

**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, 17 DECEMBER 2015**, commencing at **6.00 pm**.

The Mayor: Councillor Michael Ford, JP

The Deputy Mayor: Councillor Connie Hockley

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



1. Prayers

The meeting will commence with a short service of prayers.

2. Apologies for Absence

3. Minutes (Pages 1 - 12)

To confirm as a correct record the minutes of the Council Meeting held on 15 October 2015.

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.

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, 2 November 2015 of Executive (Pages 13 - 16)

(2) Minutes of meeting Monday, 7 December 2015 of Executive (Pages 17 - 24)

(3) Schedule of Executive Member and Officer Delegated Decisions (Pages 25 - 26)

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 19 November 2015.

(1) Minutes of meeting Thursday, 19 November 2015 of Scrutiny Board (Pages 27 - 30)

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, 14 October 2015 of Planning Committee (Pages 31 - 38)
- (2) Minutes of meeting Wednesday, 18 November 2015 of Planning Committee (Pages 39 - 56)
- (3) Minutes of meeting Tuesday, 17 November 2015 of Licensing and Regulatory Affairs Committee (Pages 57 - 62)
- (4) Minutes of meeting Monday, 23 November 2015 of Audit and Governance Committee (Pages 63 - 68)

13. Questions under Standing Order 17.2

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

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.

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 18 December 2015.

16. Appointment to Outside Bodies

The Council is asked to appoint a representative to One Community, Eastleigh. One Community is a not for profit organisation which has been appointed by Fareham Borough Council to provide help and support for voluntary and community groups and organisations in the Borough of Fareham on a two year contract.

17. Change of Committee Meeting Date

The Council is asked to agree a revised date for the January Licensing and Regulatory Affairs Committee and that the meeting be moved from 26 January 2016 to Wednesday 3 February 2016.

18. Local Council Tax Support Scheme 2016/17 (Pages 69 - 84)

A report by the Director of Operations.

19. Updates to the Constitution (Pages 85 - 102)

A report by the Monitoring Officer.

20. Updates to Financial Regulations (Pages 103 - 112)

A report by the Director of Finance and Resources.

21. Electoral Review Of Hampshire Divisions: Draft Recommendations (Pages 113 - 118)

A report by the Chief Executive Officer.

P GRIMWOOD
Chief Executive Officer

www.fareham.gov.uk

9 December 2015

**For further information please contact:
Democratic Services, Civic Offices, Fareham, PO16 7AZ
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FAREHAM

BOROUGH COUNCIL

Minutes of the Council

Date: Thursday, 15 October 2015

Venue: Council Chamber - Civic Offices

PRESENT:

M J Ford, JP
(Mayor)

Mrs C L A Hockley
(Deputy Mayor)

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



1. PRAYERS

The meeting opened with prayers led by the Mayor's Chaplain, the Reverend Bill Day from St Mary's Church, Hook-with-Warsash.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors T J Howard, D J Norris and P W 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 30 July 2015.

4. MAYOR'S ANNOUNCEMENTS

The Mayor announced that the next charity events would be:
the "Last night of the Proms" featuring Spinnaker Brass and Portsmouth Military Wives Choir – Saturday 17th October 7:30pm at Ferneham Hall (tickets £10);
Lunch at Portchester Parish Hall at 12noon on Sunday 22nd November – bring your own drinks, (tickets £10);
Christmas Concert with Spinnaker Brass at 7:30pm on Saturday 5th December at Holy Rood Church, Stubbington (tickets £7.50);
and the Tea Parties on Thursday 5th November – Rod Cameron talk on "He's Behind You, Oh No He's Not!" and Thursday 3rd December – Songs for Christmas with the Vox Pop & Rock Choir" (tickets £4).

5. EXECUTIVE LEADER'S ANNOUNCEMENTS

The Executive Leader was delighted to present the Mayor with an award for the Most Innovative Small Business Friendly Project from the Federation of Small Businesses. The Council has won the award for its work on the Innovation Centre at the Solent Enterprise Zone at Daedalus.

6. EXECUTIVE MEMBERS' ANNOUNCEMENTS

Police and Crime Panel

The Executive Member for Public Protection provided an update for Members following the Police and Crime Panel meeting he had attended on 2 October in Winchester.

The main issues discussed were:

- The outcome of an Independent Case Review undertaken by Portsmouth Safeguarding Children Board into the handling of a recent Missing Child Inquiry and the lessons learnt.

- Monitoring of the Commissioner's Police and Crime Plan.
- The draft Commissioner's Annual Report for the year 2014-15. Also, the draft Annual Report of the Police and Crime Panel for the year 2014-15.
- A paper reviewing the Police and Crime Panel's budget for 2014-15, and monitoring the budget for 2015-16 in advance of the proposed budget for 2016-17.

The Panel also received a paper on the Police and Crime Commissioner's Communications and Engagement Strategy. The Panel was not happy with this paper as it focussed mainly on the Estates Plan. The point was raised that the Police and the public are not being kept informed – for example, the Operational Change Programme had made many changes to the Force throughout Hampshire, with no communication to the public. It was pointed out that, with any culture change programme, it had to be led from the top and an independent person needed to have an overview.

The Executive Member commented that the same could be said about communication of the Estates Plan. It was agreed at the last Executive Meeting, that Fareham Police Safer Neighbourhood teams would move into the Civic Offices. Interestingly, local Fareham Police had still not received any communication on this matter from either the Commissioner or from Hampshire Police.

The Police and Crime Commissioner had plenty of feedback on this item, and promised to report back to the Panel.

South and South East In Bloom

The Executive Member for Streetscene was pleased to announce that the Borough has received its 12th consecutive winning entry in the Small City category, receiving a Gold Award and being declared Category Winner.

Fareham's parks and gardens also came out with top awards including:

- Holly Hill Woodland Park – Gold Award
- Sensory Garden of Reflection - Gold Award
- Westbury Manor Garden - Gold Award
- Warsash Common - Gold Award
- Civic Gardens - Gold Award

Earlier in the summer, Northern Junior Community School received a Gold level award and were overall Hampshire Winners in the Schools category.

In addition to this the Fareham Conservation Volunteers received a "Britain in Bloom Commendation" and the Borough received the Hampshire County award as the highest marked entry.

The Executive Member commented that this success is the result of a consistent commitment to the provision of parks and environmental services and it's all thanks to the hard work of our passionate volunteers and Council Officers. Residents and visitors to the Borough are always very impressed with the quality of parks and gardens around Fareham.

Social Rent Reduction

The Executive Member for Health and Housing reminded Members that at the last meeting of the Council, Councillor Davies asked a question about the plans to reduce social rents by 1% per annum over the next four years. The Executive Member advised that she had written to the MPs for Fareham and Gosport to raise the issue that whilst this is good news for existing tenants, there are longer term financial consequences for those councils who own housing stock and for Housing Associations.

The Executive Member had received a reply from Caroline Dinenage MP, giving her assurances that she has written to the Minister about the concerns raised. The Executive Member will continue to update Members with the outcome of this correspondence.

7. DECLARATIONS OF INTEREST

There were no interests declared at this meeting.

8. PRESENTATION OF PETITIONS

There were no petitions presented at this meeting.

9. DEPUTATIONS

There were no deputations given at this meeting.

10. REPORTS OF THE EXECUTIVE

(1) Minutes of meeting Monday, 7 September 2015 of Executive

RESOLVED that the minutes of the Executive meeting held on 7 September 2015 be received.

(2) Minutes of meeting Monday, 12 October 2015 of Executive

The minutes of the Executive meeting held on 12 October 2015 were tabled.

RESOLVED that:

- (a) the minutes of the Executive meeting held on 12 October 2015 be received; and
- (b) the Pay Policy Statement for 2016-17, contained in minute 10(1)(b) and appended to the minutes be approved.

11. REPORT OF THE SCRUTINY BOARD

(1) Minutes of meeting Wednesday, 23 September 2015 of Scrutiny Board

The Mayor confirmed that the comments of the Scrutiny Board contained within minute 6(ii)(a) would be deferred to item 19 – Management Structure.

RESOLVED that the minutes of the Scrutiny Board held on 23 September 2015 be received.

12. REPORTS OF OTHER COMMITTEES

(1) Minutes of meeting Wednesday, 22 July 2015 of Planning Committee

RESOLVED that the minutes of the Planning Committee held on 22 July 2015 be received.

- (2) Minutes of meeting Thursday, 23 July 2015 of Planning Committee

RESOLVED that the minutes of the Planning Committee held on 23 July 2015 be received.

- (3) Minutes of meeting Wednesday, 19 August 2015 of Planning Committee

RESOLVED that the minutes of the Planning Committee held on 19 August 2015 be received.

- (4) Minutes of meeting Wednesday, 16 September 2015 of Planning Committee

RESOLVED that the minutes of the Planning Committee held on 16 September 2015 be received.

- (5) Minutes of meeting Monday, 21 September 2015 of Audit and Governance Committee

RESOLVED that the minutes of the Audit and Governance Committee held on 21 September 2015 be received.

- (6) Minutes of meeting Friday, 24 July 2015 of Appeals Committee

RESOLVED that the minutes of the Appeals Committee held on 24 July 2015 be received.

- (7) Minutes of meeting Tuesday, 22 September 2015 of Licensing and Regulatory Affairs Committee

RESOLVED that the minutes of the Licensing and Regulatory Affairs Committee held on 22 September 2015 be received.

13. QUESTIONS UNDER STANDING ORDER 17.2

Question by Councillor K K Trott:

1. Would the Leader agree with me that the government is seeking to provide more low cost homes for purchase, through the sale of Council homes and Housing Association properties, which will reduce the number of these homes that are available for rent and, since many of our lower income households are never going to be able to afford to buy or rent at market levels: where does the leader believe the current and future residents are going to be able to afford to live?

Verbal Response by the Executive Leader:

1. The Government proposals will in the short term reduce the number of properties available for rent however the intention is that for each property sold, a new property will be bought or constructed. Meeting the needs of our residents who cannot access the housing market is one of our key priorities. We are committed to increasing the number of affordable homes in the Borough through the release of developable plots of Council land and working with Registered Providers to acquire private sites. Fareham has a programme to build new dwellings and following the success of the excellent new sheltered housing scheme at Collingwood Court, we are already constructing 16 one bed General Purpose units in

central Fareham together with 6 two bedroom houses built to Passivhaus standard and a new sheltered housing scheme in the Western Wards. Welborne will provide us with a unique opportunity to deliver a significant number of affordable homes.

Question by Councillor K K Trott:

2. Would the Leader confirm that Fareham Borough Council's Housing Strategy states that residents should not be expected to pay more than one-third of their income on meeting their housing costs and would he also agree with me that with "affordable" rents set at 80% of market rate, many local people are expected to spend more than one-third of their income on housing costs?

Verbal Response by the Executive Leader:

2. The current Affordable Rent model releases the necessary funding required to deliver much needed affordable housing across the country. Affordable rents are just one of the tenures available to those requiring social housing and our Strategies set out our commitment and ambition to provide a range of housing solutions. For those people on a low income either through work or welfare, housing costs are met in part or full by Housing Benefit.

Question by Councillor K K Trott:

3. Would the Leader agree with me that the government has been duplicitous in having required Local Authorities to take on a proportion of the National Housing Debt, in the case of Fareham Borough Council some £49 million, in exchange for the freedom and flexibility to set their own rents, but has now chosen to interfere and set further rent controls which will impact adversely upon our ability to maintain and build new homes?

Verbal Response by the Executive Leader:

3. In 2010, the Government announced plans to replace the Housing Revenue Account subsidy system with a devolved system of council housing finance called self-financing. The subsidy system was eventually abolished in April 2012, with each Council affected taking on a share of housing debt, in Fareham's case £49.3m, and this was to be repaid from rents received in the future. Councils now have to maintain a long term business plan to ensure that enough rental income is generated to run an effective housing service and to repay outstanding debts.

In April 2012, the net rental income on the HRA over the business plan period was projected to be enough to repay all of the debt and invest the surplus capacity (around £11m at the time) into new Council homes such as Collingwood Court, Palmerston Avenue and Sylvan Court. This spare capacity was projected to grow in the years beyond the business plan period and would therefore be available for even more new housing schemes.

The implications of the Government's proposals to reduce rents by 1%, mean that the rental income will reduce by £111,000 compared to this year's rent. However, the effect on the HRA business plan is greater, because rents were expected to increase rather than fall. Consequently, the policy change would result in the annual rent being over £220,000 less than we expected to receive.

The Government indicates that the policy would apply through to 2020, and in this situation, the rental income would be around £2.2m less than was expected in the HRA business plan over the 4 year period. This clearly has a negative impact on our plans to build new Council homes and could undermine the financial viability of the HRA if it continued beyond 2020.

It is for these reasons that the Council responded by opposing the Government's proposals to introduce this rent reduction measure. However, I can reassure members that the proposals do not, at this stage, undermine the specific commitments we have made for new Council homes and we will work closely with Government as the detail of this proposal is brought forward in draft legislation, to ensure the consequences of the changes for the Council and our Registered Provider partners, are understood.

I should observe however that for people actually in situ and enjoying the rent reductions the Government's policy is very good news indeed!

Question by Councillor P W Whittle:

4. On behalf of residents of the Borough who have raised questions, will the Executive Leader please confirm the position regarding provisions and steps being taken by Fareham Borough Council for refugees, including housing, health, subsistence, support and welfare?

In the past the top tier councils (eg. Hampshire County Council) have taken a lead role, but Government announcements from the Home Office and elsewhere indicate an obligation upon all councils, including unitary authorities and district councils (even though statutory duties do not cover every aspect).

What policy has Fareham Borough Council adopted and when?

What clarification has the Council established about the current requirements upon Fareham Borough?

What cooperation has Fareham Borough Council organised with others, eg. Hampshire County Council, agencies or other bodies such as charities?

What specific steps has Fareham Borough Council taken towards refugees at this time?

Response:

The Mayor stated that as Councillor Whittle was not present at the meeting, the response would not be given.

Question by Councillor C J Wood:

5. Does the Executive Leader believe the government is wrong to continue to cut the amount of government grant this council receives?

Verbal Response by the Executive Leader:

5. The Government has made it very clear that, in order for the UK economy to continue to recover from the worst recession we have seen in decades, there needs to be a balancing of the public sector books by taking steps to reduce the UK's public expenditure. There is inevitably a difficult task in determining from where savings should come but it is inevitable that all areas will need to contribute in some way to the austerity agenda, and that includes local government, if we are not to leave huge bills to be picked up by future generations including his.

The local government sector has proven that it is sufficiently agile and innovative in the way local services are delivered and Fareham has been leading the way in that regard. In recent years, the Council has been able to continue improving the way it provides services to its customers despite seeing the level of Government funding reduce by over 50%. Examples include diverting our cash reserves to commercial property for a strong return, focussing our efforts on what really matters to our customers through Vanguard systems thinking and actively finding new ways to generate income such as letting vacant space in the Civic Offices, all of which have helped us sustain and improve our services while freezing council tax for seven years.

Further reductions in Government support are inevitable but I am confident that our track record will stand us in good stead to meet the challenges ahead and make our contribution to the growing strength of the UK economy.

Question by Councillor C J Wood:

6. How many people have been fined for littering so far in this financial year?
How many people have been fined for dog fouling so far in this financial year?

Verbal Response by the Executive Leader:

6. In the current financial year, 3 fines have been issued for littering (15 in the full year 2014-15).
No fines have been issued for dog fouling this year or last.

The Council's approach to littering/dog fouling is primarily to educate and advise people of the negative impact on the environment and the

community. Therefore, if our enforcement officers see littering or dog fouling taking place, their first course of action will be to ask the person/dog owner to pick up the litter and dispose of it in a bin. A penalty fine would be issued if the person did not wish to comply with the request. As such, the number of fines issued is a meaningless measure and does not reflect the significant level of work undertaken by enforcement officers. In effect, a fine is a sign of failure as we have been unable to persuade a person to comply.

Question by Councillor C J Wood:

7. How satisfied is the Executive Leader that our local plan protects our strategic gaps?

Verbal Response by the Executive Leader:

7. The Council has been successful in retaining the two Strategic Gap designations in the recently adopted Local Plan, having successfully promoted these designations through both the Core Strategy and Development Sites & Policies Plan public examinations. The two Strategic Gaps are between Stubbington/Fareham and Western Wards/Whiteley (the Meon Gap), and 2) Stubbington/Lee-on-the-Solent and Fareham/Gosport.

The Strategic Gap policy in the Local Plan clearly enables the Council to refuse any development proposals where it significantly affects the role of these gaps in separating the relevant settlements. Clearly the Council has to determine any planning applications for development submitted to the local planning authority.

14. MOTIONS UNDER STANDING ORDER 15

There were no motions presented at this meeting.

15. ANNUAL REVIEW OF CORPORATE STRATEGY 2011-2017

RESOLVED that the Council approves the amendments to the strategy document, as set out in paragraph 4 of the report.

16. ALLOCATION OF SEATS TO COMMITTEES

RESOLVED that the Council approves:

- (a) the increase of the number of seats allocated to the Licensing and Regulatory Affairs Committee from 12 to 14;
- (b) the allocation of seats, as set out in Appendix A for the remainder of the municipal year 2015-16; and
- (c) the nominations of the political groups to seats on committees, along with the nominations of deputies and the appointment of a Chairman and Vice-

Chairman for each committee for the remainder of the municipal year 2015-16, as set out in Appendix B (tabled at the meeting and appended to these minutes).

17. SCHEDULE OF COUNCIL AND COMMITTEE MEETINGS

An updated Appendix A: Schedule of Meetings 2016/17 was tabled at the meeting.

RESOLVED that the Council approves the proposed schedule of Council and committee meetings for the municipal year 2016-17, as set out at Appendix A to the report.

18. EXCLUSION OF PUBLIC AND PRESS

RESOLVED that it is in the public interest to exclude the public and representatives of the Press from the remainder of the meeting on the grounds that the matters to be dealt with involve the likely disclosure of exempt information, as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

19. MANAGEMENT STRUCTURE

During the debate on this item, Councillor T G Knight requested a recorded vote.

Having been duly seconded and on the recommendations being put to the meeting, it was declared CARRIED with 22 Members voting in favour (Councillors B Bayford, Mrs S M Bayford, Miss S M Bell, J V Bryant, Mrs P M Bryant, T M Cartwright, P J Davies, Mrs M Ellerton, K D Evans, G Fazackarley, N R Gregory, Miss T Harper, Mrs C L A Hockley, L Keeble, Mrs K Mandry, Mrs S Pankhurst, D L Steadman, D C S Swanbrow, Mrs K K Trott, N J Walker, D M Whittingham and S D T Woodward), 3 Members voting against (J M Englefield, T G Knight, R H Price, JP) and 2 Members abstaining (C J Wood and A Mandry).

RESOLVED that the Council approves:

- (a) the deletion of the current post of Director of Community;
- (b) that the designation of the Director of Environmental Services be amended to Director of Operations and the designation of the Director of Planning and Development be amended to Director of Planning and Regulation;
- (c) that authority being given to the Monitoring Officer to amend the Scheme of Delegation to Officers to transfer functions currently under the responsibility of the Director of Community amongst the other Directors, as instructed by the Chief Executive Officer;
- (d) that the Chief Executive Officer be authorised to make the necessary amendments to the Pay Policy statement for 2015-16 to reflect the above approved changes; and

- (e) that the report and the minute of the decision be no longer treated as exempt information and be open for public inspection, with the exception of paragraphs 23 and 24 which will remain exempt from publication on the grounds that it is not for publication by virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

(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, 2 November 2015

Venue: Collingwood Room - Civic Offices

Present:

S D T Woodward, Policy and Resources (Executive Leader)
T M Cartwright, MBE, Public Protection (Deputy Executive Leader)
Miss S M Bell, Leisure and Community
K D Evans, Planning and Development
Miss T G Harper, Streetscene
Mrs K Mandry, Health and Housing

Also in attendance:

B Bayford, Chairman of Health and Housing Policy Development and Review Panel
Mrs P M Bryant, Chairman of Licensing and Regulatory Affairs Committee
Mrs M E Ellerton, Chairman of Public Protection Policy Development and Review Panel
M J Ford, JP, Mayor
Mrs C L A Hockley, Chairman of Leisure and Community Policy Development and Review Panel
A Mandry, Chairman of Planning and Development Policy Development and Review Panel
D C S Swanbrow, Chairman of Scrutiny Board
Mrs K K Trott, For items 8(1) and 9(1)
R H Price, JP, For item 8(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 on 12 October 2015 be confirmed and signed as a correct record, subject to the correction of the title of Councillor Keeble's role to Chairman of Streetscene Policy Development and Review Panel.

3. EXECUTIVE LEADER'S ANNOUNCEMENTS

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

4. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

5. PETITIONS

There were no petitions submitted at this meeting.

6. DEPUTATIONS

The Executive received a deputation from Christopher Gorham in relation item 9(1) – Vannes/Fareham Twinning Sculpture.

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

7. REFERENCES FROM OTHER COMMITTEES

There were no references from other Committees given at this meeting.

8. PUBLIC PROTECTION**(1) Dog Fouling Strategy and Public Space Protection Order Consultation**

At the invitation of the Executive Leader, Councillors Mrs K K Trott and RH Price, JP, addressed the Executive on this item.

RESOLVED that the Executive agrees:

- (a) that a consultation exercise be run between 16 November 2015 and 11 January 2016 on a draft Public Spaces Protection Order, in accordance with section 72 of the Anti-Social Behaviour Crime Policing Act 2014;
- (b) to a communications campaign to raise awareness of dog fouling issues; and

- (c) an increase of the Fixed Penalty Notice fine for not clearing up after a dog has fouled from £75 to £100.

(2) Review of Hackney Carriage Fares

RESOLVED that the Executive agrees to amend the current Hackney Carriage tariff so that:

- (a) there is a standard charge for any luggage carried outside the passenger compartment of 50p; and
- (b) the maximum charge for fouling a vehicle be increased to £70.

9. POLICY AND RESOURCES

(1) Vannes/Fareham Twinning Sculpture

The comments of the deputation were taken into account in considering this item (see minute 6).

At the invitation of the Executive Leader Councillor Mrs K K Trott addressed the Executive on this item.

RESOLVED that the Executive approves:

- (a) that the 50th anniversary sculpture is installed in Westbury Manor Gardens, with the Civic Gardens being held as a 'reserve' site; and
- (b) that the design of the explanatory plaque is changed to include both town crests and sailing images.

(The meeting started at 6.00 pm
and ended at 6.38 pm).

FAREHAM

BOROUGH COUNCIL

Minutes of the Executive

(to be confirmed at the next meeting)

Date: Monday, 7 December 2015

Venue: Collingwood Room - Civic Offices

Present:

Councillor S D T Woodward, Policy and Resources (Executive Leader)
T M Cartwright, MBE, Public Protection (Deputy Executive Leader)
Miss S M Bell, Leisure and Community
K D Evans, Planning and Development
Miss T G Harper, Streetscene
Mrs K Mandry, Health and Housing

Also in attendance:

Councillor B Bayford, Chairman of Health and Housing Policy Development and Review Panel
Mrs P M Bryant, Chairman of Licensing and Regulatory Affairs Committee
Mrs M E Ellerton, Chairman of Public Protection Policy Development and Review Panel
Mrs C L A Hockley, Chairman of Leisure and Community Policy Development and Review Panel
L Keeble, Chairman of Streetscene Policy Development and Review Panel
T G Knight, Chairman of Audit and Governance Committee, For item 11(2) and 11(6)



A Mandry, Chairman of Planning and Development Policy Development and Review Panel, for item 8(1) and 11(6)

D C S Swanbrow, Chairman of Scrutiny Board

Mrs K K Trott, for item 11(3)

C J Wood, for item 8(1), 11(2) and 11(6)

1. APOLOGIES FOR ABSENCE

There were no apologies given for this meeting.

2. MINUTES

RESOLVED that the minutes of the meeting of the Executive on the 02 November 2015 be confirmed and signed as a correct.

3. EXECUTIVE LEADER'S ANNOUNCEMENTS

The Executive Leader updated Members on the Promenade to the east of Hill Head Sailing Club which has been under close supervision by the Eastern Solent Coastal Partnership, on behalf of Fareham Borough Council, following recent serious damage to and deterioration of the sea defence in this location.

The Council is working with contractors to consider options to resolve this issue. At this early stage it is not clear when the promenade will be reopened, but Fareham Borough Council are working to make this happen as soon as possible once potential health and safety risks to the public have been managed. The Council is sorry for any inconvenience caused and has erected safety fencing to protect the public from harm.

The local community will understand that this section of sea defences has been troublesome for many years, and was significantly repaired in 2005 and 2014. Fundamentally it has reached the end of its working life. The various repairs undertaken by Fareham Borough Council have enabled the promenade to remain open, but these cannot have been expected to reverse the overall deterioration of the wall. The situation is not helped by the historically low beach levels at Hill Head which no longer afford the seawalls natural protection.

The Executive Leader confirmed that the Council is already planning to consider priorities for investment in coastal defences within the Borough, in the context of the recently approved Portchester – River Hamble Coastal Strategy, early in the New Year. The urgent consideration of options for the Hill Head foreshore will be progressed in the context of this wider review.

4. DECLARATIONS OF INTEREST

Councillor Mrs K Mandry declared a Pecuniary Personal Interest for item 8(1) – Youth Services Review, as she is a Trustee of Crofton Youth Project.

Councillor A Mandry declared a Pecuniary Personal Interest for item 8(1) – Youth Services Review, as he is a Trustee of Crofton Youth Project.

Councillor C J Wood declared a Non-Pecuniary Personal Interest for item 11(2) and 11(6) – Disposal of Land at Daedalus and Relocation of Allotments at Daedalus, due to the proximity of his parents' house to the Daedalus site.

5. PETITIONS

There were no petitions submitted at this meeting.

6. DEPUTATIONS

The Executive received a deputation from Robert Tutton in relation to item 10(1) – Fareham Borough Design Guidance Supplementary Planning Document (excluding Welborne).

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

7. MINUTES / REFERENCES FROM OTHER COMMITTEES

There were no references from other Committees given at this meeting.

8. LEISURE AND COMMUNITY**(1) Youth Services Review**

At the invitation of the Executive Leader, Councillors A Mandry and C J Wood addressed the Executive on this item.

Councillor Mrs K Mandry declared a Pecuniary Personal Interest on this item as she is a Trustee of Crofton Youth Project. Councillor Mrs K Mandry then left the room and did not take part in the discussions on this item.

Before addressing the Executive, Councillor A Mandry declared a Pecuniary Personal Interest as he is a Trustee of the Crofton Project. After addressing the Executive, Councillor A Mandry left the room and was not present for the discussion on this item.

RESOLVED that the Executive approves:

- (a) the establishment of a 'Youth Activities Fund' to support open access youth services in Fareham Borough Council, as detailed in option 2 paragraph 17; subject to confirmation of Hampshire County Council's decision on future funding for youth services in Fareham;
- (b) that the estimated £30,000 saving resulting from the reorganisation of the Leisure & Community staff restructure be allocated to the Youth Activities Fund;
- (c) a review of the current Community Fund Grant scheme to consider local groups and organisations to submit one off bids for running costs;
- (d) that further consideration is given to the opportunity to provide a Mobile Youth Resource, as detailed in option 4 at paragraph 17 of the report, and that a report on this opportunity is presented to a future meeting of the Executive; and

- (e) that the current arrangements for the Youth Council are dissolved and replaced with the new 'Y-CAT' arrangements as the new way of engaging with young people in the Borough of Fareham.

9. POLICY AND RESOURCES

- (1) Award of Contract - Cleaning Services

RESOLVED that the Executive agrees to award the contract to the contractor ranked in 1st position (as set out in confidential appendix A) being the best price quality ratio tender received.

10. PLANNING AND DEVELOPMENT

- (1) Fareham Borough Design Guidance Supplementary Planning Document (excluding Welborne) for Adoption

The comments of the deputation were taken into account in considering this item (see minute 6).

RESOLVED that the Executive:

- (a) notes the consultation comments received on the Draft Fareham Borough Design Guidance Supplementary Planning Guidance (excluding Welborne) and agrees the proposed Council responses as set out in Appendix A to the report; and
- (b) adopts the Fareham Borough Design Guidance Supplementary Planning Document (excluding Welborne) as set out in Appendix B to the report with effect from Monday 21 December 2015.

11. POLICY AND RESOURCES

- (1) Lease of Part of the Civic Offices to Community Rehabilitation Company

RESOLVED that the Executive:

- (a) approve the heads of terms provisionally agreed with Hampshire and Isle of Wight Community Rehabilitation Company; and
- (b) delegated authority to the Director of Finance and Resources, in consultation with the Executive Leader, to agree final terms, if required.

- (2) Disposal of Land at Daedalus

At the invitation of the Executive Leader, Councillors C J Wood and T G Knight addressed the Executive on this item.

Before addressing the Executive, Councillor C J Wood declared a Non-Pecuniary Personal Interest due to the close proximity of his parents' property to the Daedalus site.

RESOLVED that the Executive:

- (a) approves the draft Heads of Terms, as set out in confidential Appendix A to this report;
 - (b) delegates authority to the Director of Finance and Resources in consultation with the Executive Member for Policy and Resources to agree the detailed terms, as appropriate; and
 - (c) agrees to reinvest the proceeds of the disposal of land under this agreement into the delivery of actions that support the Vision for Daedalus, including the airport, the business park and the open space.
- (3) Finance Monitoring Report 2015/16

At the invitation of the Executive Leader Councillor Mrs K K Trott addressed the Executive on this item.

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

- (4) Treasury Management Monitoring Report 2015/16

RESOLVED that the treasury management monitoring report for 2015/16 be noted.

- (5) Training for Defibrillators in Fareham

RESOLVED that the Executive approves:

- (a) the provision of up to four CPR (Cardiopulmonary Resuscitation) and defibrillator training sessions to be facilitated by the Council's Facilities Manager and delivered to core staff or users from those community centres securing a defibrillator;
 - (b) the allocation of £150 for purchase of one additional battery for use in training sessions;
 - (c) the allocation of a maximum of 70 hours in total (5 hours per community centre) for Building Services to install any cabinet required to house the defibrillators; and
 - (d) the allocation of a maximum of £7,020 to purchase up to 13 secure coded cabinets for those community centres intending to install their defibrillator externally.
- (6) Relocation of Allotments at Daedalus

At the invitation of the Executive Leader, Councillors A Mandry, C J Wood and T G Knight addressed the Executive on this item.

Before addressing the Executive, Councillor C J Wood declared a Non-Pecuniary Personal Interest due to the close proximity of his parents' property to the Daedalus site.

RESOLVED that the Executive:

- (a) supports in principle the proposed site for the relocation of the allotments and confirms the provisionally agreed Heads of Terms for a lease from Basil Baird (Fareham) Ltd as set out in the confidential Appendix A;
 - (b) delegates authority to the Director of Finance & Resources to conclude the lease of land for allotment provision; and
 - (c) delegates authority to the Director of Operations, in consultation with the Director of Finance and Resources and the Executive Leader, to agree the final specification of the allotment layout.
- (7) Recording Customer Satisfaction

RESOLVED that the Executive agrees to replace the Residents' Survey with quarterly customer satisfaction surveys, focusing on service areas that have been through a Vanguard intervention.

(The meeting started at 6.00 pm
and ended at 7.20 pm).

FAREHAM

BOROUGH COUNCIL

SCHEDULE OF EXECUTIVE MEMBER & OFFICER DELEGATED DECISIONS

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

Leisure and Community

- (1) **Community Fund Application – Castle Street Day Centre** (Decision 2015/16-1712)

RESOLVED that the application for £4000.00 from Fareham Borough Council's Community Funding Programme, submitted by Lucy Redfern of Castle Street Day Centre, be approved.

- (2) **Community Fund Application – Fareham Community Church** (Decision 2015/16-1718)

RESOLVED that the application for £4998.10 from Fareham Borough Council's Community Funding Programme, submitted by Mr Nash of Fareham Community Church, be approved.

- (3) **Community Fund Application – Local Resident** (Decision 2015/16-1719)

RESOLVED that the application for £3000.00 from Fareham Borough Council's Community Funding Programme, submitted by Mr Andrew Smith, be approved.

- (4) **Community Fund Application – St Peter's Church** (Decision 2015/16-1729)

RESOLVED that the application for £1512.00 from Fareham Borough Council's Community Funding Programme, submitted by Paul Angelides, be approved.

FAREHAM

BOROUGH COUNCIL

Minutes of the Scrutiny Board

(to be confirmed at the next meeting)

Date: Thursday, 19 November 2015

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor D C S Swanbrow (Chairman)

Councillor Mrs S M Bayford (Vice-Chairman)

Councillors: B Bayford, Mrs M E Ellerton, Mrs C L A Hockley, L Keeble, Mrs S Pankhurst, R H Price, JP (deputising for P W Whittle, JP) and N J Walker (deputising for A Mandry)

Also Present: Councillor Mrs K K Trott (item 6)



1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A Mandry and Mrs S Pankhurst

2. MINUTES

It was AGREED that the minutes of the meeting of the Scrutiny Board held on 23 September 2015 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.

5. DEPUTATIONS

There were no deputations made at this meeting.

6. QUESTION AND ANSWER SESSION WITH SOLENT LOCAL ENTERPRISE PARTNERSHIP

The Board received a presentation from Mrs Anne-Marie Mountifield the Chief Executive of Solent Local Enterprise Partnership (Solent LEP) on an overview of the LEP, its achievements so far and the challenges for the future.

Members were also given the opportunity to put any questions they had regarding the work of the Solent LEP to Anne-Marie Mountifield.

At the invitation of the Chairman, Councillor Mrs K K Trott addressed the Board on this item.

It was AGREED that the Board thank Anne-Marie Mountifield for her extremely informative presentation and for answering the Board's questions.

7. MINUTES OF MEETINGS OF POLICY DEVELOPMENT AND REVIEW PANELS

The Board was asked to receive the minutes of the meetings of the Policy Development and Review Panels held since 28 July 2015.

(1) Minutes of meeting Wednesday, 29 July 2015 of Leisure and Community Policy Development and Review Panel

The Chairman of the Leisure and Community Policy Development and Review Panel, Councillor Mrs C L A Hockley was invited to review the minutes of the meeting held on 29 July 2015.

It was AGREED the minutes be received.

(2) Minutes of meeting Wednesday, 9 September 2015 of Leisure and Community Policy Development and Review Panel

The Chairman of the Leisure and Community Policy Development and Review Panel, Councillor Mrs C L A Hockley was invited to review the minutes of the meeting held on 9 September 2015.

It was AGREED the minutes be received.

(3) Minutes of meeting Thursday, 10 September 2015 of Streetscene Policy Development and Review Panel

The Chairman of the Streetscene Policy Development and Review Panel, Councillor L Keeble was invited to review the minutes of the meeting held on 10 September 2015.

It was AGREED the minutes be received.

(4) Minutes of meeting Monday, 14 September 2015 of Planning and Development Policy Development and Review Panel

The Chairman of the Planning and Development Policy and Development and Review Panel, Councillor N J Walker was invited to review the minutes of the meeting held on 14 September 2015.

It was AGREED the minutes be received.

(5) Minutes of meeting Thursday, 24 September 2015 of Health and Housing Policy Development and Review Panel

The Chairman of the Health and Housing Policy Development and Review Panel, Councillor B Bayford was invited to review the minutes of the meeting held on 24 September 2015.

It was AGREED the minutes be received.

(6) Minutes of meeting Thursday, 22 October 2015 of Streetscene Policy Development and Review Panel

The Chairman of the Streetscene Policy Development and Review Panel, Councillor L Keeble was invited to review the minutes of the meeting held on 22 October 2015.

Councillor Keeble referred to minute item 6 which mentioned a report/presentation on Project Integra to come to either the Streetscene Panel or the Scrutiny Board.

Members agreed that it would be added onto the Scrutiny Board Work Programme.

It was AGREED the minutes be received.

(7) Minutes of meeting Tuesday, 3 November 2015 of Planning and Development Policy Development and Review Panel

The Chairman of the Planning and Development Policy Development and Review Panel, Councillor N J Walker was invited to review the minutes of the meeting held on 3 November 2015.

It was AGREED the minutes be received.

(8) Minutes of meeting Wednesday, 4 November 2015 of Leisure and Community Policy Development and Review Panel

The Chairman of the Leisure and Community Policy Development and Review Panel, Councillor Mrs C L A Hockley was invited to review the minutes of the meeting held on 4 November 2015.

It was AGREED the minutes be received.

8. REVIEW OF THE BOARD'S WORK PROGRAMME

The Board considered a report by the Director of Finance and Resources on its work programme for 2015/16.

Members discussed the option of including a presentation on Project Integra into the current work programme but it was felt that the work programme for 2015/16 was already very full and therefore it was agreed to add this item into the May 2016 meeting.

It was AGREED that the Work Programme for 2015/16 be approved.

9. 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 7.34 pm).

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 14 October 2015

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

Councillors: B Bayford, T M Cartwright, MBE, P J Davies, K D Evans,
M J Ford, JP, R H Price, JP and D C S Swanbrow

Also Present: Councillor C J Wood (item 6(2))



1. APOLOGIES FOR ABSENCE

There were no apologies of absence.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee held on 16 September 2015 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 an interest in the applications referred to:-

Name	Application Number/Site	Minute Number
Councillor Cartwright	P/15/0786/VC The Tithe Barn, Mill Lane, Titchfield	6 (2)
Councillor Swanbrow	-Ditto-	-Ditto-
Councillor Ford, JP	-Ditto-	-Ditto-

5. DEPUTATIONS

The Committee received a deputation from the following in respect of the applications indicated and were thanked accordingly.

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	Minute No/ Application No/Page No
ZONE 1 – 2pm				
Mr R Tutton (Agent)		P/15/0654/FP – 30 Daisy Lane Locks Heath – Erection of a detached two-bedroom bungalow	Supporting	6(1) P/15/0654/FP Pg 11
Mr M Budny		P/15/0786/VC – The Tithe Barn Mill Lane Fareham – Remove Condition 2 allowing outside of Barn to be	Opposing	6(2) P/15/0786/VC Pg 17

		used; Vary Condition 8 to allow removable/temporary structures under 9m x 9m within the grounds of the barn to be erected for up to 72 hours; Remove Condition 13 requiring need for visibility splays; Remove Condition 16 allowing unrestricted number of weddings subject to recoded amplified music (djs) or non amplified acoustic music (bands) & installation of a noise limiter; Vary Condition 17 to allow garden benches & tables to be left in the grounds on a permanent basis		
Mr Cobban		-Ditto-	-Ditto-	-Ditto-
Mr K Fraser (Applicant)		.-Ditto-	Supporting	-Ditto-
Mr D Clarke		-Ditto_	-Ditto-	-Ditto-
ZONE 2 – 2pm				
ZONE 3 – 2pm				
Mr R Tutton (Agent)		P/15/0720/RM – 122 Mays Lane Fareham – Erection of detached dwelling & garage (reserved matters application to P/12/0965/OA for appearance, landscaping, layout & scale)	Supporting	6(7) P/15/0720/RM Pg 47

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

The Committee noted a report by the Director of Planning and Development on the development control matter applications and miscellaneous matters, including information on Planning Appeals. An Update Report was tabled at the meeting.

(1) P/15/0654/FP - 30 DAISY LANE LOCKS HEATH SOUTHAMPTON SO31 6RA

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

Upon being proposed and seconded, the officer recommendation to refuse the application was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The proposed development is contrary to Policy CS17 of the adopted Fareham Borough Core Strategy and Policies DSP3 and DSP15 of the adopted Fareham Borough Local Plan Part 2: Development Sites & Policies and is unacceptable in that:

- (i). by virtue of the proposed plots, the extensive level of site coverage and the relative size of the rear gardens to serve both the existing and proposed dwelling, and the proximity of the proposed dwelling to the existing dwelling and the neighbouring dwelling to the south, the proposal would give rise to a cramped form of development harmful to the character of the area and which would fail to respond positively to and be respectful of the key characteristics of the area including its scale, form and spaciousness;
- (ii). by virtue of its height, width, bulk and proximity to the southern site boundary, the proposed dwelling would restrict the light to the outlook from the bedroom window in the northern elevation of the neighbouring property 2 Sunnyside (Church Road) to the detriment of the living conditions of the occupants of that property;
- (iii). In the absence of a financial contribution or a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed net increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas.

(2) P/15/0786/VC - THE TITHE BARN MILL LANE TITCHFIELD FAREHAM PO15 5RB

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

Councillors Cartwright and Swanbrow declared a non-pecuniary interest in this item as one of the deputees is known to them.

Councillor Ford, JP also declared a non-pecuniary interest as he is a member of the Warsash Theatre Club which is mentioned in the report.

Upon being proposed and seconded, the officer recommendation to refuse the application, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that VARIATION of CONDITIONS be REFUSED.

Reasons for Refusal:

The proposals, involving conditions 2, 8 and 17 would be contrary to Policy CS17 of the Fareham Borough Core Strategy and Policies DSP2 and DSP5 of the Local Plan Part 2: Development Sites and Policies and is unacceptable that:

- (i). the proposed additional external activity and the resultant noise that would be generated (both outside and emitted from within the barn), additional structures/ furniture and the intensification of the wedding use would materially harm the living conditions of the occupiers of neighbouring residential properties and erode the existing rural character of the landscape and impact on immediate setting of the Grade I Listed Barn and the character of the Titchfield Abbey Conservation Area.

Note for information: The applicant is advised that no objection is raised to the relief from condition 13 but the current planning legislation does not allow a split decision to be issued by this Council.

(3) P/14/0639/FP - PETERS ROAD - LAND TO THE SOUTH OF - PARCEL C LOCKS HEATH

Upon being proposed and seconded, Officer Recommendation to agree to vary the terms of the Section 106 Planning Obligation by substituting the plot numbers as described within the Officers report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that the Committee agrees to vary the terms of the Section 106 Planning Obligation by substituting the plot numbers as described within the Officers report. This involves amending the definition of affordable dwellings within the planning obligation to:

'Affordable Dwellings: means six of the dwellings to be provided within the development as social rented dwellings as follows – Plot numbers 151, 152, 156, 159 and 160 as shown on plan 1s1208/HA/C'.

(4) P/15/0716/FP - PORTSMOUTH MARINE ENGINEERING LOWER QUAY FAREHAM PO16 0RJ

The Committee's attention was drawn to the Update Report which contained the following information: - *The application for Portsmouth Marine Engineering*

has been removed from the agenda and will instead be considered at the next Committee on 18th November.

(5) P/15/0908/FP - 7 MARGARITA ROAD FAREHAM PO15 5HG

Kim Hayler, Principal Planner (Development Management) declared a non-pecuniary interest on this item as the applicant is related to her. She left the room whilst this was item was discussed and decided upon.

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.

(6) P/15/0911/PH - 7 MARGARITA ROAD FAREHAM PO15 5HG

The Committee's attention was drawn to the Update Report which contained the following information:- *Item removed from agenda as no objections were received on this application, officers have therefore issued a notice stating that Prior Approval is not required.*

(7) P/15/0720/RM - 122 MAYS LANE - LAND ADJACENT FAREHAM PO14 2ED

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

At the invitation of the Chairman, Councillor Wood addressed the Committee on this item.

The Committee's attention was drawn to the Update Report which provided the following information: - *For the reasons set out in the main report Officers considered the scheme to be acceptable. In light of the design and scale of the new dwelling at this prominent location on the entrance to Stubbington Village, Officers consulted with Ward Members before granting planning permission under their delegated powers. Councillor Wood requested that Officers did not exercise their delegated powers in this instance but reported the matter to the Planning Committee for decision. Councillor Wood was concerned over the effect of the dwelling's modern design on the character of the surrounding area.*

Several members raised concern over the trees on the application site, which do not have Tree Preservation Orders on them, and requested that the Principal Tree Officer assess the trees as soon as possible and consider whether an order should be made.

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) Planning Appeals

The Committee noted the information in the report.

(9) UPDATE REPORT

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

7. TREE PRESERVATION ORDER NO 706 (2105) - 1 HIGHFIELD AVENUE AND LAND TO THE WEST OF 7 HIGHFIELD AVENUE

The Committee considered a report by the Director of Planning and Development regarding confirmation of Tree Preservation Order No 706 to which objection an objection had been received.

Upon being proposed and seconded, the officer recommendation to confirm TPO 706 was voted on and CARRIED:
(Voting: 9 in favour; 0 against)

RESOLVED that Tree Preservation Order No 706 be confirmed as made and served.

8. TREE PRESERVATION ORDERS

The Committee considered the confirmation of the following Fareham Tree Preservation Order(s), which had been made under delegated powers and to which no formal objections had been received.

(a) Fareham Tree Preservation Order No 711 (2015) – 4 Church Road, Warsash

Order served on the 28 July 2015 for which there were no objections.

RESOLVED that Fareham Tree Preservation Order No 711 be confirmed and made and served.

(b) Fareham Tree Preservation Order No 712 (2015) – Lowlands Wallington Shore Road

Order served on 21 August 2015 for which there no objections.

RESOLVED that Fareham Tree Preservation Order No 712 be confirmed and made and served.

(c) Fareham Tree Preservation Order No 713 (2015) – The Navigator, and Land Adjacent to, Bridge Road, Swanwick

Order served on 21 August 2015 for which there were no objections.

RESOLVED that Fareham Tree Preservation Order No 713 be confirmed and made and served.

(d) Revocation of Fareham Tree Preservation Order No 209 (1991) – 79 Bridge Road, Swanwick

This Order was made on 22 March 1991 and following consent for planning application P/14/0519/TO the single Monterey pine was felled. The subsequent replacement and the adjacent existing trees were protected under TPO 707.

RESOLVED that Fareham Tree Preservation Order No 209 is revoked.

(e) Revocation of Fareham Tree Preservation Order No 262 (1993) – Land off Swanwick Lane, Lower Swanwick

This Order was Made on the 15 July 1993 and following a recent review it has been found that there are no trees remaining that are worthy of TPO status.

RESOLVED that Fareham Tree Preservation Order No 262 is revoked.

(f) Tree Preservation Orders Served

The Following Tree Preservation Orders have been made this month:

Fareham Tree Preservation Order No 714 (2015) – Land to the Front of 19 Dingle Way, Locks Heath. The Order was served on the 10 September 2015.

RESOLVED that Fareham Tree Preservation Order No 714 be noted.

Fareham Tree Preservation Order No 716 (2015) – Land at 24 Newtown Road, Warsash. The Order was served on the 17 September 2015.

RESOLVED that Fareham Tree Preservation Order No 714 be noted.

(The meeting started at 2.30 pm
and ended at 3.53 pm).

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 18 November 2015

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

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

**Also
Present:**



1. APOLOGIES FOR ABSENCE

An apology of absence was received from Councillor M J Ford, JP.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee held on 14 October 2015 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 an interest in the application referred to:-

Name	Application Number/Site	Minute Number
Councillor Cartwright	P/15/0540/OA Egmont Nurseries Brook Avenue Warsash Southampton Hampshire SO31 9HN	7 (1)
Councillor Evans	-Ditto-	-Ditto-

5. DEPUTATIONS

The Committee received a deputation from the following in respect of the applications indicated and were thanked accordingly.

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	Minute No/ Application No/Page No
ZONE 1 – 2pm				
Mr G Foulds		The Lodge Five Oaks Fishery Crableck Lane Sarisbury Green - Change of Use from Angling Club House with residential accommodation in roof space (Sui Generis) to	Opposing	7(2) P/15/0918/CU Pg 28

		use as a single dwellinghouse with associated residential curtilage (Use Class C3)		
Mr D Ramirez (Agent)		-Ditto-	Supporting	-Ditto-
Mr R Tutton (Agent)		Greenview Cottage The Green Sarisbury Green SO31 7AA - Erection of a Detached Bungalow within rear garden	Supporting	7 (3) P/15/0962/FP Pg 36
Mr K Dix		-Ditto-	Opposing	-Ditto-
ZONE 2 – 2pm				
Mr H Marie		Fareham College Bishopsfield Road Fareham PO14 1NH - Reserved Matters in relation to outline application (P/13/1055/FP) Layout, Scale, External Appearance of buildings & landscaping relating to 120 dwellings, with associated roads, parking areas, footpaths and open space	Opposing	7(5) P/15/0690/RM Pg 54
Laura Cox (Agent)		-Ditto-	Supporting	-Ditto-
Dominic Naughton (Applicant)		-Ditto-	-Ditto-	-Ditto-
Mr B Buczynskyj (Applicant)		100 Wickham Road – Demolition of Existing Office, Erection of Office with 7 no. Flats above with associated access, Parking and Landscaping and the Erection of 6 no. Dwellings fronting Furzehall Avenue	Supporting	7(6) P/14/1252/FP Pg 66
ZONE 3 – 2pm				

6. SPENDING PLANS 2016-17

The Committee considered a report by the Director of Finance and Resources on the Committee’s spending plans 2016/17.

Several members enquired about the reduction of the Enforcement costs which appear to have reduced significantly. The Management and Financial Accounting Manager addressed the Committee to explain that it is not a reduction in figures but a change in internal recharges from other Departments.

RESOLVED that the Committee:-

- a) agree the revised budget for 2015/16;
- b) agree the charges for 2016/17 and the base budget 2016/17; and
- c) recommend budget to Full Council for approval.

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

The Committee noted a report by the Director of Planning and Regulation on the development management matter applications and miscellaneous matters, including information on Planning Appeals. An Update Report was tabled at the meeting.

(1) P/15/0540/OA EGMONT NURSERIES BROOK AVENUE WARSASH SOUTHAMPTON HAMPSHIRE SO31 9HN

Councillors Cartwright and Evans declared a non-pecuniary interest in this item as the applicant is known to them.

Councillor Mrs Hockley had left the meeting prior to this application being decided.

The Committee's attention was drawn to the Update Report which contained the following information:- *The Officer recommendation is that permission be granted subject to the following conditions:*

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the procedures set out in the Town and Country Planning (General Development Procedure) Order 2015 and Section 91 of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

REASON: To comply with the procedures set out in the Town and Country Planning (Development Management Procedure) Order 2015 and Section 92 of the Town and Country Planning Act 1990.

3. Approval of the details of the access, appearance, scale, layout and landscaping of the site (hereinafter called 'the reserved matters') shall be

obtained from the local planning authority in writing before any development is commenced.

REASON: To comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 2015 (or any Order revoking or re-enacting that Order).

4. The development shall be carried out in accordance with the following approved documents:

a) 1599_PO1 – Site Location plan

b) Phase I Ecological Assessment

c) Phase II Bat and Reptile Report

REASON: To avoid any doubt over what has been permitted.

5. Within 25 years of the date of the connection of the approved solar farm to the electricity grid or upon the solar farm becoming non-operational, whichever is the sooner, the arrays and all the associated fencing and infrastructure shall be removed from the site and the site restored to its original condition, in accordance with details previously agreed with the local planning authority.

REASON: In the interests of the character and appearance of the countryside.

6. No development shall take place until details of boundary treatment to be erected around the perimeter of the site have been submitted to and approved by the local planning authority in writing. The development shall be accrued out in accordance with the approved details.

REASON: In the interests of the character and appearance of the surrounding area; to protect the living conditions of the occupants of neighbouring residential properties.

7. No development shall take place until a scheme of tree protection, in accordance with BS5837, has been submitted to and approved in writing by the local planning authority. The scheme shall take account of all trees both on and off the site that may be affected by the development hereby permitted. The approved scheme shall be implemented before any of the substantive development is commenced (including any demolition works) and tree protection measures shall be retained throughout the development period until such time as all equipment, machinery and surplus materials have been removed from the site.

REASON: to ensure that trees, hedgerows and other natural features are adequately protected during construction.

8. No development shall take place until a noise assessment has been submitted to and approved by the local planning authority in writing. The noise assessment shall consider the effects on occupants of nearby residential properties from the development hereby permitted, including the use of the existing office building to house inverter equipment, and proposed suitable attenuation and mitigation measures as necessary. The development shall be carried out in accordance with the approved measures.

REASON: To protect the living conditions of the occupants of neighbouring residential properties.

9. No development shall take place until a habitat management plan has been submitted to and approved by the local planning authority. The plan shall include:

- (i) Description and evaluation of the features to be managed for the lifetime of the development;*
- (ii) Ecological trends and constraints on site that may influence management;*
- (iii) Aims and objectives of management;*
- (iv) Appropriate management options for achieving aims and objectives;*
- (v) Prescriptions for management actions;*
- (vi) Preparation of a work schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually);*
- (vii) Personnel responsible for implementation of the plan;*
- (viii) Monitoring and remedial / contingencies measures triggered by monitoring*
- (ix) Details of updating surveys, contingency mitigation measures and a habitat restoration plan for the decommissioning phase.*

The plan shall be carried out as approved, unless otherwise approved in writing by the local planning authority.

REASON: In the interests of enhancing the biodiversity value of the site.

10. No development shall take place until a detailed reptile mitigation strategy has been submitted to and approved in writing by the local planning authority. The strategy shall be in accordance with the measures outlined in section 6 of the Phase 1 and 2 Ecological Assessment Phase 2 Reptile and Bat Survey Report (PV Ecology, November 2014) and shall set out full details of mitigation translocation works to the receptor area, and its on-going management. The development shall be carried out in accordance with the approved mitigation strategy.

REASON: In order to avoid impacts to reptiles.

11. No development shall take place until a Construction Environment Management Plan has been submitted to and approved in writing by the local planning authority. This shall set out the measures that will be implemented to avoid and minimise impacts to the adjacent designated sites including e.g. pollution prevention measures, lighting controls, avoidance of encroachment of machinery and materials and measures to avoid impacts on badgers during construction. The development shall be carried out in accordance with the approved plan.

REASON: In order to avoid impacts to features of ecological interest.

12. No development shall take place until a scheme of lighting (during construction and the operational life of the development), designed to minimise impacts on wildlife, particularly bats, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved lighting scheme.

REASON: In order to minimise impacts of lighting on the ecological interest of the site.

13. The landscaping scheme, to be approved under the subsequent reserved matters application, shall be implemented within the first planting season following the commencement of the development or as otherwise agreed in writing with the local planning authority and shall be maintained in accordance with the agreed schedule. Unless otherwise first agreed in writing, any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the local planning authority, become seriously damaged or

defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure adequate screening of the development, in the interests of the character and appearance of the countryside.

Upon being proposed and seconded, the Officer Recommendation to grant Outline Planning Permission, subject to the conditions in the update report, was voted on and CARRIED.

(Voting: 8 in favour: 0 against)

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

(2) P/15/0918/CU - THE LODGE, FIVE OAKS FISHERY CRABLECK LANE SARISBURY GREEN SOUTHAMPTON SO31 7AL

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

To assist with the determination of the application, Members requested further information be provided on the marketing which has taken place in connection with promoting and selling the business, and the current financial standing of the business. A motion was proposed and seconded to defer the application to the December Planning Committee meeting to enable this information to be collated and presented to Members: the motion-, was voted on and CARRIED. (voting: 5 in favour: 4 against)

RESOLVED that the application be DEFERED.

(3) P/15/0962/FP GREENVIEW COTTAGE THE GREEN SARISBURY GREEN SOUTHAMPTON HAMPSHIRE SO31 7AA

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

The Committee's attention was drawn to the Update Report, which contained the following information:- *Director of Planning & Regulation (Ecology) – No objection subject to conditions.*

Upon being proposed and seconded, the Officer Recommendation to refuse the application was voted on and CARRIED.

(Voting: 9 in favour, 0 against).

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal:

The proposed development is contrary to Policies CS5 and CS17 of the adopted Fareham Borough Core Strategy and Policies DSP5 and DSP15 of the adopted Fareham Borough Local Plan Part 2: Development Sites & Policies and is unacceptable in that:

- i) the proposal would give rise to a cramped and unsympathetic form of development harmful to the character of the area which would fail to respond positively to and be respectful of the key characteristics of the area including its heritage assets, landscape, scale, form and spaciousness;

ii) by virtue of the proposed sub-division of the plot, the erosion of space between existing dwellings, the loss of established mature garden land and the removal of a section of hedge along the boundary with The Green the proposal would fail to preserve or enhance the character and appearance of the Sarisbury Green Conservation Area;

iii) the proposal fails to provide satisfactory visibility in perpetuity in a westward direction at the junction of the driveway with The Green and would as a result be harmful to the safety of highway users. Whilst it was considered that a satisfactory visibility splay could be achieved this would involve significant work to the frontage hedgerow to the detriment of the visual appearance and character of the area;

iv) in the absence of a financial contribution or a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed net increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas.

(4) P/15/0716/FP PORTSMOUTH MARINE ENGINEERING LOWER QUAY FAREHAM HAMPSHIRE PO16 0RJ

Councillor Mrs Hockley had left the meeting prior to this item being heard, and therefore took no part in the vote.

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)

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

(5) P/15/0690/RM FAREHAM COLLEGE BISHOPSFIELD ROAD FAREHAM HAMPSHIRE PO14 1NH

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

The Committee's attention was drawn to the Update Report, which contained the following information:- *Officers have been working with the applicant in order to address the concerns raised. As a result amended plans have been received as below:*

Site layout – AC001 rev P

Refuse tracking plan – 5105:05 rev H

Arboricultural Report – 13.11.2015

Tenure Plan – TP-02 rev F

Parking plan – PP-02 rev F

Storey heights plan – SHP-02 rev F

Landscape plans – SO108-LS-001c, 002c, 003c

The applicant has asked if the following statement could be reported for Members information:

This statement has been prepared on behalf of Bloor Homes to consider the reserved matters proposals for development of 120 dwellings at Fareham College in the context of the emerging Fareham Borough Design Guidance Supplementary Planning Document (Fareham Borough Council, 2015). Outline planning permission was granted for 3.25 hectares of new housing (up to 120 new dwellings) with related roads, parking areas, footpaths, landscaping and open space to be used for recreation, amenity and educational purposes on 11 April 2014 (Reference: P/13/1055/FP).

The reserved matters application seeks approval of the details of the layout, scale and external appearance of buildings, and the landscaping of the site. The approved plans have been provided a basis for the reserved matters proposals. The design has also been informed by ongoing discussions with Fareham Borough Council. The reserved matters scheme is responsive to the site constraints and opportunities, which have been identified through survey and analysis. The reserved matters proposals are consistent with the draft Fareham Borough Design Guidance Supplementary Planning Document, as described below.

Flats

- The proposed flatted development is directly to the south of the institutional buildings associated with Fareham College, providing a transition between the large scale College buildings and the dwellings to the south;*
- All flats have access to communal garden space, provided in accordance with Fareham Borough Council's draft standard of 25 sq m per flat. Ground floor flats have doors from living rooms opening directly onto the garden space;*
- The internal dimensions of the flats are in accordance with the relevant standards.*

New Streets

- The proposals provide a clear hierarchy of routes, with the primary route linking Bishopsfield Road in the west to the area of public open space to the east. Secondary routes form residential streets, whilst minor routes provide access to the flats and the lower density development overlooking the public open space;*
- The dwellings are connected via footpath links to the facilities and services in Fareham town centre. A gate is provided to link the development to Wallisdean school to the south;*
- Where corner dwellings are included, windows are provided which address both streets;*
- On plot parking is situated to the front and side of dwellings, providing a degree of surveillance from the windows of habitable rooms. On street parking*

spaces are unallocated, located away from the frontage of dwellings and separated by trees. A landscaped parking square is provided to the south of the flats;

- The retained Willow tree provides a focal point for the landscaped parking square. The reserved matters proposals include street tree planting. Appropriate tree species have been specified and are provided with sufficient space to mature.

Public Spaces

- The development connects to the existing public open space to the east. The public open space is overlooked by the new dwellings. The facilities within the public open space are improved through the inclusion of a LEAP.

Compliance with the principles of Secure by Design

- Throughout the layout dwellings are sited to face onto public spaces. A high level of natural surveillance is provided for roads, footpaths, parking areas and open space;

- Houses have private rear gardens that will be enclosed by 1.8 metre screen fencing or walls;

- Pathways serving rear gardens within rows of terraced houses will be protected by lockable gates;

- Street lighting will be provided to public roads and paths;

- The use of rear parking courts has been avoided.

The depute speaking against the proposal has asked that his comments are reported in full, including the reference to the Woodland Trust practical guidance 'Residential Developments and Trees' dated July 2015.

As the owner of 2 Berwyn Walk which is on the border of the proposed planning.

I write to tell you of my concerns of the hedge which borders my house 2 Berwyn Walk.

I do not want this hedge cut down.

It brings many benefits to the area.

It is a mature Ever Green Wall. It harbours many birds insects and gives the area green pleasant feel with a good shelter from North Easterly wind in the winter.

I wish to further review this in the light of the Party Wall Act 1996. Some of the roots of the Hedge and part of the Hedge is on my property.

I have also been using part of the hedge floor adjacent in the College boundary adjacent to my boundary to store wood for over 12 years.

I may be in a position to adversely claim this land to protect this hedge.

In examining the Party Wall Act and Adverse possession rules, I wish to have the chance to state my case officially at the appropriate moment.

On another matter relating to the Oak tree (T1 Common Oak) highlighted to be cut down – I strongly protest of any Oak tree being cut down. Many hundreds of species of creatures live on Oaks. In particular, in Hampshire it is our heritage, having long history of ship building in the Royal Navy. Oak trees especially protected one are not to be cut down.

A motion was proposed and seconded to add an additional condition securing the hedgerow on the western boundary of the site with Berywn Walk and Bulbarrow Walk (side of Plot 111 and rear of plots 112 – 118) to be retained at a height not less than 2 metres at all times, was voted on and CARRIED. (Voting: 5 in favour; 3 against; 1 abstention)

Upon being proposed and seconded, the Officer Recommendation to approve the reserved matters, subject to the additional condition agreed above and the conditions in the report, was voted on and CARRIED. (Voting: 6 in favour; 3 against)

RESOLVED that, subject to an additional condition securing the hedgerow on the western boundary of the site with Berywn Walk and Bulbarrow Walk (side of Plot 111 and rear of plots 112 – 118) to be retained at a height not less than 2 metres at all times and the conditions in the report, APPROVE the RESERVED MATTERS.

(6) P/14/1252/FP 100 WICKHAM ROAD FAREHAM HAMPSHIRE PO16 7HT

Councillor Mrs Hockley had left the meeting prior to this application being decided upon and therefore took no part in the vote.

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

The Committee's attention was drawn to the Update Report which contained the following information:- *As per the main agenda paper, the recommendation is amended to include the following conditions:*

01. The development shall commence before the expiry of three years from the date of this decision notice.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

02. The development shall be carried out in accordance with the following approved plans:

- 1025-PD-101 Revision V site & Location Plan*
- 1025-PD-102 Revision E Ground, First Floor & Roof Plans*

- 1025-PD-103 Revision E Elevations
- 1025-PD-107 Revision N Housing – Street Elevations
- 1025-PD-110 Existing Development
- 1025-PD-114 Revision C Rufford Plans & Elevations
- 1025-PD-115 Revision D Roseberry Plans & Elevations
- 1025-PD-116 Revision B Alnwick Plans & Elevations

REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

03. No development shall take place until a construction method statement has been submitted and approved on writing by the Local Planning Authority. The method statement shall provide for:

- *Details of the parking arrangements for existing staff using the existing office during construction;*
- *the management and coordination of deliveries of plant and materials and the disposing of waste resulting from demolition and or construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (08.00 to 09.00) and PM peak (16.30 to 18.00) periods.*
- *areas for loading and unloading;*
- *areas for the storage of plant and materials;*
- *security hoarding position and any public viewing platforms (if necessary);*
- *site office location;*
- *construction lighting details (to ensure no lightspill to the boundary hedgerows and vegetation);*
- *wheel washing facilities;*
- *dust and dirt control measures;*

A scheme for the recycling of construction waste;

The development shall be carried out in accordance with the approved details.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment or highway safety in accordance with Policies CS5, CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

04. No development (including any related site clearance) shall take place until there has been submitted to and approved in writing by the Local Planning Authority:

i) a) A desk study investigation and site walkover of the site which investigates the current and former uses of the site and adjoining land and the potential for contamination, with information on former uses of the site and adjoining land and the potential for contamination, with information on the environmental setting including known geology and hydrogeology. This report should develop a conceptual model and identify potential contaminant – pathway – receptor linkages.

b) Should the above study reveal a potential for contamination, an intrusive site investigation and an assessment of the risks to human health and the wider environment including water resources should be carried out. This should be submitted to and approved in writing by the Local Planning Authority.

c) Where the site investigation and risk assessment reveals a risk to receptors, a strategy of remedial measures and detailed method statement (including details of a nominated person/organisation to oversee the implementation of measures) to address identified risks shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

ii) a) Prior to the occupation of each building the agreed scheme of remedial measures shall be fully implemented for that building and the implementation verified by an independent competent person.

b) Details of the implementation and verification measures shall be submitted to and approved in writing by the Local Planning Authority within four months of each buildings occupation. The verification shall include photographic evidence and as built drawings where appropriate.

REASON: To ensure that any contamination of the site is properly taken into account before development takes place; in accordance with Policy DSP2 of the adopted Local Plan Part 2: Development Sites and Policies and the National Planning Policy Framework 2012.

05. The development hereby permitted shall be undertaken strictly in accordance with the "Materials Schedule" Revision A, reference Site Code 217690.

REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

06. No development shall take place above damp proof course (dpc) level until full details of hard and soft landscape works and ecological enhancements including planting plans; written specifications (stating cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities and include details such as new bat and bird box specifications and locations and an implementation programme has been submitted to and approved in writing by the Local Planning Authority. These details shall also include; proposed finished levels or contours; means of enclosure and hard surfacing materials. The landscape works shall be carried out in accordance with the approved details and the implementation programme.

REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy and policy DSP17 of the Development Sites and Policies Plan.

07. Prior to the implementation of the landscaping scheme pursuant to condition 06 a schedule of landscape maintenance of a minimum period of 10 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

08. No residential unit (dwellinghouse or flat) shall be occupied until the approved parking areas (excluding any garages) for that property have been constructed and laid out in accordance with the approved details and made available for use. These areas shall thereafter be kept available for the parking of vehicles at all times unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application made for that purpose.

REASON: In the interests of highway safety; in accordance with Policy CS5 of the Fareham Borough Core Strategy.

09. The new office building shall not be occupied until the approved parking areas for that building have been constructed and laid out in accordance with the approved details and made available for use. These areas shall thereafter be kept available for the parking of vehicles at all times unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application made for that purpose.

REASON: In the interests of highway safety; in accordance with Policy CS5 of the Fareham Borough Core Strategy.

10. The site shall be monitored during construction for evidence of previously unidentified contamination. If suspected contamination is encountered then no further development shall be carried out in the affected area(s) until investigation and remediation measures have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure any land contamination not previously identified is assessed and remediated so as to not present any significant risks to human health or the wider environment in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

11. The works hereby approved should be undertaken in full accordance with the provisions set out upon the Barrell Tree Consultancy Arboricultural Impact Assessment and Method Statement reference 14259-AIA2-PB.

REASON: To ensure that the construction period does not have detrimental impact upon the environment in accordance with Policies CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

12. Tree protective measures installed (in accordance with the tree protection condition above) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the fencing without the prior written agreement of the Local Planning Authority.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment in accordance with Policies CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

13. All service routes, drain runs, soakaways or excavations in connection with the development shall remain wholly outside of the tree protective barriers without the prior written agreement of the Local Planning Authority.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment in accordance with Policies CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

14. No piling or other foundation designs using penetrative construction methods shall be used on site unless details of the use of any necessary equipment/plant has been submitted and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details. The details approved shall include how the piling method will prevent contamination from migrating to principal aquifers and contaminating groundwater and a noise and vibration assessment with a scheme of mitigation measures.

REASON: To ensure that the construction period does not have detrimental impact upon the environment and amenities in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

15. All construction work in relation to the development hereby approved, including works of demolition on preparation prior to operations, shall only take place between the hours of 08.00 hours and 18.00 hours Monday to Friday and 08.00 hours and 13.00 hours Saturdays and at no time on Sundays and recognised bank/public holidays.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment and amenities in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

16. No materials obtained from site clearance or from construction works shall be burnt on the site.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment and amenities in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

17. Details of any external lighting to be fitted to any of the buildings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to its installation on the site. The lighting will be installed in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

18. All of the detached and semi-detached properties hereby approved shall only have external electricity meter box located on a side elevation.

REASON: to secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular or pedestrian access other than those shown on the approved plans shall be formed to the site.

REASON: In the interests of highway safety and in accordance with Policy CS5 of the Fareham Borough Core Strategy.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other revoking and re-enacting that Order with or without modification), no development permitted by Classes B and C of Part 1, Schedule 2 on Plots 1-6 of the proposal hereby permitted shall be constructed unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application made for that purpose.

REASON: In the interest of the development integrating with the character of the area and the amenity of neighbouring properties in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

21. No development shall take place until details, including plans and cross sections, have been submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto.

REASON: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

22. No development shall take place until a detailed scheme for the phasing of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The phases shall include all land on which development, including landscaping and associated infrastructure will take place. The development shall be undertaken in accordance with the approved phasing scheme unless an alternative scheme has first been submitted to and approved by the Local Planning Authority in writing.

REASON: To ensure that the development of the site takes place without disturbance to the surrounding properties and to ensure the provision of necessary on site infrastructure in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

At this point the meeting went into private session, in accordance with Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, on the grounds that the matter to be dealt with involves the likely disclosure of exempt information.

The Committee debated and asked questions on a viability study.

The meeting then went back into public session.

Upon being proposed and seconded, the Officer Recommendation to grant Planning Permission, subject to the conditions in the report and update report, was voted on and CARRIED.

(Voting: 8 in favour: 0 against)

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

(7) P/15/0912/FP TELECOMMUNICATIONS MAST 25530 AT PORTCHESTER ROUNDABOUT PORTCHESTER ROAD PORTCHESTER FAREHAM PO16 9TG

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)

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

(8) Planning Appeals

The Committee noted the information in the report.

(9) UPDATE REPORT

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

8. TREE PRESERVATION ORDERS

The Committee considered the confirmation of the following Fareham Tree Preservation Order(s), which had been made under delegated powers and to which no formal objection had been received.

Fareham Tree Preservation Order No.714 (2015) – 19 Dingle Way, Locks Heath

Order served on 10 September for which there were no objections. Two letters of support were received.

RESOLVED that Fareham Tree Preservation Order No 714 be confirmed and made and served.

Tree Preservation Orders Served

The following Tree Preservation Order have been made this month.

Fareham Tree Preservation Order No 717 (2015) – No 2, 3 & 4 Coldeast Way, Park Gate. The order was served on 30 October 2015.

(The meeting started at 2.30 pm
and ended at 5.42 pm).

FAREHAM

BOROUGH COUNCIL

Minutes of the Licensing and Regulatory Affairs Committee

(to be confirmed at the next meeting)

Date: Tuesday, 17 November 2015

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor Mrs P M Bryant (Chairman)

Councillor T M Cartwright, MBE (Vice-Chairman)

Councillors: Mrs S M Bayford, Miss S M Bell, Mrs M E Ellerton,
M J Ford, JP, T J Howard, L Keeble, Mrs K Mandry, D J Norris,
Mrs S Pankhurst and R H Price, JP

**Also
Present:**



1. APOLOGIES FOR ABSENCE

Apologies of absence were received from Councillor's N R Gregory and A Mandry.

2. MINUTES

RESOLVED that the minutes of the Licensing and Regulatory Affairs Committee held on 22 September 2015 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

5. DEPUTATIONS

There were no deputations made at this meeting.

6. UPDATE ON POLICE CHANGES - LICENSING ARRANGEMENTS

The Committee received a verbal presentation from Jason Pearce on the changes to Licensing Arrangements for the Police that have occurred over the past 12 months.

He explained to the Committee that he has previously had the privilege to be the police licensing officer for just Fareham which has allowed him to be able to engage with all new premises licence holders, giving him the opportunity to build a good working relationship with them. He also stated that being responsible for just Fareham allowed him the time to be able to follow up on any incidents that occur.

He then went on to explain that there have been significant changes and challenges put upon the Police this year, and it has resulted in a change to his responsibilities in that he now covers a wider area of Hampshire, with the impact of this being that with his time being stretched, his main focus is on dealing with the high risk premises. In addition to this he is now the lead licensing officer for all festivals in the area, including the Victorious festival in Portsmouth and the Isle of Wight Festival.

He finished his presentation by assuring the Committee that whilst there are challenging times ahead things still remain positive as they are now looking at new ways of working in order to continue to achieve a high standard of service.

RESOLVED that the Committee thanked Jason Pearce for his informative presentation.

7. SPENDING PLANS 2016/17

The Committee considered a report by the Director of Finance and Resources on the Committee's Spending Plans for 2016/17.

Members discussed at length the proposal not to increase the discretionary fees despite the Medium Term Finance Strategy policy that the Executive approved, which stated that there would be a 5% increase on all fees and charges. The Management and Financial Accounting Manager addressed the Committee to confirm that whilst the Medium Term Finance Strategy does indicate that a 5% increase should be applied to fees and charges the wording in the policy states that it will be applied 'wherever possible'.

The Head of Environmental Health addressed the Committee and explained that the reason why there has been no increase to the fees and charges is to do with the partnership with Gosport, as they have a different approach to fees and charges. He explained that the aim is, through the Partnership working, to bring the fees for Fareham and Gosport Borough Council in line with each other. This however is going to take some time with lots of discussions between Fareham and Gosport.

Councillor Price suggested that the recommendation be approved, expect for the fees and charges for 2016/17, which will be brought back to the Committee at the January meeting.

RESOLVED that the Licensing and Regulatory Affairs Committee agreed:-

- (a) the revised budget for 2015/16;
- (b) the base budget for 2016/17; and
- (c) to recommend the budget to Full Council for approval, with the exception of the fees and charges which will be brought back to the Committee in January.

8. AMENDMENT TO PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING DURATION AND FEES - OUTCOME OF CONSULTATION

The Committee considered a report by the Head of Environmental Health on the amendment to private hire and hackney carriage licensing duration and fees following the outcome of consultation.

RESOLVED that the Committee agreed:-

- (a) that the Private Hire and Hackney Carriage Drivers' Licenses fees be set as detailed in Appendix A to this report; and
- (b) that the fees be retrospectively applied to the 1 October 2015.

9. REVIEW OF THE LICENSING POLICY

The Committee considered a report by the Head of Environmental Health on a review of the Licensing Policy.

The Chairman passed her thanks onto the Licensing and Support Manager for her work in reducing the size of the document and for making it easier to read.

RESOLVED that the Committee agreed to:-

- (a) members' views and comments be taken into account in considering the current Licensing Policy Consultation Document, attached as Appendix A to the report;
- (b) the consultation exercise on the Licensing Policy commence at this meeting and continue until 31 December 2015;
- (c) a further report on the Licensing Policy, which details outcomes from the consultation process, be presented to the Scrutiny Board on 14 January 2016 for further consultation;
- (d) that the policy then be presented to the Licensing and Regulatory Affairs Committee for final drafting at its meeting on 26 January 2016; and then subsequently sent to the Executive at its meeting on 1 February 2016 to make its recommendation to Council; and
- (e) the approved Licensing Policy be recommended to the Council for adoption at the scheduled Council meeting on 19 February 2016.

10. LICENSING AND REGULATORY AFFAIRS COMMITTEE WORK PROGRAMME

The Committee considered a report by the Head of Environmental Health on the Committee's work programme for 2015/16.

Councillor Norris addressed the Committee on this item and requested that a report on Uber be brought to the Committee explaining how they operate and how they differ from normal taxi companies. The Head of Environmental Health suggested that it be included into the Work Programme for the March 2016 meeting.

He also reminded members that an additional item is to be included onto the work programme for the January 2016 meeting on the Committee's Spending Plans in relation to Fees and Charges, as previously agreed at minute 7 above.

RESOLVED that the Committee:-

- (a) note the progress on actions arising from the meeting of the Committee held on 22 September 2015, as shown in Appendix A of the report;

- (b) subject to the addition of a report on Fees and Charges to the January meeting and a report on Uber to the March meeting, the Work Programme for 2015/16 be approved.

11. GAMBLING - STATEMENT OF PRINCIPLES

The Committee considered a report by the Head of Environmental Health on the draft revised statement of principles under the Gambling Act 2005.

The Head of Environmental Health addressed the Committee and explained that the document has been significantly shortened in the hope that it will be more user friendly. He also informed the Committee that the contents page currently does not match the rest of the document but this will be revised prior to the document being put out for consultation.

RESOLVED that:-

- (a) the draft revised statement of principles be approved for the purposes of statutory consultations; and
- (b) that a further report setting out the feedback and responses from the consultation be presented to the Committee at its meeting on 26 January 2016 prior to the revised Statement of Principles being recommended to Council for adoption at its meeting on 19 February 2016.

(The meeting started at 6.00 pm
and ended at 6.59 pm).

FAREHAM

BOROUGH COUNCIL

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

Date: Monday, 23 November 2015

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor T G Knight (Chairman)

Councillor G Fazackarley (Vice-Chairman)

Councillors: C J Wood, P J Davies, Miss T G Harper, D L Steadman and
P W Whittle, JP

**Also
Present:**



1. APOLOGIES

There were no apologies of absence.

2. MINUTES

RESOLVED that the minutes of the Audit and Governance Committee held on 21 September 2015 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed to the meeting Martin Young from Ernst & Young (External Auditors).

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 7 – Counter Fraud Progress Report as he is a Justice of the Peace for the South East Magistrates but ensures he doesn't adjudicate in cases within the Borough.

5. DEPUTATIONS

There were no deputations made at this meeting.

MATTERS CONSIDERED FOR CONFIRMATION

6. UPDATES TO THE CONSTITUTION

The Committee received a report from the Monitoring Officer proposing changes to Part 4: Section 2 of the Constitution - Standing Orders for the Appointment, Dismissal and Discipline of Employees, and Part 5: Section 1 – Code of Conduct for Members following a review undertaken by the Member Officer Working Group for Reviewing the Constitution.

RESOLVED that the Audit and Governance Committee recommends to Council;

- (a) that the updated Standing Orders for the Appointment, Dismissal and Discipline of Employees be adopted; and
- (b) the Code of Conduct for Members, as set out in Appendix B of the report, be adopted.

7. UPDATES TO FINANCIAL REGULATIONS

The Committee received a report from the Head of Finance and Audit to consider proposed changes to the Authorisation Limits set out in Financial

Regulation 4 and other minor amendments proposed to reflect recent departmental restructures and in order to comply with the Public Sector Internal Audit Standards.

Members sought clarification on paragraph 5 of the report, as they felt it was unclear as to which officers are able to perform write-offs. The Head of Finance and Audit confirmed that delegated authority to cancel debt had been changed to only include the relevant Head of Service as well as the Director. Members also requested that there should be transparency over the level of debts being written off by officers.

Members queried paragraph 9 of the report which suggested including a new rule in which Officers could approve individuals being given higher limits on their procurement cards where it could be demonstrated that it met a business need. However, there were no restrictions on what these increased limits could be. The Director of Finance and Resources suggested that the rule could stipulate that level should not exceed the maximum limit allowable for Procurement cards. Members agreed that this and the other measures already in place would be satisfactory.

During a discussion on this item it was suggested that, the wording within Appendix 1 relating to employee expenses should read, 'Claims shall not be submitted and authorised by the same person', in place of 'Claims should not be submitted and authorised by the same person',

RESOLVED that the Committee recommends the proposed changes to the Council for approval subject to the following amendments:

- i. that Regulation 19 also requires information regarding the level of write offs carried out under delegated powers to reported annually to the appropriate Committee or Panel for noting;
- ii. that Appendix 1 of the Financial Regulation 4 is reworded to clarify that an individual's transaction limit on a procurement card could only be increased up to the maximum allowable for procurement cards;
- iii. that Appendix 1 of the Financial Regulation 4 should be reworded to read that 'Claims *shall* not be submitted and authorised by the same person'.

DECISIONS MADE UNDER DELEGATED POWERS

8. COUNTER FRAUD PROGRESS

The Committee received a report from the Head of Finance and Audit on the latest work carried out to tackle Fraud and Corruption.

The Head of Finance and Audit highlighted paragraph 2 of the report giving details on the new Smartphone Counter Fraud App which gives customers an additional easy and secure way to report all types of fraud to the Council. The App has been used and seems to be working well.

She also confirmed that the exercise carried out on fraud did not find any cases of fraud. However a few system issues were identified which have been discussed with the service responsible for maintaining the database.

Members discussed the different risks associated with Right to Buy applications, including the need to safeguard the tenant from outside pressure to buy and then leave their home. At the Chairman's invitation, the Head of Finance and Audit confirmed that the proposal was that enhanced preliminary checks would be carried out on all applications looking at the different risks. However, the investigator would only be present at the second stage interview where the checks had given cause for concern.

RESOLVED that the Committee notes the content of the report.

9. ANNUAL AUDIT LETTER

The Committee considered a report by the Director of Finance and Resources on the Annual Audit Letter received from the External Auditors, Ernst and Young LLP.

RESOLVED that the Committee notes the content of the report.

10. TREASURY MANAGEMENT PROGRESS REPORTS

The Committee received a report by the Director of Finance and Resources on the progress being made with implementing the Treasury Management Strategy.

RESOLVED that the Committee notes the content of the report.

11. QUARTERLY AUDIT REPORTS

The Committee received a report from the Head of Finance and Audit that provided the assurances arising from the latest internal audit work and gave an update on the progress being made with the delivery of the audit plans.

RESOLVED that the Committee notes the progress and findings arising from Internal Audit work.

12. REVIEW OF WORK PROGRAMME AND TRAINING PLAN

The Committee considered a report by the Head of Finance and Audit which reviewed the Committee's work programme and training plan.

The Chairman suggested that member training should be carried out on Treasury Management as highlighted during item 9.

RESOLVED that the Committee's work programme for 2015/16 is approved, subject to the inclusion of a Treasury Management training session.

(The meeting started at 6.00 pm
and ended at 7.42 pm).

FAREHAM

BOROUGH COUNCIL

Report to Council 17 December 2015

Subject: LOCAL COUNCIL TAX SUPPORT SCHEME 2016/17

Report of: Director of Operations

SUMMARY

This report sets out a recommended local Council Tax Support scheme for adoption by the Council. The scheme will operate from 1 April 2016.

RECOMMENDATION

That the Council approves:

- (a) the Council Tax Support scheme; and
- (b) that delegated authority is given to the Director of Operations to make any necessary minor amendments and to publish the final scheme prior to 1 April 2016.

PROPOSED COUNCIL TAX SUPPORT SCHEME 2016/17

1. From April 2013 the Government abolished Council Tax Benefit and all billing authorities had to develop their own schemes, called Local Council Tax Support Schemes, to replace it.
2. For 2013-14 Fareham Borough Council agreed, following public consultation, the following principles:
 - Every Working Age claimant should pay something towards their Council Tax – maximum support was reduced from 100% to 91.5%
 - The scheme should protect the most vulnerable claimants therefore providing the same level of assistance as the previous Council Tax Benefit Scheme
 - Make work pay by increasing the amount of income that working age customers can earn before it affects their level of Council Tax Support
 - Provide extra financial support to those suffering genuine hardship as a result of the changes
 - Provide funding to Fareham Citizens Advice Bureau to employ a Budgeting Advisor for a period of 3 years to assist claimants affected by the changes
3. For 2014-15 and 2015–16 the Council agreed, following public consultation, the following principles:
 - Every Working Age claimant should continue to pay something towards their Council Tax – maximum support was reduced from 91.5% to 80%
 - The amount of Council Tax Support to be capped to a Band C for those claimants living in larger properties
 - All non-dependents (such as adult sons or daughters) should pay something towards the household's Council Tax bill
 - Continue to incentivise work by keeping the amount of income that working age customers can earn before it affects their Council Tax Support at the levels agreed for 2013/14
 - The scheme should continue to protect the most vulnerable claimants therefore providing the same level of assistance as the previous Council Tax Benefit Scheme
 - Continue to provide extra financial support to those suffering genuine hardship as a result of the changes
4. For 2016-17, it is proposed to retain the principles agreed in the schemes for the previous two years. A public consultation exercise ran between 14 September 2015 and 20 October 2015 seeking views on these proposals. A total of 67 responses were received and the results indicate that the proposed scheme is supported by the majority of respondents. 82% of respondents agreed that the current scheme is fair and 90% agreed that those with severe disabilities or in receipt of war pensions should continue to receive full council tax support. An impact assessment has been carried out and it confirms that we continue to comply with requirements.
5. The proposed scheme for 2016/17 will provide the same level of assistance and protection as in the previously agreed Council Tax Support Scheme. This will enable the Council to contain the cost within available resources.
6. A summary of the consultation is at [Appendix A](#)

7. A detailed summary of the proposed scheme is set out at [Appendix B](#)
8. Members are invited to consider this proposal and agree an unchanged Local Council Tax Support Scheme for 2016-17.

Appendices: Council Tax Support Scheme Consultation Analysis
Council Tax Support Scheme Policy Summary 2016/17

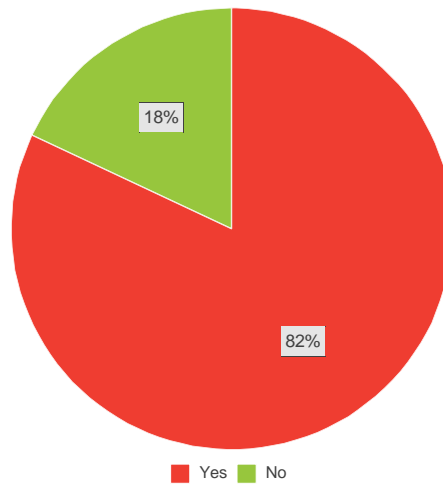
Enquiries: For further information please contact Caroline Newman (Ext: 4645)

Council Tax Support Scheme Consultation Analysis

The Council Tax Support Scheme consultation ran between 14 September and 20 October. Overall there were 67 respondents to the online survey.

48 respondents agree that the current Council Tax Support scheme is fair and 15 do not.

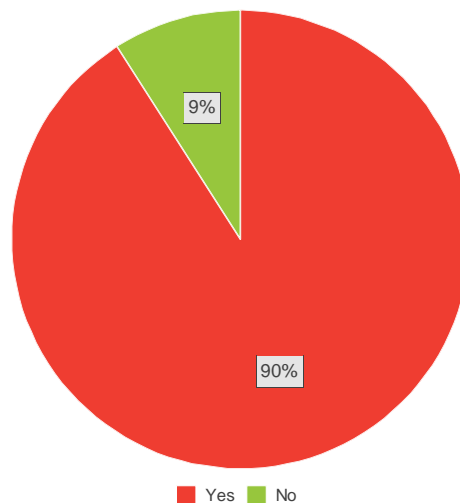
Do you think the current Council Tax Support scheme is fair?



Those respondents that do not believe the Council Tax Support scheme is fair tend to have a number of reasons for doing so:

- The scheme is not comprehensive enough
- House size is irrelevant
- Those with a disability are impacted more by the scheme
- Non dependents should pay more

Overall 55 respondents agree that people with severe disabilities or those who receive war pensions should continue to receive the full Council tax Support, and 8 do not.



Those who answered no to the above question, did so for a number of reasons including the belief that everyone should be treated equally and that just because people receive a war pension or disability allowance it doesn't mean they can't afford to pay Council Tax.

FAREHAM

BOROUGH COUNCIL

Council Tax Support Scheme Policy Summary 2016/17

(S13A and Schedule 1a of the Local Government Finance Act 1992)

FOREWORD

This document summarises Fareham Borough Council's Council Tax Support Scheme for the financial year 1 April 2016 to 31 March 2017.

THE SCHEME

Pensioners

It is a legislative requirement that those of Pension Age continue to receive support by way of a Council Tax Support Scheme on the same terms as would have applied under the old Council Tax Benefit scheme. This scheme therefore continues to adopt the provisions as previously set out in the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 as amended. The legislation sets out the definition of pensioner for the purposes of the scheme. Those not defined as pensioners are by default defined as working age.

Any figures set out in this part of the scheme will be subject to an annual review by the Government and set each year by order of the Secretary of State.

The extent of provision of those of Pension Age is a matter for Central Government with one exception. Local Authorities are free to extend the provisions set out in Section 1 Schedule 5 Paragraph 1 to the extent that they disregard any of those War Pensions in full. Fareham Borough Council has always disregarded those war pensions in full under the old Council Tax Benefit scheme and will continue to do so under the Council Tax Support scheme.

Working Age

All the features set out in section 2 of this scheme are features that are determined by Fareham Borough Council.

There is a legal requirement that Fareham Borough Council establishes a Council Tax Support Scheme for those of working age and adheres to the requirements set out in the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 as amended.

SECTION 1:

THE COUNCIL TAX SUPPORT SCHEME FOR PENSIONERS (PERSONS WHO HAVE REACHED THE AGE AT WHICH PENSION CREDIT CAN BE CLAIMED)

The Government has created three classes and the Council decides which class each claimant is in. The class will determine the level of Council Tax Support that can be provided:

Class A

To obtain support the claimant 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, income-based employment and support allowance or Universal Credit;
- c. be liable to pay council tax in respect of a dwelling in which they are resident;
- d. must have their assessed income less than or equal to the set living allowances (applicable amounts) set by Central Government; and
- e. have made a valid application for support

The class also includes persons who have successfully claimed Pension Credit Guarantee.

Class B

To obtain support the claimant 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, income-based employment and support allowance or Universal Credit;
- 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 claimant 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, income-based employment and support allowance or Universal Credit;
- 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.

SECTION 2:

THE COUNCIL TAX SUPPORT SCHEME FOR WORKING AGE PERSONS

There are two classes and the Council decides which class each claimant is in. The class will determine the level of Council Tax Support that can be provided:

Class D

To obtain support the claimant (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 person on income support, on an income-based jobseeker's allowance, Universal Credit 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 person whose *income* is **less** than their living allowances (*applicable amount*) or the claimant 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 claimant (or their partner) must:

- a. have not attained the qualifying age for state pension credit;
- b. have attained the qualifying age for state pension credit if they, and his partner is a person on Universal Credit;
- c. be liable to pay Council Tax in respect of a dwelling in which they are solely or mainly resident;
- d. be somebody in respect of whom a maximum council tax support amount can be calculated;
- e. not have capital savings above £16,000;
- f. be a person whose *income* is **more** than their living allowances (*applicable amount*);
- g. have made a valid claim for support;

WHAT COUNCIL TAX SUPPORT WILL BE PAYABLE TO A WORKING AGE PERSON?

If the claimant matches the criteria in Class D, including that their *income* is less than their living allowances (*applicable amounts*) they will qualify for 80% reduction on their Council Tax liability, (less any non dependant deductions). This 80% maximum support will also be capped to a Band C property. This also applies if the claimant is in receipt of income support, on an income-based jobseeker's allowance, or on an income-related employment and support allowance.

If the claimant matches the criteria in Class E, it will mean their *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 is 80% of council tax the person is liable to pay (less any non dependant deductions) and this 80% support will also be capped to a Band C property.

Will any working age persons be protected?

Yes, if a claimant or their partner receives a Severe Disability Premium or an Enhanced Disability Premium within either their Council Tax Support, Income Support, income-based Jobseekers Allowance or income-related Employment and Support Allowance, or receives the "Limited Capability for work and work related activity" element in their Universal Credit or is in receipt of a war disablement pension, a war widow's pension or war widower's pension, or Armed Forces Independence Payment their support will be based on a maximum Council Tax liability of 100% of council tax the person is liable to pay (less any non dependant deductions). There is no restriction on the amount of support given if the property's Council Tax band is above a Band C.

SECTION 3:

HOW COUNCIL TAX SUPPORT WORKS

Who can claim?

If you have to pay Council Tax, you may be able to get Council Tax Support (CTS).

You can only get support if you have a 'right to reside' (subject to certain exemptions) and are habitually resident in the United Kingdom (UK). If you have entered the UK within the 2 years before your claim for support, we will ask you about this.

People given refugee status, humanitarian protection or exceptional leave to remain in the UK will continue to be eligible for support.

Council Tax Support is not normally available for students. The exceptions are:

- vulnerable students, such as disabled students and lone parents;
- part-time students; and
- couples where one partner is not a student.

How to claim

Claims for Council Tax Support can be made in person at the Civic Officer or by telephone.

All claims will need to be supported by evidence of your circumstances and this will need to be provided to us. If you are claiming Housing Benefit as well as Council Tax Support, we will provide you with a joint claim form

If you are married and your husband or wife normally lives with you, or if you live with someone as though you are a married couple, or are civil partners, only one of you can make the claim for Council Tax Support. You may choose who is to make the claim, or if you cannot agree who is to claim, the Council will nominate one of you to be the claimant.

How long does it take to decide a claim for Council Tax Support?

We will deal with a claim for Council Tax Support as soon as possible after receiving all the information that we need to work out the entitlement.

Start of Council Tax Support

If you become liable for Council Tax for the first time, for example if you move to a new address or reach the age of 18 or stop being a registered student, you should claim either in advance (you may claim up to 13 weeks before you expect to become liable), or in the week that your liability starts. You then get support from the day you start being liable for Council Tax. If you claim later than this, your support starts on the Monday after the day you claim.

If you are already paying the Council Tax and become entitled to support because you have less money or your applicable amount changes, you also start getting support on the Monday

after you claim.

We may be able to pay Council Tax Support from an earlier date if there has been a good reason why you delayed making your claim. The maximum time we can go back is 6 months from the date your claim for backdating was actually made. You must show there was 'good cause' for not making an earlier claim throughout the whole of any period you want backdated up to the date your claim was made.

End of Council Tax Support

If you stop being liable for Council Tax, for example if you move away from an address or become exempt, your Council Tax Support stops on the day you stop being liable. If you no longer qualify for Council Tax Support because, for example, your income increases, your Council Tax Support will be stopped from the beginning of the next week.

How much Council Tax Support can be awarded?

Maximum Council Tax Support depends on:

- Whether you are in the Pension Age scheme (attained the qualifying age for state pension credit) or are in the Working Age scheme;
- How much Council Tax you have to pay; and
- Who you live with.

What Council Tax Support will be payable to Pension Age persons?

If a person matches the criteria in Class A they will qualify for 100% reduction on their Council Tax liability, (net of any Council Tax discounts, such as single person discount), adjusted down for any non-dependant deductions. This also applies if a person is in receipt of State Pension Credit (guarantee credit element) from the Department for Work and Pensions (Pensions Service).

If a person matches the criteria in Class B then twenty per cent of the difference between their income and living allowance (see 'calculating your needs' below) will be subtracted from the individual's Council Tax liability (net of any Council Tax discounts, such as single person discount), adjusted down for any non-dependant deductions

Council Tax Support for person 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 because of their low income. This reduction will be awarded at 100%, 25%, 15% or 7.5% of the Council Tax liability, depending on individual circumstances.

What Council Tax Support will be payable to a working age person?

Unless the person falls into one of the protected groups, the maximum Council Tax Support that can be paid for working age persons is 80% of the Council Tax the person is liable to pay

(less any non-dependant deductions). This 80% support is capped so that it does not exceed the equivalent for a Band C property.

If a person matches the criteria in Class D they will qualify for maximum Council Tax Support (less any non-dependant deductions).

If a person matches the criteria in Class E, then twenty per cent of the difference between their income and living allowance (see 'calculating your needs' below) will be subtracted from the maximum Council Tax Support.

Calculating your needs (living allowance or applicable amount)

Your needs are known as your living allowance or applicable amount and this is an amount that is 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. Your applicable amount takes into account the size of your family, your age and extra needs you may have. It is made up of personal allowances and premiums. Premiums are included if you have a family, dependent children, or a disability, or a disabled child.

Calculating your income

Your overall income is made up of all the money you and your partner (if you have one) have coming in from earnings, social security benefits, maintenance payments, pensions and other sources. Depending on the type of income, it may be completely or partially ignored in the calculation of your Council Tax Support or taken fully into account.

Calculating your capital

Your capital includes savings and investments held by yourself and your partner (if you have one) in any form (for example, bank and building society accounts, investment trusts, and shares) from any source (for example, inheritance, redundancy payments, and payments from a charitable or voluntary source). It will normally also include the net sale value of land and housing that you do not occupy.

Capital for Pension Age

The first £10,000 of capital is not counted. Capital over £10,000 up to £16,000 will be taken into account at £1 a week for each £500 (or part of £500) of capital over £10,000. Actual interest payments or dividends are not counted as income but as capital.

For customers who receive the Guarantee Credit of Pension Credit there is no upper limit on the capital you can have.

If you have capital over £16,000, you may still be entitled to Second Adult Rebate, as your income and savings are not taken into account. However, the actual income received from the second adult's capital will be taken into account.

Capital for Working Age

The first £6,000 of capital is not counted. Capital over £6,000 up to £16,000 will be taken into

account at £1 a week for each £250 (or part of £250) of capital over £6,000.

Non-dependants

Non-dependants are people like grown-up sons or daughters and elderly relatives. If you have non-dependants living with you, your Council Tax Support may be reduced. There are four levels of reduction that may apply. If the non-dependant is not working or working less than 16 hours a week, the lowest deduction will apply. If the non-dependant is doing paid work for 16 hours or more a week, the level of deduction will depend on the non-dependant's gross income.

The following people do not count as non-dependants, whether they share accommodation or not:

- carers employed by a charity that charges for the service;
- joint tenants;
- subtenants;
- boarders;
- tenants of owner occupiers; and
- landlords and their partners.

A deduction will not be made from your Council Tax Support if:

- the non-dependants' normal home is somewhere else; or
- you, or your partner, are registered blind or treated as blind; or
- you, or your partner, are receiving the care component of Disability Living Allowance or Attendance Allowance in respect of yourself or your partner; or
- you, or your partner, are receiving the daily living component of Personal Independence Payment
- you, or your partner are receiving an Armed Forces Independence Payment

How Council Tax Support is paid

If you are liable to pay the Council Tax, we will normally send you a Council Tax bill from which your Council Tax Support has already been deducted. You will then have to pay only the reduced amount. This means that you will not actually receive any money, but your Council Tax bills will be reduced.

If you disagree with the amount of Council Tax Support you have been awarded you will need to write to us stating the reasons. We have two months to reply to you. If we agree with your appeal then the Council Tax Support will be amended and you will receive another Council Tax bill showing the revised amount.

If we do not agree with your appeal or you do not receive a response within two months, you may appeal to the Valuation Tribunal. This is an independent tribunal who will hear your case (either in person or in writing). If the Valuation Tribunal agrees with you they will instruct us to amend your Council Tax Support accordingly.

Changes of circumstances

You must notify us immediately if there is a change in anything that might affect your right to or the amount of Council Tax Support you receive.

This will include:

- where you live; or
- who you live with; or
- your income, savings and investments; or if you stop getting Pension Credit, Income Support, income-based Jobseeker's Allowance, Universal Credit or Employment and Support Allowance; or
- you have a change in your Income Support or Employment and Support Allowance which means you no longer receive the Severe or Enhanced Disability Premium amounts as part of your income; or
- you have a change in your Universal Credit award that means you no longer receive the Limited capability for work and work related activity element; or
- if you get a job; or
- if you or your partner go into hospital; or
- if there is any other change in your circumstances which might affect your right to Council Tax Support

Counter Fraud and Compliance

In order to protect the finances of the Council and also in the interests of all Council Tax payers, we will undertake such actions as allowed by law to prevent and detect fraudulent claims and actions in respect of Council Tax Support. We will carry out investigations fairly, professionally and in accordance with the law and ensure that sanctions are applied in appropriate cases.

FAREHAM
BOROUGH COUNCIL

Report to Council
17 December 2015

Subject: UPDATES TO THE CONSTITUTION

Report of: Monitoring Officer

SUMMARY

This report proposes changes to Part 4: Section 2 of the Constitution - Standing Orders for the Appointment, Dismissal and Discipline of Employees, and Part 5: Section 1 – Code of Conduct for Members following reviews undertaken by the Member Officer Working Group for Reviewing the Constitution and the Audit and Governance Committee.

RECOMMENDATION

That the Council approves the updated sections of the Constitution for:

- (a) the Standing Orders for the Appointment, Dismissal and Discipline of Employees, as set out in Appendix A to the report; and
- (b) the Code of Conduct for Members, as set out in Appendix B to the report.

INTRODUCTION

1. At its meeting of 20 February 2015, the Council agreed to form a Member Officer Working group to undertake a review of the Constitution.
2. The Member Officer Working Group has met four times since April 2015 and is attended by Councillors P J Davies, L Keeble, T G Knight and R H Price, JP and by the Monitoring Officer and Head of Democratic Services.
3. At its inaugural meeting, the Working Group agreed to commence the review of the Constitution by looking at Parts 4 – 8 first because these sections are made up of smaller individual documents and policies which can be reviewed by the Audit & Governance Committee making recommendations directly to Council. Amendments to Parts 1 – 3 of the Constitution must be referred to the Executive via the Scrutiny Board before they are considered by the Audit and Governance Committee.

BACKGROUND – STANDING ORDERS FOR THE APPOINTMENT, DISMISSAL AND DISCIPLINE OF EMPLOYEES

4. The Member Officer Working Group has undertaken a review of the Council's Standing Orders for the Appointment, Dismissal and Discipline of Employees (Part 4: Section 2) and submitted a draft updated version to the Audit and Governance Committee at its meeting on 23 November 2105.
5. The current Standing Orders for the Appointment, Dismissal and Discipline of Employees were recently updated at the Annual Council meeting in May 2015. Those amendments were to satisfy newly introduced legislation specifically dealing with the appointment, dismissal or disciplinary of the three statutory officers (Head of Paid Service, Section 151 Officer and Monitoring Officer) and only applied to the appendices of the Standing Orders.

BACKGROUND – CODE OF CONDUCT FOR MEMBERS

6. Following the meeting of the Hampshire and Isle of Wight Local Authorities (HLOWLA) held on 22 November 2013, the Executive Leader, in his role as Chairman of HLOWLA, wrote to all Leaders of Hampshire Authorities to confirm the group's support for a Pan-Hampshire Code of Conduct for Members. The Member Officer Working Group has therefore undertaken a review of the Council's Code of Conduct for Members and submitted a draft updated version to the Audit and Governance Committee at its meeting on 23 November 2015.

PROPOSED CHANGES

7. The review of the Standing Orders for the Appointment, Dismissal and Discipline of Employees 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.
8. The following key changes have been incorporated into the document:

- (a) all descriptions of the personnel processes have been updated to reflect the organisation's current procedures;
 - (b) terminology amended to ensure consistency with the culture of the organisation;
 - (c) additional and amended wording is highlighted and underlined (for ease of reference);
 - (d) deleted wording is shown with ~~striketrough~~;
 - (e) spelling, typing and formatting errors have been corrected; and
 - (f) wording amended throughout to ensure the use of plain English.
9. The review of the Code of Conduct for Members provides an opportunity for the code to be aligned with the Hampshire code which was adopted by the County Council in July 2014. This will ensure that "double hatted" Members who are elected to Fareham Borough Council and Hampshire County Council will be able to follow a consistent code which is uniformly formatted and in the same order. The draft revised Code is shown at Appendix B to this report.
10. The Member Officer Working Group and the Audit and Governance Committee also support the re-introduction of Register of Gifts and Hospitality for items with an estimated value of £50 or more. This is included in the Hampshire Code and is a matter of local choice as there is no longer a statutory requirement for a register of gifts and hospitality, since the Localism Act was introduced in 2011.
11. In order to avoid inconsistencies in the interpretation of what should be declared as hospitality or a gift, Members are reminded that advice on registrations can be sought from the Monitoring Officer or the Head of Democratic Services. A clarification statement on the declaration of gifts and hospitality with an estimated value in excess of £50 will be issued to all Members.

RISK ASSESSMENT

12. If the revised Standing Orders are not approved, elements of the Constitution will remain out of date and will not accurately reflect current organisational procedures.

CONCLUSION

13. The proposed changes contained in the documents at Appendix A and Appendix B were presented to the 23 November 2015 meeting of the Audit and Governance Committee where the revised Standing Orders and Code of Conduct were agreed to be recommended to Council for approval.

Appendix A: Revised Standing Orders for the Appointment, Dismissal and Appointment of Employees.

Appendix B: Revised Code of Conduct for Members.

Background Papers:

Notes from Member Officer Working Group meetings.

Letter from Chairman of HIOWLA to Leaders of Hampshire Authorities.

Reference Papers:

Report to Council – Revised Standing Orders with respect to the Appointment, Dismissal and Discipline of Employees, 14 May 2015.

Report to Audit and Governance Committee – Review of the Constitution, 9 February 2015.

Minutes of Audit and Governance Committee – 23 November 2015.

Enquiries:

For further information on this report please contact Leigh Usher. (Ext 4553)

FAREHAM

BOROUGH COUNCIL

STANDING ORDERS ~~WITH RESPECT TO~~ FOR THE APPOINTMENT, DISMISSAL AND DISCIPLINE OF EMPLOYEES



Revised October 2015

FAREHAM BOROUGH COUNCIL

STANDING ORDERS ~~WITH RESPECT TO~~FOR THE APPOINTMENT, DISMISSAL AND DISCIPLINE OF EMPLOYEES

1. General

- 1.1. These Standing Orders govern the Council's procedures for the appointment, dismissal and discipline of employees, including the provisions required by statutory Regulation.
- 1.2. Schedule 1 Part II to the Regulations, as set out at Appendix A, are deemed to be part of these Standing Orders.

2. Employee Establishment ~~and Filling of Vacancies~~

- 2.1. Every appointment of a person to a post or paid office with the Council must be made on merit and in accordance with the ~~provisions of the Disability Discrimination Act 1995 and other legislation, including racial and sexual discrimination legislation~~Equalities Act 2010, ~~and other legislation,~~ Regulations and Codes of Practice governing the appointment, transfer and/or promotion of employees, ~~particularly in relation to the evidence of unfair discrimination.~~
- ~~2.2.~~ The Council will approve the ~~overall permanent employee establishment and structure~~pay policy and the annual employee budget, on the recommendation of the Head of Paid Service. No change may be made to the structure of the permanent establishment until the Head of Paid Service has identified the source of any additional funding required.
- ~~2.2.2.3.~~ Officers will regularly review the recruitment process to ensure it is relevant and is up to date with modern HR practices and compliant with current legislation.
- ~~2.3.~~ ~~Unless filled by promotion or transfer, all vacancies will be publicly advertised unless the Head of the Paid Service determines otherwise.~~
- ~~2.4.~~ ~~If a similar vacancy occurs within six months of the filling of a vacancy which has been publicly advertised, the appointing Chief Officer may appoint one of the former applicants.~~
- ~~2.5.2.4.~~ ~~A vacancy for a senior officer (normally graded at local grades 6 or 7) may be advertised in one or more newspapers or in journals circulating primarily among persons who may be expected to meet the person specification for the post.~~

3. Recruitment and Appointment

3.1. Declarations

- (a) A candidate for appointment as an employee must state ~~in writing~~ whether they are the parent, step-parent, grandparent, partner, spouse,

child, step-child, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Councillor or employee of the Council, or of the spouse or partner of such a person; ~~and such~~The candidate must also state ~~in writing~~ if they are known to any existing Councillor or employee of the Council.

- (b) A candidate who fails to disclose such a relationship ~~will~~may be disqualified for the appointment and if appointed ~~will~~may be liable to dismissal without notice.
- (c) No candidate so related to a councillor or an employee will be appointed without the authority of the ~~relevant chief officer or an officer nominated by him/her~~Head of Paid Service.
- (d) For the purpose of this Standing Order, a person will be deemed to be a partner of a candidate if they are living together as a couple.

3.2 Seeking support for appointment:

- (a) Subject to paragraph (c) above, the Council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- (b) A ~~member of the Council~~Councillor may not seek support for any person for any appointment with the Council but this will not ~~preclude~~prohibit a ~~member~~Councillor from giving a written reference ~~or testimonial~~ of a candidate's ability, experience or character.

4. Recruitment of the Head of Paid Service and ~~Chief Officers~~Directors

4.1. Where the Council proposes to appoint the Head of Paid Service or a Chief Officer/Director and it is not proposed that the appointment will be made exclusively from among their existing officers, the Council will:

- (a) draw up a statement specifying the duties of the post concerned and any qualifications or qualities to be sought in the person to be appointed.
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it, and
- (c) make any arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

5. Appointment of Head of Paid Service/Monitoring Officer/Chief Finance Officer

5.1. The ~~full~~ Council will approve the appointment of the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer following the recommendation of such an appointment by a committee or sub-committee of the Council, unless part of a Senior Management restructure when the matter will be reported directly to Council for decision. A committee or sub-

committee must include at least one member of the Executive and meet political proportionality rules.

6. **Appointment of ~~Chief Officers~~ Directors and Heads of Service ~~Deputy Chief Officers~~**

6.1. The Council A committee or a sub-committee of the Council with delegated authority will appoint ~~Chief Officers~~/Directors. That ~~committee~~ or sub-committee must include at least one member of the Executive and meet political proportionality rules.

6.2. Appointments of ~~Deputy Chief Officers~~ Heads of Service shall be made by the Head of Paid Service or relevant ~~Chief Officer / Director~~, ~~provided that the Council or a Committee of the Council may make such appointments as it shall require from time to time~~.

6.3. An offer of employment as a ~~Chief Officer~~ Director or ~~Deputy Chief Officer~~ Head of Service shall only be made where no ~~well-founded~~ valid objection from any member of the Executive has been received and verified.

7. **Other Appointments**

7.1. Officers below ~~Deputy Chief Officer~~ Head of Service

Appointment of officers below ~~Deputy Chief Officer~~ Head of Service is the responsibility of the Head of Paid Service or ~~his/hers~~ nominee and ~~may not/cannot~~ be made by councillors.

7.2. Assistants to Political Groups

Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.

8. **Disciplinary Action**

8.1 The statutory provisions of Schedule 3 to the Regulations, as set out at Appendix B, are deemed to be part of these Standing Orders.

8.2 ~~Suspension~~ Statutory Officers

The Head of Paid Service, Monitoring Officer and Chief Finance Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and be in accordance with Council's Code of Conduct and Disciplinary Rules and Procedure, ~~last no longer than two months~~.

8.3 ~~Independent Person~~

No disciplinary action in respect of the Head of the authority's Paid Service, its Monitoring Officer or its Chief Finance Officer may be taken by the authority, other than in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015. This includes the appointment of an Independent Panel and the decision maker having regard to:

- (i) any advice, views and recommendations of the panel,
- (ii) the conclusions of any investigation into the proposed dismissal and
- (+)(iii) any representations from the relevant officer.

~~No other disciplinary action may be taken in respect of any of those officers except in accordance with a recommendation in a report made by a designated independent person.~~

~~8.4 The Council's disciplinary, capability and related procedures, allows a right of appeal for Directors to the Council's Appeals Committee in respect of disciplinary action. All other employees will be dealt with in accordance with the Council's Employee Code of Conduct and Disciplinary Rules and Procedures. Councillors will not be involved in the disciplinary action against any officer below Deputy Chief Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct.~~

~~8.48.5 The Council's disciplinary, capability and related procedures, as adopted from time to time, may allow a right of appeal to the Council's Appeals Committee in respect of disciplinary action. Councillors will not be involved in the disciplinary action against any officer below Director except where a Councillor is specifically invited as a witness for any investigation or inquiry into alleged misconduct.~~

9. Dismissal

~~9.1. Councillors will not be involved in the decision to dismissal of any officer below Deputy Chief Officer Director except where a Councillor is specifically invited as a witness except where such involvement is necessary for any investigation or inquiry into alleged misconduct.~~

~~9.1. The Council's disciplinary, capability and related procedures, as adopted from time to time, may allow a right of appeal to the Council's Appeals Committee in respect of dismissals.~~

10. Definitions

'Regulations' means the Local Authorities (Standing Orders) (England) (Regulations) 2001 and Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

'Chief Officer' and 'Deputy Chief Officer' have the same meaning as within section 2 of the Local Government and Housing Act 1989.

'Head of Paid Service' and 'Monitoring Officer' mean the officers designated by the Council under sections 4 and 5 respectively of the Local Government and Housing Act 1989.

'Chief Finance Officer' means the officer designated under section 151 of the Local Government Act 1972 or section 6 of the Local Government and Housing Act 1989.

'Councillor' means an Elected Member of Fareham Borough Council.

Fareham Borough Council's management structure includes the following posts:
Chief Executive Officer = Head of Paid Service

Statutory Officers = Head of Paid Service, Chief Finance Officer (Section 151) and Monitoring Officer

Director = Chief Officer (non-Statutory)

Head of Service = Deputy Chief Officer

Part 7 of the Constitution contains Fareham Borough Council's Management Structure Chart.

FAREHAM

BOROUGH COUNCIL

CODE OF CONDUCT FOR MEMBERS



December 2015

CODE OF CONDUCT FOR MEMBERS

Part 1: General Provisions and Interpretation

1. Introduction

This Code of Conduct is adopted by the Council pursuant to its statutory duty to promote and maintain high standards of conduct by Members and Co-opted Members of the Council. This Code applies to all Members and Co-opted Members of the Council.

The Code is based on and is consistent with the following principles as referred to in the Localism Act 2011:

- **Selflessness**
- **Integrity**
- **Objectivity**
- **Accountability**
- **Openness**
- **Honesty**
- **Leadership**

In the interests of transparency and openness, and in accordance with the requirements of the Localism Act 2011, the Register of Members' Interests is published on the Council's website, and is available for public inspection at the Council's offices during opening hours.

2. Scope

This Code applies to all Members and Co-opted Members of the Council when acting in their official capacity, or when giving the impression that they are acting as a representative of the Council.

Where a Member or Co-opted Member is a member of more than one local authority, but acting on behalf of Fareham Borough Council, such Member or Co-opted Member is, for the avoidance of doubt, bound by this Code of Conduct.

3. General obligations of Members and Co-opted Members

As a Member of Fareham Borough Council, your conduct will address the principles of the Code of Conduct by:

- 3.1 Representing the needs of residents, and putting their interests first.
- 3.2 Dealing with representations or enquiries from residents, members of communities within the administrative area of Fareham Borough Council and visitors fairly, appropriately and impartially.

- 3.3 Not allowing other pressures, including the financial interests of yourself or others connected to you, to deter you from pursuing constituents' casework, the interests of the Council's area, or the good governance of the Council in a proper manner.
- 3.4 Exercising independent judgement and not compromising your position by placing yourself under obligations to outside individuals or organisations who might seek to influence the way you perform your duties.
- 3.5 Listening to the interests of all parties, including relevant advice from statutory and other professional officers of the Council, taking all relevant information into consideration, remaining objective and making decisions on merit.
- 3.6 Being accountable for your decisions and co-operating when scrutinised internally and externally.
- 3.7 Contributing to making the Council's decision-making processes as open and transparent as possible.
- 3.8 Restricting access to information when the wider public interest, the Council's Constitution or the law requires it.
- 3.9 Behaving in accordance with all the Council's legal obligations, the Council's policies, protocols and procedures.
- 3.10 Ensuring that when using or authorising the use by others of the resources of the Council that such resources are not used improperly for political purposes.
- 3.11 Having regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986 or otherwise.
- 3.12 Not knowingly doing anything which might cause the Council to breach any legislation.
- 3.13 Valuing your colleagues and Officers of the Council and engaging with them in an appropriate manner.
- 3.14 Always treating all people and organisations with respect and propriety.
- 3.15 Providing leadership through behaving in accordance with these principles.

Part 2: Disclosable Pecuniary Interests

4. Introduction

A disclosable pecuniary interest is an interest falling within the Schedule set out at Paragraph 6 below of:

- 4.1 Yourself, or
- 4.2 Your spouse or civil partner, or someone you are living with as if you were husband and wife or civil partners, where you are aware that the other person has an interest.

5. Interpretation

In the Schedule set out at Paragraph 6 below, the following words or expressions mean as follows:

- 5.1 'the Act' means the Localism Act 2011;
- 5.2 'body in which the relevant person has a beneficial interest' means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;
- 5.3 'director' includes a member of a committee of management of an industrial and provident society;
- 5.4 'land' excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone) or jointly with another) to occupy the land or to receive income;
- 5.5 'M' means a member of a relevant authority;
- 5.6 'member' includes a co-opted member;
- 5.7 'relevant authority' means Fareham Borough Council of which M is a member;
- 5.8 'relevant period' means the period of 12 months ending with the day on which M gives a notification for the purposes of Section 30(1) or Section 31(7), as the case may be, of the Act.
- 5.9 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited within a building society.

6. Schedule of disclosable pecuniary interests

Subject	Prescribed description
Employment, office, trade profession or vocation	Any employment, office, trade profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Regulation (Consolidation) Act 1992
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority: (a) under which goods and services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge); (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where: (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either: (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than once class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class..

Part 3: Registration and Disclosure of Disclosable Pecuniary Interests

7. Obligations

- 7.1 You must, within 28 days of taking office as a Member or Co-opted Member of the Council, notify the Council's Monitoring Officer of any 'disclosable pecuniary interests' as defined by regulations made by the Secretary of State (as set out at Part 2 of this Code), where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.
- 7.2 You must also, within 28 days of becoming aware of any new disclosable pecuniary interest, or change thereto, notify the Council's Monitoring Officer of such new or changed interest.
- 7.3 If you have disclosable pecuniary interest included on the Register of Members' Interests, you must disclose this interest at any meeting of the Council, its Committees or the Executive at which you are present and participating in the business. Such interest should be disclosed at the commencement of consideration of the business or when the interest becomes apparent. You do not need to disclose details of the interest itself.
- 7.4 If a disclosable pecuniary interest has not been entered onto the Council's Register of Interests, then you must also disclose the interest to any meeting of the Council, its Committees or the Executive at which you are present where you have such an interest in any matter being considered. Such interest should be disclosed at the commencement of consideration of the business or when the interest becomes apparent. You do not need to disclose details of the interest itself. Following disclosure of a disclosable pecuniary interest not on the Council's Register or the subject of pending notification, you must notify the Monitoring Officer of such interest within 28 days, beginning with the date of disclosure.
- 7.5 Unless a dispensation has been granted by the Council, you may not participate in any discussion of, vote on, or discharge of any function related to any matter in which you have a disclosable pecuniary interest. You must as soon as it becomes apparent that you have such an interest (save for in circumstances set out at paragraph 7.6 below) withdraw from the chamber or room where the meeting considering the business is being held, and must not seek improperly to influence a decision about that business. If acting as a single Executive member you may not take any further steps in relation to the matter other than for the purpose of arranging for the matter to be dealt with otherwise than by yourself.
- 7.6 Without prejudice to paragraph 7.5 above, where you have a disclosable pecuniary interest in any business of the Council you may, notwithstanding such disclosable pecuniary interest attend such meeting for the purpose of making representations, answering questions or giving evidence relating to

such business provided members of the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Part 4: Registration of Gifts and Hospitality

- 8.1 You must, within 28 days of receipt, notify the Council's Monitoring Officer of any gift or hospitality you receive, if such gift or hospitality has an estimated value of at least £50.

Part 5: Registration and Disclosure of Personal Interests

- 9.1 Without prejudice to requirements contained at Part 3 of this Code in respect of the Registration and Disclosure of Pecuniary Interests, you may in addition notify the Council's Monitoring Officer of any Personal Interests you consider it appropriate to be entered on the Register of Members' Interests.
- 9.2 You have a "personal interest" in an item of business where it relates to or is likely to affect any of the following bodies of which you are a member: a public or charitable body, any body to which you have been appointed by the authority, any political party, trade union or other body one of whose principal purposes is to influence public opinion or policy.
- 9.3 You also have a "personal interest" in an item of business where a decision in relation to it might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or person with whom you have a close association, more than other council tax payers, ratepayers or inhabitants of the authority's area.
- 9.4 You shall disclose a "personal interest" at a meeting of the Council, its Committees or the Executive, where you consider that interest to be relevant to an item of business being considered at that meeting. The disclosure shall be made at the commencement of the meeting, or when the interest becomes apparent, and shall be recorded in the minutes of the meeting.
- 9.5 Disclosure of a personal interest does not affect your ability to participate in discussion or vote on the relevant item, provided it is not also a disclosable pecuniary interest. If you consider, having taken advice in appropriate circumstances, you should not participate in the business being considered, you should leave the chamber or room where the business is being considered, after exercising any right to speak which a member of the public would have.

FAREHAM

BOROUGH COUNCIL

Report to Council 17 December 2015

Subject: UPDATES TO FINANCIAL REGULATIONS

Report of: Director of Finance and Resources

SUMMARY

This report proposes some changes to the Authorisation Limits set out in Financial Regulation 4. Other amendments are also proposed to reflect recent departmental restructures and in order to comply with the Public Sector Internal Audit Standards.

RECOMMENDATION

That Council approves the proposed changes to Financial Regulations 2, 4, 10, 12 and 19.

INTRODUCTION

1. Financial Regulations form part of the Council's constitution and provide a detailed strategic and operational framework for managing the authority's financial affairs.
2. This report brings a few proposed amendments to the current regulations for approval. The proposals have been updated for the comments received from the Audit and Governance Committee on 23 November 2015.

DEPARTMENTAL RESTRUCTURES

3. There have been a few departmental changes which need to be reflected in the Financial Regulations.
4. **New Finance Post:** A new post of Head of Finance and Audit has been created. It is proposed that the following changes are made to the Regulations to reflect the following responsibilities of this post:

- (a) A new generic role of 'Nominated General Finance Manager' to be added to the document that sets out which posts are assigned to roles in the Financial Regulations; the post of Head of Finance and Audit to be assigned this role.
- (b) In Financial Regulation 2 (The Responsibilities of the Statutory Officers), the role of 'Nominated General Finance Manager' to be added to the deputies who can perform the **Section 114 duties** if the Statutory Chief Finance Officer is unable to do so.

These duties are to report to the Executive, and subsequently the Council, if: a) it appears that the expenditure in the financial year is likely to exceed the resources available, b) if any decisions will involve incurring unlawful expenditure, c) if any decision is likely to cause a loss or deficiency, or d) the Council is about to enter an item of account which is unlawful.

- (c) The post to be included in the list of posts which can authorise 'Financial Management' transactions up to £3,000,000.
5. **Write-Offs:** Regulation 19.4 sets out the delegated authorities to cancel debts due to the Council. The following changes are proposed:

Debts due to the Council may only be written off in accordance with the following rules:-

- a) *by designated officers of a service where the debt is £50 or less and appropriate steps have been taken to collect the debt such that it has been deemed irrecoverable. The write off should subsequently appear on the quarterly report received by the Statutory Chief Finance Officer or **Nominated General Finance Manager**;*
- b) *by the Statutory Chief Finance Officer or **Nominated General Finance Manager** for other debts where the amount for any one debtor is less than **£5,000**;*
- c) *if they are **penalty charge notices** which have been waived they can be cancelled in accordance with the **Parking Enforcement Policy**, or written off under the authority of the ~~Nominated Chief Officer~~ **Director or Head of Service** with responsibility for Enforcement;*
- d) *if they relate to housing rent income which has been they can be waived as **rent free weeks** under the authority of the Nominated **Director or Head of Service** ~~Chief Officer~~ with responsibility for ~~Council~~ Housing;*
- e) *in all other cases by the Executive, or other relevant committee.*
- f) ***The total value and number of write-offs carried out by officers, under the delegated powers outlined above, should be reported to the relevant committee each year.***

REGULATION 4 – AUTHORISATION LIMITS

6. **High Value Authorisations:** A recent internal audit of the payments system has identified the need to clarify how high value payments are approved. The proposed revised regulation is given in [Appendix A](#) which gives the following rules:
- (a) Any cheque over £50,000 must be countersigned by an officer with Financial Management authorisation.
 - (b) Any non-cheque payment, or transfer over £50,000 must be additionally approved by an officer with Financial Management authorisation, who is different from the authoriser.
 - (c) Any non-Financial Management transaction over £500,000 must have been approved by the Statutory Chief Finance Officer who cannot also be the authoriser.
 - (d) Financial Management transactions over £3,000,000, other than inter-account transfers, must have been approved by the Statutory Chief Finance Officer who cannot also be the authoriser.
 - (e) Those transactions defined as 'Financial Management' transactions are expanded to include Tax adjustments and Inter-account bank transfers.
7. It is proposed that the similar requirement about countersigning high value payments is removed from Financial Regulation 12 (Treasury Management) to avoid duplication.
8. **Procurement Card Payments:** It is proposed that the following sentences are added to the regulation to clarify that procurement card holders are incurring expenditure not their approved authorisers.

4.5 Authorisers: *Orders and payments which involve the spending of council funds must be authorised by an employee of the Council, whose powers to incur expenditure are in accordance with the limits set out in Appendix 1, and who has been nominated as an authoriser by their Head of Service.*

The exception to this are payments made on Council procurement cards which can be made by an approved card holder who has signed a procurement card user agreement setting out their authorised limits in accordance with Appendix 1.

An authorised officer, other than the card holder, must be nominated to receive details of the transactions being charged to each card.

9. It is also proposed that the Nominated General Finance Manager and the Statutory Chief Finance Officer are given the discretion to approve higher procurement card levels than the standard set out in the regulation for a card holder, where it can be demonstrated that it meets an individual business need. This discretion will be restricted to the maximum limit set for expenditure through procurement cards. For example a general procurement card holder cannot buy anything over £1,000 on a procurement card. However, this amendment would allow approval to be given to an individual to be able to charge expenditure higher level expenditure up to a maximum of £5,000.

REGULATION 10.4 – FRAUD AND CORRUPTION

10. The Public Sector Internal Audit Standards require the Chief Internal Auditor to be notified of all investigations into fraud or irregularity, irrespective of whether the internal audit team carries out the investigation.

11. It is therefore proposed to add the following sentence to the requirements set out in Financial Regulation 10.4 and the Internal Audit Charter:

10.4.2 **Duty to Report Financial Irregularity:** *Where there is a suspicion of Financial Irregularity, it is the duty of all individuals to report the matter to their Manager, the Nominated Audit Manager or the Statutory Chief Finance Officer. Such disclosures will be treated in accordance with the Council's Code of Practice for Confidential Reporting.*

10.4.3 *The Nominated Audit Manager should subsequently be notified of all investigations into fraud, corruption or impropriety and the outcomes.*

RISK ASSESSMENT

12. There are no significant risk considerations in relation to this report

[Appendix A](#) – Proposed new version of Financial Regulation 4 – Authorisation Limits

Background Papers: None

Reference Papers:

Report of the Director of Finance and Resources to the Audit and Governance Committee on 22 September 2014 -'Review of Financial Regulations'

Report of the Head of Finance and Audit to the Audit and Governance Committee on 23 November 2015 -'Updates to Financial Regulations'

Enquiries:

For further information on this report please contact Elaine Hammell. (Ext 4344)

REGULATION 4: AUTHORISATION LIMITS

Incurring expenditure relates to any process, which places a commitment on the Council to commit or spend its monetary resources. These processes include authorising orders, invoices or any type of reimbursement. They do not relate to the administrative activities supporting these processes e.g. setting up an electronic order.

- 4.1 **Nature of Spend:** Expenditure should only be incurred in relation to the business of FBC and procurement channels should not be used for personal use under any circumstance.
- 4.2 **Budget Provision:** Expenditure can only be incurred within the revenue and capital budgets approved by the Council.
- 4.3 **Capital Expenditure:** Only expenditure that meets the capitalisation rules can be charged against a capital scheme.
- 4.4 **Budget Holder Agreement:** When authorising expenditure, the authoriser should be confident that the budget holder has confirmed that the expenditure can be posted against their budget. The authoriser should take reasonable steps to be able to demonstrate this confirmation if challenged.

Exemptions from the need for budget holder confirmation are:

- Internal recharges
 - Employee related costs
 - Energy costs
 - Vehicle costs
 - Insurance premiums and excesses
 - Leasing costs
 - Capital financing costs
 - Bank charges
 - Bad debt provisions
 - ICT software and hardware costs
 - Non negotiable expenditure e.g. external audit fees
 - Accounting transactions and corrections
 - Anything else procured centrally or expenditure on a consolidated invoice.
- 4.5 **Authorisers:** Orders and payments which involve the spending of council funds must be authorised by an employee of the Council, whose powers to incur expenditure are in accordance with the limits set out in Appendix 1, and who has been nominated as an authoriser by their Head of Service.

The exception to this are payment made on Council Procurement cards which can be made by an approved card holder who has signed a

procurement card agreement setting out their authorised limits in accordance with Appendix 1.

An authorised officer, other than the card holder, must be nominated to receive details of the transactions being charged to each card.

- 4.6 Employees must not authorise any payments which are above these limits unless written approval to do so has been given by the employee's director and Statutory Chief Finance Officer.
- 4.7 **Emergency Responses:** In the event of the Council being involved in an emergency response, such that a control centre has been established, additional powers of authorisation are allowed in accordance with [Financial Regulation Support Document 29](#).
- 4.8 **Personal Benefit:** No employee can authorise payments to themselves, or to related bodies/individuals where they have a personal interest. Any exceptions to this must be agreed by the Statutory Chief Finance Officer.

Appendix 1 - Current Authorisation Limits

			Level 1	Level 2	Level 3	Other
	Covers	Additional Rules	Member of CXMT	Head of Service	Other staff nominated by their Head of Service or Director	Finance Team Authoriser
Budget Expenditure	Electronic authorisation on efinancials, Orchard or Technology Forge Manual authorisation of order forms, yellow stickers or payment vouchers/certificate	<p>Any cheque over £50,000 must be countersigned by an officer with Financial Management authorisation.</p> <p>Any non-cheque payment over £50,000 must be additionally approved by an officer with Financial Management authorisation, who is different from the first authoriser.</p> <p>Any payment over £500,000 must have been approved counter signed by the Statutory Chief Finance Officer who cannot also be the authoriser first signatory.</p>	£500,000	£75,000	£10,000	Not applicable
Petty Cash	Cash Advances Reimbursement Float Top Up	Any payment over £200 must be counter signed by the Statutory Chief Finance Officer who cannot also be the first signatory.	£200	£100	£50	Not applicable
GPC Procurement Cards	Advance payments In person payments Telephone payments Internet orders	<p>Limits are the upper limit for single transactions.</p> <p>Actual limits for single and monthly transactions are set out in individual Procurement Card agreements.</p> <p>Higher limits can be given in individual cases, up to the maximum Procurement card limits, on approval of the Nominated General Finance Manager or Statutory Chief Finance Officer.</p>	Up to £5,000	Up to £2,000	Up to £1,000	Not applicable

			Level 1	Level 2	Level 3	Other
Financial Management	<p>Life Assurance Claims</p> <p>Precepts to other precepting authorities</p> <p>Routine transfers to Government Departments (e.g. Inland Revenue, NNDR)</p> <p>Pension payments</p> <p>Authorisation of sundry debtor refunds</p> <p>Tax Adjustments</p> <p>Inter-account transactions</p>	<p>Any cheque over £50,000 must be countersigned by an officer with Financial Management authorisation.</p> <p>Any non-cheque payment over £50,000 must be additionally approved by an officer with Financial Management authorisation, who is different from the first authoriser.</p> <p>Any Financial Management transaction over £3,000,000 must have been approved by the Statutory Chief Finance Officer who cannot also be the authoriser.</p> <p>Any cheque, or supporting document for BACS/CHAPS over £50,000 must be physically signed by an authorised person.</p> <p>Any payment over £1,500,000 must be counter signed by another authorised person.</p> <p>Any payment over £3,000,000 must be counter signed by the Statutory Chief Finance Officer who cannot also be the first signatory.</p>	Not applicable	Not applicable	Not applicable	<p>£1,500,000</p> <p>£3,000,000</p>
Employee Expenses	<p>Payments to employees made through the electronic expenses system:</p> <p>Mileage, Overtime, Hourly Salary, Standby, Eye care, Subsistence, Parking, Public transport.</p>	<p>Any claim where the employee's manager is not available can be authorised by a Super User.</p>	<p>A post holder can authorise any claim of an employee whose post reports to theirs in the management structure. A claim submitted by a Director can only be authorised by another Director or a Super User. A claim submitted by the Chief Executive Officer can only be authorised by another Statutory Officer. This is controlled electronically by the system. Claims shall not be submitted and authorised by the same person.</p>			
Pay Advances		<p>Any payment over £500 must be counter signed by the Statutory Chief Finance Officer who cannot also be the first signatory.</p>	£500	£200	Not applicable	Not applicable

Notes to Appendix 1

1. These limits relate to NET expenditure (net of VAT).
2. The authorisation rules in relation to income are laid out in Financial Regulation 19.
3. The authorisation rules in relation to changes in staff remunerations are laid out in the Pay Policy.
4. The rules in relation to signing agreements are laid out in Contract Procedure Rules and the Constitution
5. Some posts are designated as Heads of Services in relation to this policy where there is not a direct Head of Service available in the management structure. These posts must be approved as such by the Director of the department.
6. A manual signature must be provided for all post holders who are nominated to authorise expenditure.

FAREHAM

BOROUGH COUNCIL

Report to Council 17 December 2015

Subject: **ELECTORAL REVIEW OF HAMPSHIRE DIVISIONS: DRAFT
RECOMMENDATIONS**

Report of: **Chief Executive Officer**

SUMMARY

The Local Government Boundary Commission for England (LGBCE) is carrying out a review of Hampshire County Council electoral division boundaries to deliver electoral equality across the county. Following a submission by the Council during the initial consultation period, the Commission has now published a draft recommendations report. Any new comments regarding the proposals must be made by 11 January 2016.

RECOMMENDATION

That the Council notes the draft recommendations report on the review of Hampshire County Council electoral division boundaries.

INTRODUCTION

1. On 24 August 2014, the Local Government Boundary Commission for England (LGBCE) advised Hampshire County Council that a review under Section 56(2) of the Local Democracy, Economic Development and Construction Act 2009 would be undertaken as it is considered significant electoral inequality exists. The aim is to seek to correct imbalances which occur where some county councillors represent many more, or many fewer, electors than their colleagues across the county.
2. The consultation period began on 26 May 2015 and members will recall that a report detailing a formal response from Fareham Borough Council was approved at the meeting held on 30 July 2015.
3. The LGBCE has now published its draft recommendations for Hampshire County Council divisions and invites any new comments to be submitted by 11 January 2016. Final recommendations will be published on 5 April 2016 and it is intended that the new electoral arrangements will come into effect in time for the County elections in 2017.

DRAFT RECOMMENDATIONS

4. The LGBCE has considered all representations made during the consultation period and makes the following comments that are relevant to Fareham:

Summary of Electoral Arrangements

	2014	2021
Number of councillors	78	78
Number of electoral divisions	75	75
Average number of electors per councillor	13080	13846
Number of divisions with a variance more than 10% from average	21	0
Number of divisions with a variance more than 20% from the average	3	0
Draft recommendation: Hampshire County Council should comprise 78 councillors serving 72 single-member divisions and three two-member divisions.		

A table showing draft recommendations for each district is shown on the following pages.

Division name	Number of Cllrs	Variance 2021	Description	Detail
Fareham Crofton	1	-4%	This division comprises the Hill Head and Stubbington areas which are located on the coast of the Solent. It also comprises a small area of Fareham Town.	We received two submissions that proposed a Fareham Crofton division with an electoral variance of 16% fewer electors per councillor. We consider this to be an unacceptably high electoral variance. To reduce this variance we have included electors situated between Bishopsford Road, Longfield Avenue, Peak Lane and The Avenue from Fareham Town division. While electors in this area are nearly two miles from the centre of Stubbington, we consider this division will ensure good electoral equality while still reflecting local communities.
Fareham Portchester	1	2%	This division comprises the suburb of Portchester which is located between the M27 and Portsmouth Harbour.	This division is largely based on the county-wide proposals received for Fareham Borough. It was argued that The Ridgeway and adjoining roads should be included in Fareham Town division as these roads share closer links with Fareham. We do not consider this to be a suitable arrangement and propose The Ridgeway and adjoining roads remain in Fareham Portchester division. This would better reflect the Portchester community which is separated from Fareham by the A27 dual carriageway. Fareham Portchester reflects the statutory criteria and therefore forms part of our draft recommendations.
Fareham Sarisbury	1	-3%	This division comprises the Burridge, Sarisbury and Swanwick areas. The division borders the River Hamble to the west.	This division is based on identical county-wide and borough-wide proposals received for Fareham Borough. Fareham Sarisbury division is identical to the existing arrangements in this area.

Fareham Titchfield	1	-6%	This division comprises the Catisfield, Heathfield and Titchfield areas and part of Locks Heath.	This division is largely based on borough-wide proposals for Fareham Borough. We consider that using the railway line instead of Blackbrook Road in the north-east of the division provides for a clearer boundary and better reflects communities. We also propose using part of The Avenue as it also provides for a clearer boundary in this area. Fareham Titchfield division will have good electoral equality by 2021 and forms parts of our draft recommendations.
Fareham Town	2	-8%	This division comprises Fareham Town which is located at the north-west tip of Portsmouth Harbour.	This division is largely based on county-wide proposals received for Fareham Borough. We also received borough-wide proposals which divided the centre of Fareham into two single-member divisions. However, this would require accepting changes in the adjoining Fareham Portchester division which we have not adopted as they do not use clear division boundaries or reflect local communities. We consider this two-member division reflects communities in this part of the borough and provides for reasonably good electoral equality.
Fareham Warsash	1	-1%	This division comprises the Warsash area which is located at the mouth of the River Hamble and Titchfield Common to the east.	This division is based on identical county-wide and borough-wide proposals received for Fareham Borough. Fareham Warsash division is identical to the existing arrangements in this area, and the proposals received all supported the retention of the existing arrangements. This division also reflects our statutory criteria.

RISK ASSESSMENT

5. There are no significant risk considerations in relation to this report.

CONCLUSION

6. The Commission has stated that it has an open mind about the draft recommendations but any suggestions regarding the proposed pattern of divisions will be considered using the same criteria as the initial consultation:
 - Electoral equality, each local councillor representing a similar number of voters
 - Community identity; reflects the identity and interests of local communities
 - Effective and convenient local government; helping your council discharge its responsibilities effectively.
7. Having considered the draft recommendations for Fareham, it is considered that all points for consideration were submitted in the initial representation and no further comments are necessary.

Background Papers:

None

Reference Papers:

Details of the review are available at <http://www.lgbce.org.uk/current-reviews/south-east/hampshire/hampshire-county-council>

<https://consultation.lgbce.org.uk/node/5188>

Interactive maps of the current division boundaries across the county. There is a facility to draw boundaries and upload documents to the site.

Electoral reviews, technical guidance www.lgbce.org.uk/guidance-policy-and-publications/guidance

Draft recommendations report

http://www.lgbce.org.uk/_data/assets/pdf_file/0006/26862/Hampshire-draft-recommendations-2015-11-17-FINAL.pdf

Contact: For further information please contact Elaine Wildig. (Ext: 4587)

