat allocated to a political group on a committee or other body of the Council, a deputy appointed under this Standing Order may act as his/her substitute and shall be entitled to attend, speak and vote at the meeting.
- 38.4 A deputy attending at a meeting under Standing Order 38.3 must, before the start of the meeting, advise the Chairman or cause the Chairman to be advised of the member for whom he/she is deputising.
- 38.5 Where a person for whom a member is deputising is appointed Chairman or Vice-Chairman of the committee or body concerned, the deputy shall not be entitled to act in that capacity.
- 38.6 In the case that a deputy is present at and participating in a meeting and the voting member for whom he/she is deputising subsequently also attends, the voting member may not take the place of the deputy. The Chairman of the meeting may invite that member to speak on such items of business as the Chairman considers reasonable. However, that member shall not be entitled to vote.
- 38.7 If a voting member of a committee or other body is present at and participating in a meeting, a deputy may not subsequently take his/her place.
- 38.8 If a meeting at which either a deputy or a voting member has participated is adjourned until a later date, then notwithstanding Standing Orders 38.6 and 38.7, the deputy or voting member may take the place of the other at the resumed meeting provided that such substitution may take place only at the beginning of the resumed meeting.

### **39. CONFIDENTIALITY OF PROCEEDINGS**

- 39.1 Where the public have been excluded from a meeting under any paragraph of Part 1 of Schedule 12A of the Local Government Act 1972, no member of the Council or of a committee or sub-committee (whether elected or co-opted) may disclose (except to another member of the Council) a matter dealt with by or to be brought before the Council, committee or sub-committee, without the permission of the Council or that committee or sub-committee.

39.2 Minutes, reports and documents containing exempt or confidential information and marked as such must be treated as confidential until the member is informed otherwise by the Council. Discussions which have taken place on and verbal reports of officers on exempt or confidential matters must not be disclosed except as specifically approved by the Council.

#### **40. LIMITATION ON EXERCISE OF DELEGATED POWERS**

40.1 The exercise by any committee of the Council, members or officers of the Council of any of the powers and duties from time to time delegated to them are subject to the following limitations and conditions:

- (a) Nothing may be done in pursuance of purported exercise of any such powers and duties which would or might involve any commitment on the part of the Council to capital expenditure required to be financed by way of loan or any other expenditure for which no provision has been made in the approved annual estimates or which would be in excess of any amount so provided.
- (b) In dealing with any matter under delegated powers, effect must be given to any resolution passed by the Council specifically relating thereto and any other general instructions or directions of the Council (or of the Executive or any committee of the Council in the case of powers delegated to an officer) as to the principles to be observed or the policy to be followed in regard to matters of that kind.
- (c) A committee of the Council may not deal with any matter under delegated powers where at least one quarter of the membership of the committee present at the committee meeting requests that a recommendation on the matter be submitted to the Council.
- (d) A sub-committee of the Council may not deal with any matter under delegated powers where at least one quarter of the membership of the sub-committee present at the sub-committee meeting requests that a recommendation on the matter be submitted to the appropriate parent committee.
- (e) Notwithstanding (c) and (d) of this Standing Order, except where required by law, applications for planning permission shall not be considered at a meeting of the full Council but shall be determined by the appropriate Committee of the Council or Sub-Committee.

#### **41. URGENT BUSINESS**

41.1 Urgent business arising at a time when it is not expedient to await the next scheduled meeting of the relevant committee of the Council shall be dealt with at a special meeting of that committee.

#### **42. SPECIAL MEETINGS OF COMMITTEE**

42.1 The Chairman of a committee may call a special meeting of the committee at any time. A special meeting must also be called on the requisition of at least four members of the committee, delivered in writing to the Chief Executive Officer. The

agenda for the special meeting must set out the business to be considered, and no business other than set out in the agenda may be considered at that meeting.

#### **43. SUB-COMMITTEES**

- 43.1 Every committee appointed by the Council may appoint sub-committees for such specified purposes as they think fit and may make arrangements for such sub-committees to discharge any of the functions of the authority which the committee may discharge.
- 43.2 The number of members and standing deputies to serve on a sub-committee shall be as determined by the relevant committee from time to time, but a sub-committee must have at least three members.
- 43.3 Whenever a committee is required to review the allocation of seats on a sub-committee between political groups or a committee resolves to carry out such a review, the committee must determine the allocation of seats to political groups in a way which may best meets the requirements of Section 15 of the Local Government and Housing Act 1989 or other statutory provision.

#### **44. QUORUM OF COMMITTEES AND SUB-COMMITTEES**

- 44.1 Except where authorised by a statute or ordered by the Council, business may not be transacted at a meeting of any committee unless at least one third of the whole number of the committee is present.

In no case shall less than three members comprise the quorum of a committee.

- 44.2 Subject to Standing Order 44.3 below, except where authorised by statute or otherwise ordered by the committee that has appointed it, business may not be transacted at a sub-committee unless at least one quarter of the whole number of the sub-committee is present.

Subject to Standing Order 44.3 below, in no case shall less than three members comprise the quorum of a sub-committee.

- 44.3 Notwithstanding Standing Order 44.2 above, where a sub-committee comprises only three members as provided in Standing Order 43.2 above, two members shall comprise a quorum of that sub-committee.

#### **45. VOTING IN COMMITTEES AND SUB-COMMITTEES**

- 45.1 All questions coming or arising before a meeting of a committee of the Council, a sub-committee, a relevant joint committee or sub-committee of such a committee shall be determined by a majority of those members present and voting.

In the case of an equality of votes, the person presiding at the meeting shall have a second (or casting) vote.

- 45.2 The mode of voting at meetings of a committee, a sub-committee, a relevant joint committee or sub-committee of such a committee, shall be by show of hands.



- 45.3 If, immediately after a vote is taken at a meeting of a committee or sub-committee or a relevant joint committee or sub-committee of such a committee, any member of that body requires it, there must be recorded in the minutes of the proceedings of that meeting whether that person cast his/her vote for the question or against the question or whether he/she abstained from voting.

#### **46. STANDING ORDERS TO APPLY TO COMMITTEES AND SUB-COMMITTEES**

- 46.1 The Standing Orders of the Council (except those parts which relate to standing and to speaking more than once), with any necessary modification, apply to meetings of committees of the Council.
- 46.2 Minutes of committees or sub-committees shall be signed, where possible, at the next following meeting or other suitable meeting as appropriate.

#### **47. MOVER OF MOTION MAY ATTEND COMMITTEE OR SUB-COMMITTEE**

- 47.1 A member of the Council who has moved a motion that has been referred to any committee or sub-committee must have notice of the meeting of the committee or sub-committee at which it is proposed to consider the motion. He/she has a right to attend the meeting and if he/she attends must have an opportunity of explaining the motion.

#### **48. SUBMISSION OF ESTIMATES**

- 48.1 Every committee of the Council having power to incur expenditure paid for by local taxation must submit to the Executive not later than the first day of February an estimate, in a form approved by the Council of the proposed expenditure to be recommended by such committee for the ensuing year.
- 48.2 In the event of the Executive referring estimates back to a committee that committee shall consider such reference and submit revised estimates or observations by the first day of March.
- 48.3 A Committee shall, before incurring any expenditure not included in approved estimates, submit to the Executive a supplementary estimate accompanied by a detailed statement in support of the expenditure.

## **OVERVIEW AND SCRUTINY**

### **49. MEETINGS**

- 49.1 There shall be no less than six meetings of each Policy Development and Review Panel and the Scrutiny Board in each year. Notwithstanding this provision, a meeting may be cancelled, with the consent of the Chairman, for lack of business.
- 49.2 An extraordinary meeting may be called by the Chairman of the Scrutiny Board or relevant Chairman of a Policy Development and Review Panel or by the Chief Executive Officer, if he/she considers it necessary or appropriate.

### **50. REVIEW PANELS**

- 50.1 The Scrutiny Board may appoint such sub-committees as it thinks fit to assist in its scrutiny functions.

### **51. WORK PROGRAMME**

- 51.1 The Scrutiny Board and the Policy Development & Review Panels shall be responsible for setting their own work programmes and in doing so shall take into account the wishes of all members on the Board or Panel, as appropriate.

### **52. PROCEDURE**

- 52.1 The Scrutiny Board shall consider the following business at each meeting:
- (a) minutes of the last meeting;
  - (b) declarations of interest;
  - (c) consideration of any matter referred to the Board in relation to call in of a decision of the Executive;
  - (d) the business otherwise set out on the agenda for the meeting.
- 52.2 The Policy Development and Review Panels shall consider the following business at each meeting:
- (a) minutes of the last meeting;
  - (b) declarations of interest;
  - (c) consideration of any matter referred to the Board in relation to call in of a decision of the Executive;
  - (d) the business otherwise set out on the agenda for the meeting.

### **53. SUBMISSION OF ITEMS FOR AGENDA**

- 53.1 Any member of the Scrutiny Board or a Policy Development and Review Panel shall be entitled to have an item relevant to the functions and terms of reference of the Board or Panel, as appropriate, included on the agenda for

the next available meeting.

- 53.2 Any member of the Council who is not a member of the Scrutiny Board or relevant Policy Development and Review Panel shall be entitled to refer to the Board or Panel, as appropriate, any local government matter which is relevant to the functions and terms of reference of that Board or Panel.

*(Note: A "local government matter" is defined as one which relates to the discharge of any function of the authority, affects all or part of the electoral area for which the member is elected, or any person who lives or works in that area, and which is not an "excluded" matter. An excluded matter is one relating to a planning or licensing decision, one which relates to an individual or entity where there is already a right to review or appeal, or one which is vexatious, discriminatory or not reasonable.)*

- 53.3 If the Scrutiny Board or Policy Development and Review Panel should decide not to exercise its powers to review a matter, it shall notify the member of its decision and reasons for it.

#### **54. ATTENDANCE BY OTHERS**

- 54.1 In scrutinising or reviewing decisions made or action taken in connection with the discharge of any function of the Council, the Scrutiny Board or relevant Policy Development & Review Panel may require any Executive Member (including the Executive Leader) and/or any senior officer to attend before it to explain in relation to matters with their remit:

- (a) any particular decision or series of decisions;
- (b) the extent to which the actions taken implement Council policy; and/or
- (c) their performance

and it is the duty of those persons to attend if so required.

- 54.2 Where any member or officer is required to attend the Scrutiny Board or a Policy Development and Review Panel under Standing Order 54.1, the Chairman of the Board shall inform the Chief Executive Officer. The Chief Executive Officer shall inform the member or officer in writing giving at least five working days' notice of the meeting at which he/she is required to attend. The notice shall state the nature of the item on which attendance is required and whether any papers are required to be produced for the Board. Where the account to be given to the Board shall require the production of a report, then the member or officer shall be given sufficient notice to allow for preparation of that documentation.
- 54.3 Where, in exceptional circumstances, the member or officer is unable to attend on the required date, then the Scrutiny Board or Panel shall in consultation with the member or officer concerned arrange an alternative date for attendance.
- 54.4 The Scrutiny Board or Policy Development and Review Panel may invite people other than those referred to in Standing Orders 53.1 and 53.2 to address it, discuss issues of local concern, and/or and answer questions.

## PART V

### GENERAL MATTERS AND EFFECT OF STANDING ORDERS

#### 55. ALLEGATIONS OF MISCONDUCT

- 55.1 Where there is an allegation of misconduct, or conduct which amounts to breach of the Council's Code of Conduct for Members, by a member of the Council, such allegation must be dealt with in accordance with procedures approved by the **Audit and Governance Committee**.

#### 56. DEPUTATIONS

- 56.1 Deputations shall be heard by the Council, a meeting of the Executive, a Committee of the Council, the Scrutiny Board or a Policy Development & Review Panel as appropriate in accordance with such scheme(s) as the Council may from time to time approve.

- 56.2 (Note: See Appendix for current Schemes)

#### 57. INTERESTS OF OFFICERS IN CONTRACTS

- 57.1 The Chief Executive Officer must record particulars of any notice given by an officer of the Council under Section 117 of the Local Government Act, 1972 of a disclosable pecuniary interest in a contract and the record must be open during office hours to the inspection of any member of the Council.

#### 58. INSPECTION OF DOCUMENTS BY MEMBERS

##### **General**

- 58.1 For the purpose of his/her duty as a member of the Council or as a member of a committee or sub-committee:
- (a) A member may inspect any document which is in the possession of, or under the control of the Council, which contains material relating to any business to be transacted at a meeting of a committee or sub-committee to which the Local Government Act 1972 applies. However, the right does not apply if the appropriate proper officer is of the opinion that a document discloses certain classes of exempt information described in Paragraphs 1-6, 9, 11, 12 and 14 of Part 1 of Schedule 12A to that Act **or is prohibited from disclosure by virtue of the Data Protection Act 1998**.
  - (b) A member may have access to documents in the possession of the Council:
    - (i) which relate to the work of the committee or sub-committee on which that member serves;
    - (ii) which relate to the work of a committee or sub-committee on which he/she does not serve if the member can show good reason;
    - (iii) a member who is denied access to documents by a chief officer may refer the matter to the **Chief Executive Officer who may**

**consult the Mayor.** In the event of continued dispute, the matter shall be determined by the committee concerned **having regard to any relevant legal advice that may, in the opinion of the Chief Executive Officer, be required to be brought to the attention of the committee.**

- (ii) a chief officer shall so far as is practicable and lawful, supply on request a copy of any document asked for by a member of the Council.

### **The Executive**

- 58.2 Members shall have, as a minimum, all of the rights of inspection to documents of the Executive, as are provided by the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations **2012** or any supplementary or amending legislation.
- 58.3 Further to the provisions in Standing Order 58.2, any member may inspect and be provided with a copy of any document that is in the possession of, or under the control of, the Executive which:
  - (a) contains material relating to any business to be transacted at a public meeting of the Executive,
  - (b) contains material which relates to a key decision made by an officer in accordance with executive arrangements.
- 58.4 The rights referred to in Standing Order 58.3(a) shall include material relating to exempt information except where the appropriate proper officer is of the opinion that a document discloses exempt information as described in paragraphs 1-6,9,11, 12 and 14 of Part I of Schedule 12A to the Local Government Act 1972, **is prohibited from disclosure under the Data Protection Act 1998**, or if the Chief Executive Officer is of the opinion that there would be a disclosure of advice provided by a political assistant or adviser.

### **Legal Privilege**

- 58.5 Standing Orders 58.1 and 58.3 shall not preclude the Solicitor to the Council from declining to allow inspection of any document which is or, in the event of legal proceedings would be, protected by privilege arising from the relationship of Solicitor and Client.

## **59. RECORDING OF PROCEEDINGS BY THE MEDIA**

- 59.1 **Audio and visual recordings of a meeting of the Council, the Executive, Committees and other Council bodies by a recognised media organisation shall normally be permitted following receipt of a request by the Mayor or Chairman of the relevant meeting. The Mayor or Chairman of the meeting shall advise members that the meeting is being recorded. A request to record a meeting shall only be refused if the Mayor or Chairman of the meeting believes recording would disrupt the meeting and following a motion to refuse a recording request being passed by a two-thirds majority of those members present and voting at the meeting.**

**60. INSPECTION OF LAND, PREMISES, ETC**

- 60.1 Unless specifically authorised to do so by the Council, the Executive or a committee of the Council, a member of the Council may not issue any order in respect of any works which are being carried out by or on behalf of the Council. He/she may not claim by virtue of his/her membership of the Council any right to inspect or to enter on any lands or premises that the Council has the power or duty to inspect or enter.

**61. FINANCIAL REGULATIONS, ETC**

- 61.1 The Executive, the Scrutiny Board, Policy Development & Review Panels, committees, members and officers of the Council must observe such Financial Regulations and Standing Orders with Respect to Contracts as are from time to time prescribed by the Council (ref Part 4: Ch 3 of the Constitution).

**62. VARIATIONS AND REVOCATIONS OF STANDING ORDERS**

- 62.1 Unless it has been considered by the Audit and Governance Committee (or such other committee or sub-committee with powers delegated to it in this respect) no resolution may be passed by Council which has the effect of adding to varying or revoking these Standing Orders.
- 62.2 No Standing Order made or modified in pursuance of the Local Authorities (Standing Orders) Regulations 1993 or such other statutory provision shall be varied other than authorised by statute.

**63. STANDING ORDERS TO BE GIVEN TO MEMBERS**

- 63.1 The Chief Executive Officer must provide each member of the Council with a copy of these Standing Orders, and of such statutory code or local code as regulates the proceedings and business of the Council.

**64. EACH MEMBER TO GIVE AN ADDRESS FOR NOTICES**

- 64.1 Every member of the Council must give to the Chief Executive Officer an address to which all notices to that member are to be forwarded until he/she gives another address. Notices sent to the address so given shall be deemed valid and sufficient for all purposes.

**65. INTERPRETATION OF STANDING ORDERS**

- 65.1 The ruling of the Mayor as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council, may not be challenged at any meeting of the Council.

**66. SUSPENSION OF STANDING ORDERS**

- 66.1 Subject to Standing Order 65.2 of this Standing Order, any of the preceding Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved.

- 66.2 A motion to suspend Standing Orders may not be moved without notice (i.e. under Standing Order 16) unless at least one-half of the whole number of the members of the Council are present.

## APPENDIX ONE

## SCHEME FOR DEPUTATIONS TO COUNCIL, EXECUTIVE, SCRUTINY BOARD, POLICY DEVELOPMENT AND REVIEW PANEL, COMMITTEE AND SUB-COMMITTEE MEETINGS (other than Planning Committee)

1. Notice of a proposed Deputation, which shall be given in writing, shall be lodged with the Head of Democratic Services no later than by noon two working days before the day of the meeting and:
  - (a) in the case of a meeting of the full Council, shall be addressed to the Mayor
  - (b) in the case of a meeting of the Executive, shall be addressed to the Executive Leader
  - (c) in the case of a Panel, Committee or Sub-Committee of the Council, shall be addressed to the chairman of the relevant Panel, Committee or Sub-Committee.
2. A notice shall give brief details of the subject on which a Deputation wishes to be heard.
3. A Deputation to the Executive, a Committee, the Scrutiny Board or a Policy Development and Review Panel shall be entitled to address the meeting only on a matter which forms the subject of an item for discussion on the agenda for that meeting.
4. A Deputation to a meeting of the full Council shall be entitled only to address members on matters concerning functions and powers of the Council.
5. Deputations shall be received only from persons/**organisations** who are living or working in the Borough
6. Councillors may not make deputations under this scheme.
7. With the consent of the Mayor, Executive Leader or Chairman, as appropriate, a Deputation may be presented by one person to speak on his, her or its behalf.
8. Subject to the other provisions of this scheme Deputations may be in writing or submitted electronically.
9. Notwithstanding the time limits for Deputations allowed by the Council's Standing Orders (that is, that addresses shall not exceed ten minutes in total for each deputation, this period to include the time taken to read any memorial presented) the total time for receipt of all Deputations at any one meeting shall be thirty minutes. If more than three Deputations are received at a meeting, the time allowed for each shall be reduced accordingly.
10. In relation to meetings of the Executive, the Scrutiny Board, Policy Development & Review Panels or Committees, the item next on each agenda after Apologies for Absence, (election of a Vice-Chairman as required), Minutes, Chairman's Announcements and Declarations of Interests, shall be:-

'To receive Deputations of which notice has been lodged'.



If no notice has been lodged or if no Deputation is present to be received, the meeting shall proceed to the next business.

11. In relation to meetings of the full Council, receipt of Deputations shall be timetabled as the Mayor shall decide.
12. Deputations shall not be received at site meetings or at the Annual Meeting of the Council.
13. Arrangements shall be made for a list of Deputations to be circulated to members present at the beginning of each relevant meeting.

**APPENDIX TWO****SCHEME FOR DEPUTATIONS TO MEETINGS OF THE PLANNING COMMITTEE**

1. Notice of a proposed deputation shall be given in writing and shall be lodged with the Head of Democratic Services no later than noon two working days before the day of the meeting.
2. The notice shall specify the application or other matter on which a deputation wishes to be heard and, in the case of an application for planning consent, shall specify whether the deputation is for or against the proposal.
3. A deputation shall be entitled to address the meeting only on a matter which forms the subject of an item for discussion on the agenda for that meeting.
4. Deputations shall be received only from the applicant or his/her professional agent or from persons who are living or working in the Borough. Only one deputation will be accepted per household. (Note : for this purpose "household" will be taken to mean all the persons who usually live in the same dwelling unit and who share living arrangements).
5. Where two or more notices of deputation are received on the same matter, the Council will actively encourage the appointment of a single spokesman to present the deputation on behalf of all.
6. Subject to the other provisions of this scheme, deputations may be in written form. Any written, photographic or other material to be presented as part of the deputation shall be lodged with the Head of Democratic Services no later than noon two working days before the day of the meeting. With the consent of the Committee, deputees may be permitted to circulate relevant photographs or drawings at the meeting **but no additional written material which has not been lodged prior to the meeting.** Planning officers will be invited to comment if appropriate on the photographs or drawings circulated.
7. Deputations shall **not** be received at site meetings.
8. Notwithstanding the provisions of Standing Order 57, the time limits for presenting deputations shall be :
  - a. In respect of those speaking in support of an application : a single deputation shall be allocated not more than three minutes; a single spokesman representing two or more deputees shall be allocated not more than six minutes; in the event that there is more than one speaker, the total time allowed for all speakers shall be six minutes and the time shall be shared equally among them.
  - b. In respect of those speaking against an application : a single deputation shall be allocated not more than three minutes; a single spokesman representing two or more deputees shall be allocated not more than six minutes; in the event that there is more than one speaker, the total time allowed for all speakers shall be six minutes and the time shall be shared equally among them.
  - c. In respect of those deputations to be made by established amenity groups\* on an issue relevant to their area of interest: a single deputation shall be allocated not more than three minutes; a single spokesman representing two or more amenity

groups shall be allocated not more than six minutes; in the event that there is more than one speaker, the total time allowed for all speakers shall be six minutes and the time shall be shared equally among them.

*(\* a list of established amenity groups is maintained by the Committee and may be revised periodically at the discretion of the Chairman in consultation with ward members.)*

- d. In respect of deputations on other matters : the total time allocated shall be five minutes for a proposal and five minutes against a proposal when it is appropriate to do so; otherwise the total time allocated shall be five minutes. A single deputation shall be allocated not more than three minutes; a single spokesman representing two or more deputees shall be allocated not more than five minutes; in the event that there is more than one speaker, the total time allowed for all speakers shall be five minutes and the time shall be shared equally among them.

9. Each agenda for meetings of the committee shall include an item :

“To receive deputations of which notice has been lodged”.

10. The order in which deputations shall be heard shall be arranged by the Head of Democratic Services in accordance with the following practice. If the deputation to be made relates to an application then the order of speakers will be determined by the officers’ recommendation: if the recommendation is for permission, then those speaking in opposition to the application will speak first, then those in support; if the recommendation is for refusal then the order is reversed. On miscellaneous and other matters coming before the Committee, speakers will be heard in the order their deputations are received.
11. Arrangements shall be made for a list of deputations to be circulated to members present at the beginning of each meeting. Where a spokesman has been appointed to present more than one deputation, the notice shall state for whom the spokesman is speaking.
12. If a deputee is not present at the meeting when the matter is due to be determined, the Committee shall proceed as if no notice had been given and may determine the matter.

*Scheme adopted Dec2004 and amended at subsequent meetings. Last updated : **December 2013**.*



# FAREHAM

## BOROUGH COUNCIL

### Report to Council

#### 12 December 2013

*Subject:* **SCHEDULE OF COUNCIL AND COMMITTEE MEETINGS:  
2014-15**

*Report of:* **Director of Regulatory and Democratic Services**

#### SUMMARY

This report invites the Council to determine the schedule of Council and other meeting dates for the next municipal year. Dates of Executive meetings have been set by the Executive Leader in accordance with the Council's Constitution. A draft schedule setting out proposed dates for all meetings from May 2014 is submitted for approval.

#### RECOMMENDATION

That the Council:

- (a) confirms its intention to hold the annual meeting of the Council in 2014 on 29 May following the introduction of legislation to vary the date of the local government elections and that accordingly Standing Order 1.1 with respect to meetings be suspended for 2014;
- (b) suspends for 2014-15 the requirements of the Constitution and of Standing Orders with respect to meetings in relation to the minimum number of meetings that must be held during the municipal year; and
- (c) approves the proposed schedule of Council and other meetings for the municipal year 2013-14, as set out at Appendix A to the report.

## **INTRODUCTION**

1. The Council will be aware that Parliament has approved an Order by the Secretary of State to change the date of the local government elections in 2014 so that they may be held on the same day as the European Parliamentary elections on 22 May 2014. The legislation also extends the period in office of existing councillors who are due to retire or seek re-election in 2014 and makes a corresponding reduction in the term of office of those to be elected.
2. In view of the changes for this current and the next municipal years, the Council is invited to determine the schedule of Council, Committee, Scrutiny Board and Panel meetings for the municipal year 2014-15. A proposed schedule is appended to this report for consideration.

## **ANNUAL COUNCIL MEETING 2014**

3. The Council has a statutory duty to hold an annual meeting. In a year of ordinary elections, that meeting must be held within 21 days of the day of retirement of councillors. It has long been the custom of the Council to hold its meeting one week after the day of elections. Members are asked to confirm that the annual meeting of the Council in 2014 is to be held on 29 May.
4. Standing Order 1.1 with respect to meetings requires the annual meeting to be held on the second Thursday of May. It will therefore be necessary to suspend Standing Order 1.1 for 2014.

## **PROPOSED SCHEDULE**

5. Members are reminded that the Council's Standing Orders provide that Executive meetings are to be held on dates to be determined by the Executive Leader. The Executive Leader has therefore been consulted and has approved the dates which are shown in the schedule appended to this report. Eleven meetings have been arranged for the Executive to meet monthly except during August, which is largely kept clear of meetings in accordance with the Council's practice.
6. All other meeting dates are for Council to determine and a provisional schedule for the 2014-15 municipal year is attached at Appendix A and members are asked to approve the proposals for meetings of the Council, Committees, the Scrutiny Board and the Policy Development and Review Panels.
7. The consequence of extending the current municipal year to the end of May 2014 is that there would be a gap in meetings from the end of April until the end of May. It is therefore proposed to add a cycle of Policy Development and Review Panel meetings and an Executive meeting during May 2014.
8. The schedule at Appendix A shows the additional meetings proposed for May but it should be noted that these will effectively be held within the current municipal year of 2013-14 because the Annual Meeting denotes the start of the next municipal year.

9. In view of the shortened period of the municipal year 2014-15, only five meetings of each of the Policy Development and Review Panels and ten meetings of the Executive have been scheduled. Members are therefore asked to agree to the suspension of Standing Order 33.1 relating to the number of Executive meetings in the municipal year and of Standing Order 49.1 relating to the number of Overview and Scrutiny meetings for 2014-15 only.
10. Dates for the Community Action Teams (CATs) are in the process of being agreed and will be set to avoid the dates of council and committee meetings. Details will be circulated to members at the earliest opportunity and will be added to the approved annual schedule as soon as available.
11. The schedule of Council and committee meetings has been organised largely on the same basis as the current year's schedule. It provides for :
  - (i) six ordinary meetings of Council scheduled for the year, in addition to the annual meeting. Members are asked to note that the date of the proposed Council meeting in February 2015 is provisional as it is dependent upon the date of the county council precept meeting. The arrangements for the Council meetings are in accordance with Standing Orders;
  - (ii) five cycles of meetings of the Scrutiny Board and of the Policy Development and Review Panels;
  - (iii) five meetings of the Licensing and Regulatory Affairs Committee and four of the Housing Tenancy Board;
  - (iv) twelve meetings of the Planning Committee, arranged on a four-weekly basis; and
  - (v) quarterly meetings of the Audit and Governance Committee.
12. As in the current year, no provision has been made for meetings of the Licensing Panels. Arrangements will continue to be made for the hearings as and when required.
13. It is also proposed to continue to arrange meetings of the Appeals Committee as and when required.

## **RISK ASSESSMENT**

14. There is no significant risk attached to determining the schedule of meetings for next year but it does present the opportunity of aiding the proper administration of the Council's business.

## **CONCLUSION**

15. Council is asked to determine dates for meetings of the Council, Committees, Scrutiny Board and the Policy Development and Review Panels for the municipal year 2014-15. The Executive Leader has determined the dates of Executive meetings. Council is invited to approve the proposed schedule, appended to the report at Appendix A.

**Appendices:** Appendix A : Proposed schedule of meetings for 2014-15

**Background Papers:** None

**Reference Papers:** Fareham Borough Council Constitution

**Enquiries:** For further information please contact Leigh Usher. (Ext: 4553)



## SCHEDULE OF MEETINGS 2014/15

	May	June	July	August	September	October	November	December	January	February	March	April	
Friday	2			1									Friday
Sat	3			2			1						Sat
Sun	4		1	3			2				1		Sun
Mon	5	Bank Holiday	2 EXECUTIVE	4	1 EXECUTIVE		3 EXECUTIVE	1 EXECUTIVE		2 EXECUTIVE	2 EXECUTIVE		Mon
Tues	6	LRA	3 PP	5	2 SPE		4 SPE	2 PUSHJC		3 PUSHO&S	3 SPE		Tues
Wed	7		4 PC	6	3 L&C	1	5 L&C	3 WSB		4	4 L&C	1	Wed
Thurs	8	H&H	5 SB	7	4 SS		6	4	1 Bank Holiday	5	5 SS	2	Thurs
Friday	9		6	8	5		7	5	2	6	6	3 Good Friday	Friday
Sat	10		7	9	6	4	8	6	3	7	7	4	Sat
Sun	11		8	10	7	5	9	7	4	8	8	5	Sun
Mon	12	EXECUTIVE	9	7 EXECUTIVE	11	8	6 EXECUTIVE	10	8	5 EXECUTIVE	9	6 Bank holiday	Mon
Tues	13	SPE PUSHO&S	10 WSB	8 LRA	12	9 PP PUSHO&S	7	11 PP	9	6 SPE	10	7	Tues
Wed	14	L&C	11	9 SPE	13	10 PC	8	12	10	7	11	10 WSB	Wed
Thurs	15	SS	12 PUSHJC	10 SS	14	11 H&H	9 COUNCIL	13 H&H	11 COUNCIL	8 SS	12	12 H&H	Thurs
Friday	16		13	11	15	12	10	14	12	9	13	13	Friday
Sat	17		14	12	16	13	11	15	13	10	14	14	Sat
Sun	18		15	13	17	14	12	16	14	11	15	15	Sun
Mon	19		16	14 HTB	18	15	13	17	15	12	16	16 A&G	Mon
Tues	20		17	15 PUSHJC	19	16 LRA	14	18 LRA PUSHO&S	16	13 PP	17	17 LRA	Tues
Wed	21		18	16	20	17	15 WSCConf	19 PC	17 PC	14 L&C	18	18	Wed
Thurs	22	Local Elections	19 COUNCIL	17 H&H	21	18	16	20 SB	18	15 H&H	19	19 SB	Thurs
Friday	23		20	18	22	19	17	21	19	16	20 COUNCIL	20	Friday
Sat	24		21	19	23	20	18	22	20	17	21	21	Sat
Sun	25		22	20	24	21	19	23	21	18	22	22	Sun
Mon	26	Bank Holiday	23 A&G	21	25 Bank Holiday	22 A&G	20 HTB	24 A&G	22	19	23	23	Mon
Tues	27		24	22 PP	26	23 PUSHJC	21	25	23	20 LRA	24	24 PUSHJC	Tues
Wed	28		25	23 L&C	27 PC	24 WSB	22 PC	26	24	21	25 PC	25 PC	Wed
Thurs	29	An' COUNCIL	26 WSCConf	24 COUNCIL	28	25 SB	23 SS	27	25 Bank holiday	22 SB	26 WSCConf	26	Thurs
Friday	30		27	25	29	26	24	28	26 Bank holiday	23	27	27	Friday
Sat	31		28	26	30	27	25	29	27	24	28	28	Sat
Sun			29	27	31	28	26	30	28	25		29	Sun
Mon			30	28		29	27		29 Office Closed	26 HTB		30	Mon
Tues				29		30	28		30 Office Closed	27 PUSHJC		31	Tues
Weds			30	PC			29		31 Office Closed	28 PC			Weds
Thurs				31			30			29			Thurs
Friday							31			30			Friday

KEY to abbreviations:	A&G = Audit & Governance Committee			L&C = Leisure & Community PDR Panel		
	LRA = Licensing and Regulatory Affairs Committee			PP = Public Protection PDR Panel		
	PC = Planning Committee			SPE = Strategic Planning & Environment PDR Panel		
	SB = Scrutiny Board			H&H = Health & Housing PDR Panel		
	HTB = Housing Tenancy Board			SS = Streetscene PDR Panel		
	PUSHJC = PUSH Joint Committee			WSB = Welborne Strategic Board		
	PUSHO&S = PUSH Overview and Scrutiny Committee			WSCConf = Welborne Standing Conference		
	FT cat = Fareham Town Community Action Team		C cat = Crofton Community Action Team	WW cat = Western Wards Community Action Team		T cat = Titchfield Community Action Team

Note: Meetings of the Licensing Panel and of the Appeals Committee will be arranged as and when required.

