

# FAREHAM

BOROUGH COUNCIL

## 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, 5 DECEMBER 2019**, commencing at **5.00 pm**.

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The Mayor: Councillor Pamela Bryant

The Deputy Mayor: Councillor Michael Ford, JP

Councillor Susan Bayford	Councillor Geoff Fazackarley
Councillor Keith Barton	Councillor Jim Forrest
Councillor Ian Bastable	Councillor Tiffany Harper
Councillor Susan Bell	Councillor Carolyn Heneghan
Councillor Fred Birkett	Councillor Connie Hockley
Councillor Jonathan Butts	Councillor Leslie Keeble
Councillor Trevor Cartwright, MBE	Councillor Gerry Kelly
Councillor Louise Clubley	Councillor Kay Mandry
Councillor Shaun Cunningham	Councillor Simon Martin
Councillor Peter Davies	Councillor Sarah Pankhurst
Councillor Tom Davies	Councillor Roger Price, JP
Councillor Steve Dugan	Councillor Katrina Trott
Councillor Tina Ellis	Councillor Nick Walker
Councillor Jack Englefield	Councillor Seán Woodward
Councillor Keith Evans	



**1. Prayers**

The meeting will commence with a short service of prayers.

**2. Apologies for Absence**

**3. Minutes (Pages 5 - 16)**

To confirm as a correct record the minutes of the Council Meeting held on 24 October 2019.

**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, 4 November 2019 of Executive (Pages 17 - 22)

(2) Schedule of Individual Executive Member and Officer Delegated Decisions (Pages 23 - 24)

**11. 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, 16 October 2019 of Planning Committee (Pages 25 - 38)

- (2) Minutes of meeting Wednesday, 13 November 2019 of Planning Committee (Pages 39 - 44)
- (3) Minutes of meeting Monday, 25 November 2019 of Audit and Governance Committee (Pages 45 - 48)

## **12. Reports of the Scrutiny Panels**

To receive, consider and answer questions on reports and recommendations of the meetings of the Scrutiny Panels.

- (1) Minutes of meeting Thursday, 17 October 2019 of Streetscene Scrutiny Panel (Pages 49 - 52)
- (2) Minutes of meeting Monday, 21 October 2019 of Leisure and Community Scrutiny Panel (Pages 53 - 56)
- (3) Minutes of meeting Wednesday, 23 October 2019 of Policy and Resources Scrutiny Panel (Pages 57 - 60)
- (4) Minutes of meeting Thursday, 31 October 2019 of Health and Public Protection Scrutiny Panel (Pages 61 - 66)
- (5) Minutes of meeting Thursday, 7 November 2019 of Housing Scrutiny Panel (Pages 67 - 70)

## **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 Outside Bodies**

- (1) Solent Growth Forum

The Council is invited to appoint a representative to the Solent Growth Forum which has been reconfigured to provide a complimentary role to the Solent Leaders Forum.

The Solent Leaders Forum will continue to act as the primary mechanism for collective engagement on future economic strategy across the areas with the focus of the Solent Growth Forum providing a scrutiny panel function to enable the Solent LEP to benefit from external scrutiny and expert oversight of local authority partners.

## **16. Annual Review of the Corporate Strategy 2017-2023 (Pages 71 - 98)**

A report by the Director of Leisure and Community.

**17. Council Tax Discount Scheme** (Pages 99 - 128)

A report by the Deputy Chief Executive Officer.

**18. Annual Review of Constitution** (Pages 129 - 204)

A report by the Deputy Monitoring Officer.

**19. Change to Council Meeting Date**

The Council is asked to agree a revised date for the Council meeting in February 2020 and that the meeting be moved from 28 February to Friday 21 February 2020 commencing at 5pm.

This is to take into account the meeting dates for Hampshire County Council and the Fire Authority which will enable the Council to set its Council Tax and meet its statutory obligations for meeting Council Tax billing.

**20. 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 06 December 2019.



P GRIMWOOD  
Chief Executive Officer

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

28 November 2019

**For further information please contact:  
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Tel:01329 236100  
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# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Council

**Date:** Thursday, 24 October 2019

**Venue:** Council Chamber - Civic Offices

**PRESENT:**

Mrs P M Bryant  
(Mayor)

M J Ford, JP  
(Deputy Mayor)

**Councillors:** Mrs S M Bayford, I Bastable, Miss S M Bell, J E Butts, T M Cartwright, MBE, Mrs L E Clubley, S Cunningham, T Davies, S Dugan, Mrs T L Ellis, J M Englefield, K D Evans, G Fazackarley, J S Forrest, Miss T G Harper, Mrs C Heneghan, Mrs C L A Hockley, L Keeble, J G Kelly, Mrs K Mandry, S D Martin, Ms S Pankhurst, R H Price, JP, Mrs K K Trott, N J Walker and S D T Woodward



**1. PRAYERS**

The meeting was opened with Prayers led by the Mayor's Chaplain, Father Roger Jackson of St Peter and St Paul's Church, Fareham.

**2. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors K Barton, F Birkett and P Davies.

**3. MINUTES**

RESOLVED that the Mayor be authorised to sign as a correct record the Minutes of the Council meeting held on 25 July 2019.

**4. MAYOR'S ANNOUNCEMENTS**

The Mayor advised Members that her next two Tea Parties will be held on the 7<sup>th</sup> November when she will be hosting Annette McHugh who will be giving a talk on Working at the Wimbledon Tennis Tournament and on the 5<sup>th</sup> December when Bodyrox Productions will give a Winter Wonderland performance.

**5. EXECUTIVE LEADER'S ANNOUNCEMENTS**

The Executive Leader announced that the Fleet Air Arm Museum at Yeovilton, has long had an aspiration to rebuild and create an example of a Barracuda using as much original material as possible, collected from MOD approved crash site recoveries.

The Fairey Barracuda played a significant role in WW2 as a Royal Navy Torpedo bomber aircraft. More than 2500 were produced during World War II, with many operating from HMS Daedalus. However, there are no complete examples of this aircraft anywhere in the world.

The Executive Leader announced that during the National Grid IFA2 interconnector project there was a discovery of a Barracuda crash site in the Solent which has resulted in a huge amount of material that can be utilised in the Barracuda rebuild project at the Fleet Air Arm Museum.

The Executive Leader announced that on Tuesday 29 October a dedication plaque will be unveiled at The Barracuda Room in the Innovation Centre at Daedalus and the structural cockpit pipework sections will be on display in the Barracuda Room which are indicative of the condition of parts as they have been retrieved from the sea and the remarkable condition they can be returned to, for use in the rebuild project. A series of photographs will show the aircraft recovery process during the Summer of 2019.

The Executive Leader stated that the National Grid IFA2's recognition and recovery of this significant source of parts has been vital to the progress of Fleet Air Arm Museum's Barracuda rebuild project.

## **6. EXECUTIVE MEMBERS' ANNOUNCEMENTS**

### **Health and Public Protection**

#### **Police and Crime Panel**

The Executive Member for Health and Public Protection announced that he had attended the Police Crime Panel meeting on the 4<sup>th</sup> October where various items were discussed. The Executive Member for Health and Public Protection advised Members that it has now been confirmed that 210 Police Officers (as agreed at the precept meeting in January) will be recruited with the first tranche of Officers being present on the streets in November this year. It was also confirmed that there are currently 236 PCSO's, which is only 5 under the required number. Also, there have been 200 applicants for the current Detective recruitment, which is taking place at present.

The Executive Member for Health and Public Protection stated that the highlight of the meeting was an opportunity to question the Chief Constable, Olivia Pinkney. He stated that we are very fortunate to have such an able Chief Constable and she answered all of the questions, including the difficult ones, really well. The Chief Constable confirmed that the Police Force were under-staffed and under-funded but were coping very well under the circumstances. Productivity of the Hampshire Force is the best in the country and they have had 100% success rate in solving murders. The Chief Constable's main worries were an uplift in serious violence which could be contributed to the County lines drug problems and also the increase of assault on Police Officers especially with the effect this has on colleagues. The Executive Member for Health and Public Protection advised that the Chief Constable had confirmed that, following the Government's announcement of 20,000 new Police Officers, Hampshire have now been given permission to recruit a further 156 (so with the 210 already mentioned this gives a total of 356).

The Executive Member for Health and Public Protection stated that in Fareham we await to see what increases we will be awarded. There has been a lot in the press recently about Police Officers only being recruited if they have a degree. The Chief Constables had responded on this and explained that there are two routes to becoming a Police Officer, one is an Apprenticeship that takes 3 years and the individual would end up with a degree at the end of this period; the other route is normal recruitment, but those individuals will have an opportunity to study for a degree at Portsmouth University if they so wish.

#### **Vanguard Intervention**

The Executive Member for Health and Public Protection stated that from June to the end of September, 12 officers, either new to Fareham Borough Council or not previously involved in a Vanguard intervention, had been on a learning

journey designed to help them apply the Vanguard Method to their working practices.

The Executive Member for Health and Public Protection stated that following an initial classroom session, the officers went into a different service to their own to understand it from a Vanguard perspective. They then presented their learning and observations back to each other, the Chief Executive, the Director of Leisure and Community and myself. Following this, they applied The Vanguard Method to their own service and presented their findings.

Feedback from the officers was that this had been a very valuable learning experience and it was clear to all that much had been learned about other services and the application of Vanguard. The Executive Member for Health and Public Protection advised that the Council is now considering making this a template for introducing new people into the organisation in the future.

## **Streetscene**

### **Recycling**

The Executive Member for Streetscene announced that he is in receipt of a letter from Hampshire County Council in respect of their funding gap.

The Department for Economy, Transport and Environment have agreed a series of proposals as part of the HCC T21 savings programme in which they are looking to a £11.7m saving by 2021 which includes reducing the financial support of recycling credits.

The Executive Member for Streetscene stated that the Project Integra (PI) Memorandum of Understanding (MoU) was signed in 1997 and under the current arrangements Hampshire County Council pays fees towards recycling, however the MoU that governs the Project Integra partnership is no longer sustainable. As such, they are proposing to implement changes including ceasing to pay recycling credits for recycling; recharging each WCA the cost of disposing the contamination/non-recyclable material within their dry mixed recyclables deliveries and will retain the income from the sale of all MRF processed recyclables. Hampshire County Council will continue to provide free of charge access for the DMR collections at the MRF.

The Executive Member for Streetscene stated that as the Council will loose out financially, there will be implications for Fareham Borough Council and its residents.

The Executive Member for Streetscene informed Members that a letter has been sent to the Leader of Hampshire County Council requesting this is deferred until there is an outcome from the Waste Management Strategy.

### **Climate Change**

The Executive Member for Streetscene announced the Council's planned work in response to climate change and in particular carbon reduction.

The Executive Member for Streetscene reminded Members that the Executive Leader made a statement at the Executive on 26 September 2019 which



advised that the Council is committed to achieving carbon neutrality in the delivery of its services by 2030, and that the Council would aspire to be carbon neutral in advance of that date. The Executive Leader had advised that work would begin immediately on both the identification of short-term measures and the development of a long-term comprehensive Carbon Reduction Plan. The Executive Leader also advised that a working group would be established to review the Council's services to identify carbon reduction opportunities and develop a detailed action plan with timescales for implementation.

The Executive Member for Streetscene advised Members that the Executive Leader has asked him to lead this working group which he is delighted to do, as an environmentalist, and wanted to provide Members with a further update regarding the detailed arrangements being put in place.

The Executive Member for Streetscene stated that in order that the working group can fully appraise the carbon reduction opportunities across the Council's services, and following discussion with the Chief Executive Officer, it has been decided that the group will include all the Council's Directors. The Executive Member for Streetscene will be supported by the Director of Planning and Regeneration as lead Director on this initiative and dedicated officer resource to undertake research and co-ordinate the programme will be secured.

The Executive Member for Streetscene stated that the next step will be for a report to be presented to the Executive early in the New Year which sets out the full scope of the work to be progressed.

The Executive Member for Streetscene indicated that the immediate priority will be on the development of the Council's Carbon Reduction Plan and the identification of the Council's carbon footprint, which will provide a baseline against which progress can be measured. However, attention will also be given by the working group to carbon reduction initiatives being progressed across the Borough, for example by Fareham's businesses and community groups.

As the working group identifies and develops proposals for inclusion in the Council's Carbon Reduction Plan, these proposals will be reports to the Council's Policy and Resources Scrutiny Panel for detailed scrutiny and review, prior to reporting to the Council's Executive for any decision. Given the keen public interest in climate change matters, the Council's emerging proposals for carbon reduction will also be presented to residents at Community Action Team meetings for public feedback.

## **7. DECLARATIONS OF INTEREST**

There were no Declarations of Interest made at this meeting.

## **8. PRESENTATION OF PETITIONS**

There were no petitions presented at this meeting.

## 9. DEPUTATIONS

At the invitation of the Mayor, Mr Paul Rogerson was invited to make his Deputation in respect of Taxi Licensing matters.

At the invitation of the Mayor, Anne Stephenson was invited to make her Deputation in respect of Climate Change.

At the invitation of the Mayor, Lesley Goddard was invited to make her Deputation in respect of Climate Change.

At the invitation of the Mayor, Meg Lampard was invited to make her Deputation in respect of Climate Change.

At the invitation of the Mayor, Tim Pratt was invited to make his Deputation in respect of Climate Change.

The Mayor thanked all of those who had made Deputations.

## 10. MOTIONS UNDER STANDING ORDER 15

(1) Notice of Motion received on 07 October 2019 from Councillor J Forrest

With the agreement of the Mayor, this item was brought forward on the Agenda.

A Notice of Motion was received from Councillor J Forrest:

“Fareham Council notes: That climate breakdown is being recognised as an emergency around the world;

That the Intergovernmental Panel on Climate Change asserts that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society and the private sector;

That the House of Commons and a growing number of UK local authorities, including our County Council partner, have already passed 'Climate Emergency' motions;

That Fareham Council has for many years been a leader in seeking to reduce carbon-based energy use and in promoting recycling of materials, and that the Executive Leader recently announced the intention to set up a working group tasked with moving to a carbon neutral position.

Fareham Council welcomes the Leader's statement to the Executive Meeting of September 26 and asserts that the proposed working group's goals should include:

1. Make the Council's activities net-zero carbon by 2030
2. Achieve 100% clean energy across the Council's full range of functions by 2030
3. Ensure that all strategic decisions, budgets and approaches to planning

decisions are in line with a shift to zero carbon by 2030.

4. Support and work with the County Council, The Partnership for South Hampshire (PfSH) and voluntary agencies towards making the entire area zero carbon within the same timescale and convene a Citizens' Assembly to involve the wider population in the process.
5. Request that the Council and partners take steps to proactively include young people in the process, ensuring that they have a voice in shaping the future;
6. Report on the level of investment in the fossil fuel industry that our pensions plan and other investments have, and review the Council's investment strategy to give due consideration to climate change impacts in the investment portfolio;
7. Call on the UK Government to provide the powers, resources and help with funding to make this possible, and ask local MPs to do likewise;
8. Consider other actions that could be implemented, including (but not restricted to): renewable energy generation and storage, encouraging alternatives to private car use, providing electric vehicle infrastructure and, increasing the efficiency of buildings, in particular to address fuel poverty; proactively using local planning powers to accelerate the delivery of net zero carbon new developments and communities.

Councillor J Forrest presented his Motion and indicated an additional word had been inserted into his original Motion to include the word "zero" in the last sentence at point 8.

This Motion was seconded by Councillor S Cunningham.

An amendment to this Motion was proposed by Councillor S D T Woodward which replaced wording in the fifth paragraph:

Fareham Council notes:

That climate breakdown is being recognised as an emergency around the world;

That the Intergovernmental Panel on Climate Change asserts that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society and the private sector;

That the House of Commons and a growing number of UK local authorities, including our County Council partner, have already passed 'Climate Emergency' motions;

That Fareham Council has for many years been a leader in seeking to reduce carbon-based energy use and in promoting recycling of materials, and that the Executive Leader recently announced the intention to set up a working group tasked with moving to a carbon neutral position.

Fareham Council welcomes the Leader's statement to the Executive Meeting of September 26 and notes that the working group will determine its own terms of reference, objectives and goals, taking into account the aspirations set out below:

1. Make the Council's activities net-zero carbon by 2030
2. Achieve 100% clean energy across the Council's full range of functions by 2030
3. Ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero carbon by 2030.
4. Support and work with the County Council, The Partnership for South Hampshire (PfSH) and voluntary agencies towards making the entire area zero carbon within the same timescale, and convene a Citizens' Assembly to involve the wider population in the process.
5. Request that the Council and partners take steps to proactively include young people in the process, ensuring that they have a voice in shaping the future;
6. Report on the level of investment in the fossil fuel industry that our pensions plan and other investments have, and review the Council's investment strategy to give due consideration to climate change impacts in the investment portfolio;
7. Call on the UK Government to provide the powers, resources and help with funding to make this possible, and ask local MPs to do likewise;
8. Consider other actions that could be implemented, including (but not restricted to): renewable energy generation and storage, encouraging alternatives to private car use, providing electric vehicle infrastructure and, increasing the efficiency of buildings, in particular to address fuel poverty; proactively using local planning powers to accelerate the delivery of net carbon new developments and communities.

During debate on this item, Councillor J M Englefield declared a non-pecuniary interest as he supports Greenpeace.

Having duly been seconded by Councillor S D Martin the amended Motion was carried unanimously.

## **11. REPORTS OF THE EXECUTIVE**

- (1) Minutes of meeting Monday, 2 September 2019 of Executive

RESOLVED that the Minutes of the meeting of the Executive held on Monday 2 September 2019 be received.

- (2) Minutes of meeting Thursday, 26 September 2019 of Executive

RESOLVED that the Minutes of the meeting of the Executive held on Monday 26 September 2019 be received.

- (3) Minutes of meeting Monday, 7 October 2019 of Executive

RESOLVED that the Minutes of the meeting of the Executive held on Monday 7 October 2019 be received.

- (4) Schedule of Individual Executive Member and Officer Delegated Decisions

RESOLVED that the Schedule of Individual Executive Member and Officer Delegated Decisions be received.

## **12. REPORTS OF OTHER COMMITTEES**

- (1) Minutes of meeting Wednesday, 17 July 2019 of Planning Committee

RESOLVED that the Minutes of the Planning Committee held on Wednesday 17 July 2019 be received.

- (2) Minutes of meeting Wednesday, 21 August 2019 of Planning Committee

RESOLVED that the Minutes of the Planning Committee held on Wednesday 21 August 2019 be received.

- (3) Minutes of meeting Wednesday, 18 September 2019 of Planning Committee

RESOLVED that the Minutes of the Planning Committee held on Wednesday 18 September 2019 be received.

- (4) Minutes of meeting Tuesday, 15 October 2019 of Licensing and Regulatory Affairs Committee

RESOLVED that:

- a) the Minutes of the Licensing and Regulatory Affairs Committee held on Tuesday 15 October 2019 be received; and
  - b) the recommendation in respect of item 6 – Final Polling District and Polling Places Review Report of the Committee be dealt with at item 17 of the agenda.
- (5) Minutes of meeting Monday, 22 July 2019 of Audit and Governance Committee

RESOLVED that the Minutes of the Audit and Governance Committee held on Monday 22 July 2019 be received.

- (6) Minutes of meeting Monday, 23 September 2019 of Audit and Governance Committee

RESOLVED that:

- a) the Minutes of the Audit and Governance Committee held on Monday 23 September 2019 be received; and
- b) the recommendations contained in Minute 8 – Review of Financial Regulations, be accepted and the Council agrees the proposed changes as set out in Appendices A, B and C.

### **13. REPORTS OF THE SCRUTINY PANELS**

- (1) Minutes of meeting Thursday, 18 July 2019 of Streetscene Scrutiny Panel

RESOLVED that the Minutes of the Streetscene Scrutiny Panel held on Thursday 18 July 2019 be received.

- (2) Minutes of meeting Friday, 30 August 2019 of Planning and Development Scrutiny Panel

RESOLVED that the Minutes of the Planning and Development Scrutiny Panel held on Friday 30 August 2019 be received.

- (3) Minutes of meeting Monday, 23 September 2019 of Leisure and Community Scrutiny Panel

RESOLVED that the Minutes of the Leisure and Community Scrutiny Panel held on Monday 23 September 2019 be received.

### **14. QUESTIONS UNDER STANDING ORDER 17.2**

There were no Questions received for this meeting.

### **15. APPOINTMENTS TO COMMITTEES**

There were no changes made to the appointments to Committees.

### **16. SCHEDULE OF COMMITTEE MEETINGS 2019/20**

A revised Schedule of Council, Committee and Panel meetings for 2020/21 was tabled at the meeting.

RESOLVED that the Schedule of Council, Committee and Panel meetings for 2020/21, as set out in the tabled item, be approved.

### **17. FINAL POLLING DISTRICT AND POLLING PLACES REVIEW**

RESOLVED that the Scheme for Polling District and Polling Places 2019, as set out at Appendix A to the report, be approved.

(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, 4 November 2019

**Venue:** Collingwood Room - Civic Offices

**Present:**

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

**Also in attendance:**

Councillor R H Price, JP for item 9(1)



## 1. APOLOGIES FOR ABSENCE

There were no apologies for absence given for this meeting.

## 2. MINUTES

RESOLVED that the minutes of the meeting of the Executive held on 07 October 2019 be confirmed and signed as a correct record.

## 3. EXECUTIVE LEADER'S ANNOUNCEMENTS

### Solent Local Enterprise Partnership – Growth Forum

The Executive Leader announced that during February 2019, the Solent Local Enterprise Partnership published a new Assurance Framework which establishes the policies, processes and systems to it works.

In supporting the new structure, the Solent LEP is seeking to convene a meeting of the Solent Growth Forum in early December. Under revised Terms of Reference, the Forum is intended to provide a scrutiny panel for the work of the Solent LEP.

The Executive Leader stated that the Solent LEP has asked Local Authorities to nominate a representative as a member of that group and, as the Growth Forum may meet before the next Full Council meeting in December where Appointments are formally approved, he is able to appoint a spokesman to attend until such time as the formal appointment is agreed by the Council.

The Executive Leader announced that whilst that spokesman will not have any voting rights, they will be able to represent the Council and he was pleased to announce that Councillor Tom Davies will be that spokesman.

### May 2020 – Mayor Making Ceremony

The Executive Leader announced that as Members will be aware, Ferneham Hall will close after this season's pantomime and will therefore be unavailable for the Mayor Making ceremony in May 2020. The Mayor's Office has conducted a review of potential alternative sites across the Borough and the Leader was delighted to announce that the newly opened Waypoint Church (formerly known as Locks Heath Free Church) has been selected as the most suitable venue.

The new site includes a spacious lobby area which boasts a coffee shop and a purpose built auditorium. Although the different venue will present some challenges and necessary changes to the normal format, it is anticipated that the tradition and high standard of Fareham's Mayor Making ceremony will be maintained and will enable us to enjoy the facilities that the Waypoint Church has to offer.

The Executive Leader stated that the afternoon Annual General Meeting of the Council will still be held in the Council Chamber and further details and invitations will be sent out from the Mayor's Office in the New Year.

## 4. DECLARATIONS OF INTEREST

Councillor S D T Woodward declared a personal interest in respect of item 8(1) – Community Funding - Portchester Bowling Club as he was involved in the decision made by Hampshire County Council to award a similar grant to Portchester Bowling Club.

## 5. PETITIONS

There were no petitions submitted at this meeting.

## 6. DEPUTATIONS

There were no deputations made at this meeting.

## 7. REFERENCES FROM OTHER COMMITTEES

### Leisure & Community Scrutiny Panel – 21 October 2019

Minute 7: Award of Contract – Leisure Centre Operator Contract

The Panel considered a report by the Director of Leisure and Community on the Award of Contract of the Leisure Centre Operator.

The Panel noted the recent changes in borrowing costs that has affected Local Government. Officers are currently investigating options for alternative borrowing methods that may be available to the Council. They will also revisit the capital fund to see if there are any capital savings that can be made elsewhere.

RESOLVED that the Panel recommends the contents of the report for the endorsement to the Executive when it considers this item at its meeting on 4 November 2019.

**This item is listed at Agenda item 10(1) for consideration by the Executive.**

### Policy & Resources Scrutiny Panel – 23 October 2019

Minute 6: Council Tax Discounts and Exemptions

The Panel considered a report by the Deputy Chief Executive Officer on the proposed changes to the Council's discretionary Council Tax discounts, exemptions, reliefs and premiums policy.

The Local Taxation and Corporate Debt Manager tabled an item which set out the amendments to the report that had taken place since its publication.

Member attention was drawn to the amendments made to the recommendation since it was published.

At the invitation of the Chairman, Councillor S D T Woodward, Executive Member for Policy and Resources addressed the Panel on this item.

RESOLVED that the Policy and Resources Scrutiny Panel asks the Executive to note their endorsement of the following recommendations, when it considers this item at its meeting on 4 November 2019:

- (a) approve the latest discretionary reductions and premiums set out in Appendix A:
- to remove the discount currently allowed on empty and unoccupied properties which have been vacant for less than 1 month, so that no discount is given (Class C);
  - to remove the discount currently allowed on empty and unoccupied properties undergoing or requiring major works to make them habitable, so that no discount is given (Class D);
  - to implement 100% to 300% Long Term Empty property premiums for properties which have been unoccupied and unfurnished for more than 24 months; and
- b) agree the approach for the proposed policy for up to 100% of the Council Tax for properties occupied by Care Leavers under 25 years of age, to be considered as irrecoverable.

**This item is listed at Agenda item 9(2) for consideration by the Executive**

Minute item 7: Corporate Strategy and Local Service Agreements Review

The Panel considered a report by the Deputy Chief Executive Officer on an annual review of the Council's Corporate Strategy and Local Service Agreements.

The Panel requested that the following changes be made:

Page 45 of the report under the heading of Strong, Safe and Inclusive and Healthy Communities on the last bullet point the word 'intimated' be changed to 'intimidated'; and

The bullet point on page 86 of the report pack which read "Develop long term plans aimed at bringing the Ashcroft Arts Centre and Ferneham Hall together into a new and exciting single arts and entertainment venue;" be removed from the Local Service Agreements as this is no longer part of the Council's Corporate Strategy.

RESOLVED that, subject to the amendments listed above, the Panel recommends the Corporate Strategy and Local Service Agreements report to the Executive for endorsement, when it considers this item at its meeting on 4 November 2019.

**This item is listed at Agenda item 9(1) for consideration by the Executive.**

## **8. LEISURE AND COMMUNITY**

- (1) Community Funding Application - Portchester Bowling Club

Councillor S D T Woodward declared a personal interest in respect of this item as he was involved in the decision made by Hampshire County Council to award a similar grant to Portchester Bowling Club.

The Executive Member for Leisure and Community proposed the deletion of recommendation (b) of the report as planning permission has already been granted.

RESOLVED that the Executive:

- (a) considered offering a matched funding grant of up to £20,000 to Portchester Bowling Club, to extend their Clubhouse at Westlands Grove, Portchester;
- (b) agrees the award specifically for the plans and costs provided as part of this funding application; and
- (c) agrees the award of the funding subject to Portchester Bowling Club providing written acknowledgement of both a successful application to the Hampshire County Council Community Building Fund for £20,000 to match Fareham Borough Council's contribution and Bowls England's approval of an interest-free loan to the Club.

## **9. POLICY AND RESOURCES**

- (1) Annual Review of the Corporate Strategy 2017-2023 and Local Service Agreements 2018-2019

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

Amendments to Pages 53 and 55 of the agenda pack were tabled at the meeting to highlight two minor changes to the wording in the Local Service Agreements 2018-2019 document.

RESOLVED that the Executive:

- (a) recommends to the Council the amendments to the strategy document, as set out in paragraph 8 of the report along with the minor amendments to the wording in the Local Service Agreement 2018-2019 document as highlighted in the tabled items and the inclusion of the date last reviewed on the front page of the strategy; and
- (b) notes the Council's performance for the 2018/19 financial year.

- (2) Council Tax Discounts and Exemptions

RESOLVED that the Executive:

- (a) agrees the approach for the proposed policy for up to 100% of the Council Tax for properties occupied by Care Leavers under 25 years of age, to be considered as irrecoverable; and

- (b) approves the latest discretionary reductions and premiums set out in Appendix A for:
- (i) 0% discount for properties which are unoccupied and unfurnished for less than 2 years (Class C)
  - (ii) 0% discount for properties requiring major works to render them habitable (Class D)
  - (iii) 100% to 300% Long Term Empty property premiums for properties which have been unoccupied and unfurnished for more than 24 months

(3) Finance Monitoring Report 2019-20

RESOLVED that the Executive notes the Finance Monitoring Report 2019-20.

(4) Treasury Management and Capital Monitoring Report 2019-20

RESOLVED that the Executive notes the Treasury Management and Capital Monitoring Report for 2019/20.

**10. EXCLUSION OF PUBLIC AND PRESS**

RESOLVED that the public and representatives of the press be excluded 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 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

(1) Award of Contract - Leisure Centre Operator

RESOLVED that the contract for the management of Fareham and Holly Hill Leisure Centres be awarded to the tender submitted by the contractor ranked 1<sup>st</sup> (as set out in the confidential Appendix A to this report) being the most advantageous tender received.

(The meeting started at 6.00 pm  
and ended at 6.20 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 meeting of Council on 24 October 2019:

**Executive Leader:**

**Attendance at the TCPA Annual Conference – ‘Facing the Future’ – The Implications for Placemaking  
08 November 2019  
(Decision 2019/20 – 2139)**

RESOLVED that the approval is given for the Executive Member for Planning and Development to attend the TCPA Annual Conference ‘Facing the Future’ – The implications for placemaking, taking place on 21 November 2019 at the Coin Street Neighbourhood Centre, Stamford Street, London.





# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Planning Committee

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

**Date:** Wednesday, 16 October 2019

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

**Councillors:** T M Cartwright, MBE, P J Davies, K D Evans, M J Ford, JP,  
Mrs K Mandry, S Cunningham (deputising for R H Price, JP)  
and S Dugan (deputising for F Birkett)

**Also Present:** Councillor Mrs P M Bryant (item 6), Councillor Mrs L E Clubley  
(item 6) and Councillor Mrs K K Trott (item 6)



**1. APOLOGIES FOR ABSENCE**

Apologies of absence were received from Councillors F Birkett and R H Price, JP.

**2. MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Planning Committee meeting held on 18 September 2019 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

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

**4. DECLARATIONS OF INTEREST**

There were no declarations of interest made at this meeting.

**5. DEPUTATIONS**

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

<b>Name</b>	<b>Spokesperson representing the persons listed</b>	<b>Subject</b>	<b>Minute No/ Application No/ Page No</b>
<b>Start 11AM</b>		<b>WELBORNE LAND NORTH OF FAREHAM – A NEW COMMUNITY OF UP TO 6000 DWELLINGS</b>	<b>Item 6 P/17/0266/OA Pg 5</b>
Mr R Blackman		-Ditto-	-Ditto-
Cllr Therese Evans	Wickham Parish Council	-Ditto-	-Ditto-
Ms W Greenish	Wickham Society	-Ditto-	-Ditto-
Ms L Rappe	Knowle Residents Association	-Ditto-	-Ditto-
Mr K Kidney		-Ditto-	-Ditto-
Mr B Marshall	The Fareham Society	-Ditto-	-Ditto-
Mr T Pickering		-Ditto-	-Ditto-
Dr L Thomas		-Ditto-	-Ditto-

Mr R Roberts		-Ditto-	-Ditto-
Mark Thistlethwayte or John Beresford	Buckland Developments Ltd	-Ditto-	-Ditto-

## 6. DEVELOPMENT MANAGEMENT

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

At the invitation of the Chairman Councillors Mrs P M Bryant, Mrs L Clubley and Mrs K K Trott addressed the Committee on this item.

The Committee's attention was drawn to the Update Report which contained the following information:-

P/17/0266/OA  
Fareham East, Fareham North.

Welborne, Land north of Fareham.

*Amendments:*

*In paragraph 8.2.16, page 57, within the last sentence delete the word "six" and add an additional sentence. "The final detail and number will be determined through the Reserved Matter applications".*

*On Page 103, paragraph 8.17.121, delete the third sentence and replace it with "The A32 in this location is to be dualled both north and south bound such that the crossing has a pedestrian refuge island half way across the A32".*

*Paragraph 8.22.10 on page 124 is corrected to state that the detailed modelling of water usage has been carried out using 110 litres per person per day in line with Building Regulations and Natural England's recommendation.*

*In paragraphs 8.30.43 (page 156) and 8.30.45 (page 157), delete the word "social".*

*Within the CBRE report, Appendix B to the main agenda report, the following amendments are made:*

*Page 285, the sentence starting "The rates applied BDL are...." Should finish with the word "above".*

*Page 287, the final sentence, on the penultimate line should read as "Our review of the BDL growth scenarios has therefore sought to determine if the 2% pa...."*

*An Addendum to the CBRE report is attached to this update.*

*Representations:*

*Three further representations have been received from members of the public since the publication of the agenda. No further new issues have been raised to those summarised in part 6.0 of the main report.*

*Since the publication of the Planning Committee report a letter has been received from the Solent Local Enterprise Partnership (SLEP).*

*The SLEP confirms it is very supportive of the Welborne development, which features prominently in the Solent Strategic Economic Plan and is identified as a 'flagship' site requiring immediate support. The M27 Junction 10 project was prioritised by the SLEP and formed part of its Local Growth Deal proposal to Government.*

*While the Growth Deal funding has been allocated to Junction 10, the deployment of the funding is subject to a number of requirements. These include the approval of a full business case by the Department for Transport, which would require a detailed design to be agreed and all funding for the Junction to be in place. Whilst the Department for Transport required the Growth Deal funding to be spent by March 2021, the Solent LEP are seeking assurances from Government that the funding can be spent beyond the 31<sup>st</sup> March 2021.*

*A further letter has also been received on behalf of the Portsmouth Hospitals NHS Trust and University Hospital Southampton in response to the Officer Report. It makes the following points:*

- The new A&E at the QA is irrelevant to the impact this development will have on both hospitals.*
- The consultation on the Plan is over five years ago. It has nothing to do with the consultation responses sent in 2018.*
- Both Trusts have provided evidence of the impact.*
- The Trusts provide planned and emergency healthcare and agrees a service level agreement on an annual basis with their commissioner. A contract term of two years is standard.*
- Contracts are negotiated on historical contract performance.*
- Growth reflects the increasing costs of delivering health.*
- Local population growth feeds into CCG target allocations from ONS data. This takes three years to affect growth allocations to the CCG.*
- The Trusts do not receive funding retrospectively.*
- The Trusts do not get allocated population growth, however as properties are occupied the growth manifests itself in a requirement for the Trusts to treat people resulting in an overspend.*
- The Trusts cannot refuse to treat a patient on the grounds of lack of capacity to provide the service.*
- If the Trusts fail to meet its performance targets it is penalised through withdrawal of income.*
- It is not possible for the Trusts to predict when planning applications are made and delivered.*
- It does not take into account housing land supply, housing need or housing projections.*
- Both Trusts are at full capacity.*

- *The NHS 10 year plan has nothing to do with the CIL Regulation 122 tests.*
- *There is no evidence that the health hub is a) deliverable and b) will provide support to health services.*
- *The EIA assessment is desk based and is fundamentally faulty.*
- *The request for a contribution is justified and do meet the Tests as has been confirmed by previous Inspectors.*
- *It is necessary to make the development acceptable as without it the population increase will adversely affect the standard of service that can be provided.*
- *The contribution is related to the development because it is based on the new population that will use the Trusts services.*
- *The contribution is fairly and reasonably related to the development as it is linked to the size of the new population.*

### **Planning Considerations:**

#### Healthcare:

*Further to the response to the Officer report received from the two hospital Trusts summarised above, Officers have no further commentary to provide to the Committee to that in part 8.15 of the report (from page 72) and the conclusions reached in the Planning Balance; paragraphs 8.32.20 – 8.32.27 on page 167.*

### **Recommendation:**

*The following items are to be added to the list in paragraph 10.3 of the main agenda paper:*

- *Applicants Contribution of £20m towards the cost of junction 10;*
- *Off site Highway works Contributions for locations identified by HCC;*
- *Local Centre Community Building;*
- *District Centre Community Building.*

*Changes are proposed to the following planning conditions in paragraph 10.5 of the main report:*

#### Condition 1 (page 172):

*The condition is re-written as follows:*

**01.**

- a) *The development granted permission by this decision for the J10 and A32 improvement works shall be begun not later than three years from the date of permission.***
- b) *The first application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. All subsequent reserved matters pursuant to this outline shall be submitted no later than 30 years from the date of this permission.***

- c) The development of any reserved matters related to this Outline planning application shall be begun before the expiration of three years from the date of approval of that reserved matters.**

**REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review their position if a new application is made following expiry.**

Condition 9 (page 175):

After "This strategy will demonstrate how residential development will provide".

Add additional bullet point:

- Market Housing

Condition 23 (page 180)

To include the word "residential" before the word "properties".

Condition 35 (page 183):

The Housing Statement will also provide for "Market Housing"

Condition 37 (page 184):

Before "timetable" on the second line of criterion a) insert "scheme and"

Condition 52 (page 188):

Delete the words "on any other work on site" from the first line.

Insert Additional Condition:

**68. All areas of public open space (excluding sports pitches), as identified in the Open Space and Green Infrastructure Parameter Plan – 60469153-006-A4, will be managed and maintained using a maximum of 5kg of Nitrogen per hectare per year.**

**REASON: In the interest of protecting the sensitive Solent coastal habitat.**

## **WELBORNE – ADDENDUM, OCTOBER 2019.**

### **INTRODUCTION:**

*CBRE has been instructed by Fareham Borough Council (FBC) to undertake further sensitivity analysis modelling in relation to the growth rates that were included as part of the assessment of viability of the Welborne Garden Village scheme.*

### **Background**

*A planning application has been submitted by the Master Developer, Buckland Development Limited (BDL), for a new community of 6,000 new homes. In support of the planning application BDL submitted a Site Wide Viability Report (SWVR) which concluded on viability grounds that:*

- *The scheme should not be liable to pay the Community Infrastructure Levy (CIL)*
- *The developer contribution towards M27 Junction 10 cost is capped at £20m*
- *Affordable housing for the 1,000 units should be 10%*
- *The affordable mix for the first 1,000 units is 50/50 between affordable/social rent and intermediate tenures*
- *The scheme is unable to provide Lifetime Homes or Passivhaus for the first 1,000 homes*

*CBRE reviewed the viability evidence put forward by BDL and concurred with the points raised above. This Addendum builds on the initial work set out within the Viability Review previously submitted by CBRE.*

### **Growth Analysis**

*Within its SWVR BDL assumes no growth in its base case which CBRE considers to be reasonable. However, it provides sensitivity analysis that shows the viability of the scheme if growth was to occur. When assessing the growth scenario BDL applies 3% value and 2% cost growth. CBRE reviewed the growth rates applied, benchmarked them against industry data and found them to be reasonable.*

*The purpose of the Addendum is to financially model the impact of different growth rates for build cost and values and assess the extent to which full policy compliance could be achieved. This will then be used to advise FBC on the level of growth that needs to occur to achieve the delivery of 30% affordable housing, a 70:30 tenure split, and Passivhaus and Lifetime Homes compliance.*

*In addition to cost and value growth analysis the impact of Placemaking is also financially modelled to demonstrate its impact on how full policy compliance could be achieved.*

### **METHODOLOGY:**

The methodology undertaken for the purposes of the Addendum remains consistent with the process applied within the original Viability Review whereby a residual master developer appraisal is undertaken.

The scenarios modelled by CBRE are outlined within the Growth Analysis section and are for the whole scheme. It should be noted that all scenarios assumed a phased delivery of affordable housing i.e. starting at 10% and increasing over time to give an average of 30% overall. The review timing remains consistent with that set out within the Viability Review, and is outlined below:

Review	Affordable Housing Units	Total Units Delivered at Review	Units Subject to Review
1	100	0	1,000
2	150	1,000	750
3	150	1,750	750
4	300	2,500	750
5	300	3,250	750
6	300	4,000	750
7	300	4,750	750
8	200	5,500	500
<b>Scheme Total</b>	<b>1,800</b>	<b>30%</b>	<b>6,000</b>

### **First 1,000 Units**

Within the first 1,000 units of the scenarios analysed the assumptions agreed with BDL during the viability review are applied. Whereby, due to the significant upfront infrastructure requirements:-

- Affordable housing for the first 1,000 units is 10%
- The affordable mix for the first 1,000 units is split 50/50 between affordable /social rent and intermediate tenures
- There are no Lifetime Homes or Passivhaus for the first 1,000 homes

### **Whole Scheme**

After the first 1,000 units CBRE has assessed viability based in achieving an average of 30% affordable housing across the scheme. This also assumes a 70:30 tenure split and also Passivhaus requirement fulfilment. As per the Viability Review, the Lifetime Homes requirements have not been financially modelled due to the level of information needed to assess this not being available. Other key assumptions applied to the whole scheme analysis are:

- The scheme should not be liable to pay the Community Infrastructure Levy (CIL)
- The developer contribution towards M27 Junction 10 costs is capped at £20m

These assumptions were found to be reasonable during the original viability review.



**GROWTH ANALYSIS:**

In this section CBRE summarise the results of the viability analysis that has been undertaken. FBC have requested sensitivity analysis to be undertaken in respect of growth rates assumed for both the costs and values, using rates of 1% to 4% in respect of each. These growth rates are explicit and do not include the potential impact of placemaking, which is analysed separately whereby a 20% and 30% placemaking premium is applied. Further scenarios are tested that combine both growth and placemaking.

When reviewing the outputs of the sensitivity analysis this scheme is deemed to be viable where a Profit on Cost figure in excess of 20% is achieved; this is the minimum profit level BDL have proposed for the Review Mechanism and is a rate consistent within viability guidance. Where the metric does not exceed 20% it is assured that full policy compliance may not be achieved. The tables below therefore show the % profit on cost achieved within each scenario.

<b>No Placemaking Considered</b>					
<b>Profit on Cost (%) Sensitivity</b>		<b>Revenue Growth (%per annum)</b>			
		<b>1.00</b>	<b>2.00</b>	<b>3.00</b>	<b>4.00</b>
<b>Cost Growth (%per annum)</b>	<b>1.00</b>	(22.5%)	(0.5%)	<b>25.0%</b>	<b>51.2%</b>
	<b>2.00</b>	(31.8%)	(13.6%)	10.9%	<b>36.8%</b>
	<b>3.00</b>	(39.9%)	(24.9%)	(3.9%)	<b>21.8%</b>
	<b>4.00</b>	(47.1%)	(34.6%)	(17.4%)	6.4%

<b>20% Placemaking Considered</b>					
<b>Profit on Cost (%) Sensitivity</b>		<b>Revenue Growth (% per annum)</b>			
		<b>1.00</b>	<b>2.00</b>	<b>3.00</b>	<b>4.00</b>
<b>Cost Growth (% per annum)</b>	<b>1.00</b>	5.7%	<b>30.3%</b>	<b>54.9%</b>	<b>81.2%</b>
	<b>2.00</b>	(8.4%)	16.5%	<b>41.4%</b>	<b>66.4%</b>
	<b>3.00</b>	(20.8%)	1.9%	<b>27.0%</b>	<b>51.9%</b>
	<b>4.00</b>	(31.3%)	(13.0%)	11.6%	<b>36.8%</b>

<b>30% Placemaking Considered</b>					
<b>Profit on Cost (%) Sensitivity</b>		<b>Revenue Growth (%per annum)</b>			
		<b>1.00</b>	<b>2.00</b>	<b>3.00</b>	<b>4.00</b>
<b>Cost Growth (%per annum)</b>	<b>1.00</b>	19.4%	<b>43.3%</b>	<b>67.4%</b>	<b>95.6%</b>
	<b>2.00</b>	5.6%	<b>30.0%</b>	<b>53.7%</b>	<b>79.6%</b>
	<b>3.00</b>	(9.2%)	15.6%	<b>40.0%</b>	<b>64.1%</b>
	<b>4.00</b>	(22.0%)	0.2%	<b>25.2%</b>	<b>49.2%</b>

**CONCLUSIONS:**

The financial modelling undertaken shows just how sensitive residual appraisals are to changes in the underlying assumptions. Whilst the analysis in this note focuses on the impact of varying the growth rates and placemaking premium, residuals are also very sensitive to general changes in costs, values and programme or phasing assumptions.

The sensitivity analysis shows that a combination of value and cost growth is required to achieve full policy compliance. CBRE has undertaken further analysis to assess what level of placemaking premium is needed to achieve full policy compliance when cost and value growth is applied at 2% and 3% respectively (as per BDL's growth scenario). This showed that a 6% placemaking premium is needed in addition to 3%pa value growth and 2%pa cost growth to enable full policy compliance to be achieved. This is based on

*the assumption that contributions to Junction 10 are capped at £20m, and that CIL is not applied to the development as per the findings of the Viability Review.*

*It should be noted that large strategic scheme such as Welborne Garden Village, are long term projects, and the viability modelling is very sensitive to what can appear to be small changes in the assumptions. The impact of placemaking analysed within this Addendum demonstrates that it is able to compensate for lower underlying market growth, however as outlined within the Viability Review, certainty cannot be placed on this occurring, due to the vast range of factors that can influence the level of placemaking premium achievable.*

*The viability review mechanism agreed with BDL is therefore key to enabling the performance of the development to be tracked over time. The forecasts within the financial model will be replaced with the actual costs and revenues. Improvements in viability will be captured and any additional revenue generated, after a 20% profit has been achieved, will go towards the target of achieving full policy compliance.*

Upon being proposed and seconded the officer recommendation at 101 (page 170) of the report, to confirm the inclusion of the Applicant's document titles "Welborne Shadow Appropriate Assessment UPDATE", dated October 2019 comprises the Council's Habitats Regulation Assessment, was voted on and CARRIED.

(Voting: 8 in favour; 1 against)

RESOLVED that the Committee CONFIRM the inclusion of the report at Appendix A of the report titled "Welborne Shadow Appropriate Assessment UPDATE", dated October 2019 comprises the Council's Habitats Regulation Assessment.

Upon being proposed and seconded the officer recommendation to agree to delegate to the Head of Development to take receipt of the final written comments of any outstanding consultation responses with the inclusion of any further conditions or informatives that may be recommended, was voted on and CARRIED.

(Voting: 8 in favour; 1 against)

RESOLVED that the Committee AGREE to Delegate to the Head of Development Management to take receipt of the final written comments of any outstanding consultation responses with the inclusion of any further conditions or informatives that may be recommended.

A motion was proposed that in relation to recommendation 10.4 (page 171) that it be amended to include that any significant decisions made by the Head of Development Management under delegated power to amend and of the conditions or heads of terms, be reported back to the Planning Committee.

The motion was not seconded and there declared LOST.

A motion was proposed and seconded to agree to the officer recommendations at 10.3 and 10.4 (pages 170-171) to:

Delegate to the Head of Development Management in consultation with the Solicitor to the Council for the prior completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure:

- The creation of an Estate Management Company;
  - Inclusion of FBC on the board of the Company;
  - Service charge arrangements;
  - Step in provision;
- The appointment of a New Community Development Worker for a period of not less than ten years;
- Provision for an Education Steering Group;
- Contribution and land for the delivery of three primary schools;
- Contribution and land for the delivery of one secondary school;
- A Community Use Agreement(s) for the school(s) facilities for public use outside of the times needed for educational use;
- Nursery and pre school marketing strategy;
- Provision of the Local Centre;
- Provision of District Centre;
- Provision of healthcare facilities;
- Provision of the Community Hub;
- Delivery of Green Infrastructure (GI) – to include:
  - All Weather Pitch;
  - Tennis Courts;
  - Neighbourhood Play Space;
  - Youth Play Space;
  - Playground Play Equipment;
  - Parks and Amenity Open Spaces;
  - Playing Pitches and Outdoor Sports Facilities;
  - Allotments; and
  - Semi Natural Greenspace;
- GI Delivery and management arrangements;
- Delivery of the Temporary SANGS Strategy;
- Provision of Sites of Alternative Natural Green Space (SANGS);
- In perpetuity management of SANGS including step-in rights by the Estate Management Company;
- SRMP Contribution;
- Public Transport – BRT provisions on site and contributions;
- Safeguarding of the Rail Halt Land;
- A32 access works;
- Off site Local Highway Network mitigation and safety schemes;
- Framework residential travel plan;
- Neighbourhood travel plans;
- Framework employment travel plan;
- Safeguarding the land for the Household Waste Recycling Centre;
- Contribution towards the Household Waste Recycling Centre to include a proportionate cost of the legal fees;
- Affordable housing:
  - Amount;
  - Tenure;
  - Upward review mechanisms;
  - Wheelchair accessible homes;

- Safe Build Housing;
- Passivhaus where viability allows;
- Lifetime homes where viability allows;
- Extra Care accommodation;
- Business incubation centre;
- Employment and training plan for construction;
- Equalisation arrangements for the Sawmills site;
- Public access to the site;
- Improvements to existing rights of way;
- Closure, stopping up and diversion of existing rights of way; and

10.4 Delegate to the Head of Development Management:

- To make any necessary modification deletion or addition to the proposed conditions or heads of terms; and
- To make any necessary changes arising out of detailed negotiations with the applicant which may necessitate the variation, addition or deletion of the conditions and heads as drafted to ensure consistency between the two sets of provisions.

And was voted on and CARRIED.  
(Voting: 8 in favour; 1 against)

RESOLVED that the Committee AGREE that:

Delegation be GRANTED to the Head of Development Management in consultation with the Solicitor to the Council for the prior completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure:

- The creation of an Estate Management Company;
  - Inclusion of FBC on the board of the Company;
  - Service charge arrangements;
  - Step in provisions;
- The appointment of a New Community Development Worker for a period of not less than 10 years;
- Provision for an Education Steering Group;
- Contribution and land for the delivery of three primary schools;
- Contribution and land for the delivery of one secondary school;
- A Community Use Agreement(s) for the school(s) facilities for public use outside of the times needed for educational use;
- Nursery and pre school marketing strategy;
- Provision of the Local Centre;
- Provision of the District Centre;
- Provision of healthcare facilities;
- Delivery of Green Infrastructure (GI) – to include:
  - All Weather Pitch;
  - Local Play Space;
  - Neighbourhood Play Space;
  - Youth Play Space;
  - Playground Play Equipment;

- Parks and Amenity Open Spaces;
- Play Pitches and Outdoor Sports Facilities;
- Allotments; and
- Semi Natural Greenspace;
- GI Delivery and management arrangements;
- Delivery of the Temporary SANGS Strategy;
- Provision of Sites of Alternative Natural Green Space (SANGS);
- In perpetuity management of SANGS including step-in rights by the Estate Management Company;
- SRMP Contribution;
- Public Transport – BRT provisions on site and contributions;
- Safeguarding of the Rail Halt Land;
- A32 access works;
- Off site Local Highway Network mitigation and safety schemes;
- Framework residential travel plan;
- Neighbourhood travel plans;
- Framework employment travel plan;
- Safeguarding of the land for the Household Waste Recycling Centre;
- Contribution towards the Household Waste Recycling Centre to include a proportionate cost of the legal fees;
- Affordable housing;
  - Amount;
  - Tenure;
  - Upward review mechanisms;
  - Wheelchair accessible homes;
- Self Build Housing;
- Passivhaus where viability allows;
- Lifetime homes where viability allows;
- Extra Care accommodation;
- Business incubation centre;
- Employment and training plan for construction;
- Equalisation arrangements for the Sawmills site;
- Public access to the site;
- Improvements to existing rights of way;
- Closure, stooping up and diversion of existing rights of way; and

Delegation be GRANTED to the Head of Development Management to:

- Make any necessary modification, deletion or addition to the proposed conditions or heads of terms; and
- Make any necessary changes arising out of detailed negotiations with the applicant which may necessitate the variation, addition or deletion of the conditions and heads as drafted to ensure consistency between the two sets of provisions.

Upon being proposed and seconded the officer recommendation to grant outline planning permission subject to the conditions in the report and amended conditions in the update report, was voted on and CARRIED.  
(Voting: 8 in favour; 1 against)

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

**7. UPDATE REPORT**

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

(The meeting started at 11.00 am  
and ended at 3.51 pm).

# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Planning Committee

(to be confirmed at the next meeting)

**Date:** Wednesday, 13 November 2019

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

**Councillors:** F Birkett, T M Cartwright, MBE, P J Davies, K D Evans,  
M J Ford, JP, Mrs K Mandry and R H Price, JP

**Also  
Present:**



**1. APOLOGIES FOR ABSENCE**

There were no apologies of absence.

**2. MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Planning Committee meeting held on 16 October 2019 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

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

**4. DECLARATIONS OF INTEREST**

There were no declarations of interest made at this meeting.

**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
<b>ZONE 1 – 2.30pm</b>				
Mr M Ashdown	Mr & Mrs Wyatt, Mr & Mrs Lewry, Ms Earle, Mr G Bonney and Dr & Mrs Payne	CHARTER HOUSE 6 CAWTES REACH WARSASH – CHANGE OF USE OF OPEN AMENITY/PADDOCK LAND TO PRIVATE RESIDENTIAL GARDEN	<b>Opposing</b>	6 (2) P/19/0791/CU Pg 26
Ms F Earle	Mr & Mrs Wyatt, Mr G Bonney, Mr & Mr A Beadsworth	OSBORNE HOUSE BROOK AVENUE WARSASH – ALTERATIONS AND AMENDMENTS TO EXISTING PROPERTY COMPRISING SINGLE STOREY SIDE EXTENSIONS, BALCONY ON THE REAR ELEVATION AND ALTERATIONS TO FRONT (SOUTH) ELEVATION. TRIPLE	<b>Opposing</b>	6 (3) P/19/1011/FP Pg 34



		DETACHED SINGLE STOREY GARAGE AND GATED ENTRANCE TO BROOK AVENUE		
Ms Osborne-Stewart		-Ditto-	<b>Supporting</b>	-Ditto-
<b>ZONE 2 – 3.15pm</b>				
Mr R Carter		90 GUDGE HEATH LANE – ERECTION OF DETACHED 2-BED DWELLING (ALTERNATIVE TO P/16/1357/OA & P/17/0707/RM TO REGULARISE ALTERATIONS TO PLOT 1)	<b>Opposing</b>	6 (4) P/19/0759/FP Pg 42
Mr R Tutton (Agent)		-Ditto-	<b>Supporting</b>	-Ditto-
<b>ZONE 3 – 3.15pm</b>				

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

The Committee noted a report by the director of Planning and Regeneration on development control matters, including information regarding new appeals and decisions.

**(1) P/19/0707/OA - 33 LODGE ROAD LOCKS HEATH SO31 6QY**

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

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The development would be contrary to Policies CS4 and CS6 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP13 and DSP15 of the Adopted Local Plan Part 2: Development Site and Policies Plan and is unacceptable in that:

- i) Insufficient evidence has been submitted to demonstrate that the proposed development would not have an adverse impact upon protected species;

- ii) In the absence of a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the European designated Solent Special Protection Areas;
- iii) On the basis of the information available the Local Planning Authority is not satisfied that the proposal would not have likely significant effects upon designated European Protected Sites, in combination with other developments, due to the adverse effects of increased waste water and emissions from traffic.

**(2) P/19/0791/CU - CHARTER HOUSE 6 CAWTES REACH WARSASH SO31 9EA**

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:-

*The recommended planning condition is adjusted to include a limit on the erection of walls, fences and other means of enclosure. The revised condition is as follows:*

*Notwithstanding the provisions of Class E in Schedule 2, Part 1 and Class A in Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (Or any Order revoking and re-enacting that Order with or without modification), no development shall take place within the land hereby approved as residential garden land as edged red on the location plan Drawing Number 2011/100 Rev B dated July 2109 unless first agreed in writing with the Local Planning Authority following the submission of a planning application.*

*REASON: To protect the character and appearance of the locality.*

A motion was proposed and seconded to refuse the planning application on ecology grounds and was voted on and CARRIED.  
(Voting: 5 in favour; 3 against; 1 abstention)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal:

The proposal would, by virtue of the change of use of the land to domestic garden and the erection of a new closed board boundary fence to the northern and western edges of the site, result in a detrimental impact to the ecological interest of the site and its surroundings contrary to policy DSP13 of the Fareham Borough Local Plan Part 2: Development Sites and Policies (2015).

**(3) P/19/1011/FP - OSBORNE HOUSE BROOK AVENUE WARSASH SO31 9HP**

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

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

(Voting: 9 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be granted.

**(4) P/19/0759/FP - 90 GUDGE HEATH LANE FAREHAM PO15 5AY**

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:-

*Additional wording to end of planning condition 13 to state 'following the submission of a planning application'.*

A motion was proposed and seconded to defer the application in order to allow officers to investigate the damp proof course level in respect of number 88 Gudge Heath Lane and for an independent review of the French Drain to be undertaken, and was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that the application be DEFERRED.

**(5) P/19/0911/FP - 2A HAROLD ROAD & 45 GOSPORT ROAD STUBBINGTON**

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/19/0926/FP - 50 LINDEN LEA PORTCHESTER PO16 8DH**

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

(Voting: 9 in favour; 0 against)

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

**(7) P/19/1003/FP - 22 OLD FARM LANE FAREHAM PO14 2BZ**

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 along with the relevant agenda item.

(The meeting started at 2.30 pm  
and ended at 4.57 pm).

# FAREHAM

BOROUGH COUNCIL

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

**Date:** Monday, 25 November 2019

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

**Councillor** J E Butts (Chairman)

**Councillor** S D Martin (Vice-Chairman)

**Councillors:** P J Davies, T Davies, Mrs T L Ellis and J G Kelly

**Also Present:** I Bastable, J S Forrest, S Cunningham and Mrs K K Trott (for Item 7)



**1. APOLOGIES**

An apology of absence was received from Councillor Mrs C Heneghan.

**2. MINUTES**

RESOLVED that the Minutes from the Audit and Governance Committee meeting held on the 23 September 2019 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

There were no announcements made at this meeting.

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

There were no declarations of interest made at this meeting.

**5. DEPUTATIONS**

There were no deputations made at this meeting.

**6. EXCLUSION OF PUBLIC AND PRESS**

RESOLVED that in accordance with the Local Government Act 1972 the Public and Press were excluded, as the Committee considered that it is not in the public interest to consider the matter in public on the grounds that the presentation on Cyber Security will disclose exempt information, as defined in Paragraph 3 of Part 1 of the schedule 12A of the Local Government Act.

**7. RISK MANAGEMENT - CYBER SECURITY**

The Committee considered a confidential presentation on the Council's Cyber Security Risks Management arrangements delivered by the Technical Infrastructure Manager.

At the invitation of the Chairman Councillors I Bastable, Mrs K Trott, J Forrest S Cunningham joined in discussions on this item.

RESOLVED that the Committee noted the contents of the presentation.

**THE MEETING CONTINUED IN PUBLIC SESSION**

**8. TREASURY MANAGEMENT PROGRESS REPORT**

The Committee considered a report by the Deputy Chief Executive Officer which sets out the mid-year review of the treasury management activity up to 30 September 2019.

RESOLVED that the Committee notes the contents of the report.

## **9. CONSTITUTION ANNUAL REVIEW**

The Committee considered a report by the Deputy Monitoring Officer which provided the annual review of the Council's Constitution.

The Committee discussed the Standing Orders with Respect of Meetings and asked for clarification regarding Standing Order 14. The Committee asked for more details on the procedure for giving notice of a Motion to Council and also the process to enable Members to request an item to be considered at one of the Council's Committees or Scrutiny Panels. The Deputy Monitoring Officer explained the procedure to Members and the difference between Council and Executive Functions. The Committee asked that a diagram be circulated to assist Members with this process.

The Chairman requested that an item be added to the Committee's March 2020 meeting agenda, on Members rights to request that an item be considered at a meeting which falls within the Council's Committee Structure.

RESOLVED that the Committee: -

- (a) notes the contents of the report;
- (b) requested that an item be added to the March 2020 agenda, on Members rights to request that an item be considered at a meeting which falls within the Council's Committee Structure.
- (c) agrees the amendments to the Standing Orders with Respect to Meetings as set out in Appendix B;
- (d) agrees the amendments to the Scheme of Delegation to Officers as set out in Appendix C;
- (e) agrees the deletion of the Part 3 – Chapter 12 – Deputation Scheme; and
- (f) recommends the amendments at (c), (d) and (e) to Council for approval.

## **10. INTERNAL AUDIT PROGRESS REPORT**

The Committee considered a report by the Head of Finance and Audit on Internal Audit Progress for 2019/20.

The Committee again raised concerns with regards to the outstanding audits on this year's plans. The Committee suggested that the Head of Finance and Audit consider closing off some of the audits that she is confident she has enough assurance to form an opinion. The Chairman requested that when this report is brought back to the Committee in March, work has been done to investigate those audits which can now be closed, without being fully completed, with a brief rationale to explain why for each audit.

RESOLVED that the Committee: -

- (a) notes the Internal Audit's progress for 2019/20 to date; and
- (b) request that when this report is brought back to the Committee in March, work has been done to investigate those audits which can be closed without being fully completed, with a brief rationale to explain why for each audit.

## **11. REVIEW OF WORK PROGRAMME**

The Committee considered a report by the Head of Finance and Audit which reviews the Committee's Work Programme for 2019/20.

RESOLVED that, with the addition of an item being added to the March 2020 meeting, on Members rights to request an item be considered at a meeting which falls within the Council's Committee Structure, the Committee's Work Programme for 2019/20, be approved.

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



# FAREHAM

BOROUGH COUNCIL

## Minutes of the Streetscene Scrutiny Panel (to be confirmed at the next meeting)

**Date:** Thursday, 17 October 2019

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

**Councillor** Miss T G Harper (Chairman)

**Councillor** (Vice-Chairman)

**Councillors:** J E Butts, Mrs L E Clubley, L Keeble, Mrs K Mandry,  
R H Price, JP and Mrs T L Ellis (deputising for G Fazackarley)

**Also  
Present:**



**1. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor G Fazackarley.

**2. MINUTES**

RESOLVED that the Minutes of the Streetscene Scrutiny Panel meeting held on the 18 July 2019 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements: -

Firstly, it is with great sadness that I announce that Angie Ostler passed away on the 20<sup>th</sup> August 2019. Angie had over 40 years of continuous service with the Council and was a much-loved member of the Fareham Borough Council Team. I would like to take this opportunity to pass on the Panels condolences to her family.

Secondly, on the 17 September 2019, the Executive Member for Economy, Transport and Environment at Hampshire County Council agreed a series of proposals as part of Hampshire County Council Transformation to 2021 savings programme.

Hampshire County Council consider that, after 22 years the financial position, and therefore the Memo of Understanding that governs the Project Integra partnership, is no longer sustainable. As such they are proposing to implement the following changes from 31 March 2021:

- a) Cease to pay recycling credits for recyclables for which provision has been made through the contract;
- b) Recharge each Waste Collection Authority the cost of disposing of the contamination/non-recyclable material within their dry mixed recyclables deliveries; and
- c) Retain the income from the sale of all Materials Recovery Facilities processed recyclables.

Hampshire County Council will continue to provide free of charge access for the Domestic Mixed Recycling collections at the Material Recycling Facilities. Officers are currently awaiting legal advice on the validity of the Hampshire County Council proposals which will help to inform the Fareham Borough Council response and ongoing future arrangements for the disposal of recyclable materials.

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

There were no declarations of interest made at this meeting.

## **5. DEPUTATIONS**

There were no deputations made at this meeting.

## **6. EXECUTIVE BUSINESS**

### **(1) Purchase of Refuse Collection Vehicles**

Members enquired as to the reason for the purchase of the new, upgraded vehicles to the Council's current fleet. Officers advised that the new vehicles are 2 cubic meters larger, with greater capacity meaning that the new vehicles are more economical.

## **7. PRESENTATION ON WOODLAND AREAS, SPORTS PITCHES AND CHILDREN'S PLAY AREAS AT COLDEAST**

The Panel received a presentation from Mark Trigwell, Countryside Ranger and Mick Gore, Public Spaces Operations Manager on transforming woodland areas, sports pitches and play areas at Coldeast.

The presentation, which is appended to these Minutes, showed a series of photos of the site, highlighting the extensive work that had been carried out by both staff and volunteers to transform the Coldeast site.

Members asked if recognition had been given, particularly to the volunteers for their work and asked for more to be done to advertise the site to the wider community. Members suggested Fareham today as a possible platform in which to promote the new community space.

Members enquired about the funding for similar play areas, such as Holly Hill, across the borough. Officers explained that Leisure and Community are manage the provision of new play areas across the Borough with Streetscene responsible, purely for the maintenance and repair of play areas.

RESOLVED that the Streetscene Scrutiny Panel notes the contents of the presentation.

## **8. GRASS CUTTING ARRANGEMENTS**

The Panel received a report from Mick Gore, Public Spaces Operations Manager, on the Council's grass cutting arrangements.

The main areas of discussion for the Panel included; detail around the challenges the service had experienced this year as a result of staff shortages whilst still ensuring customer satisfaction. This in turn resulted in a few more strimming complaints than usual. Officers explained that the staffing shortages this year were unusual and as the short-fall in covering operations was largely due to illness. Agency staff were used to cover some of the staff shortages but obtaining the appropriately trained agency staff and budget constraints were an issue.

The Panel discussed the potential for an increase in pro-active communication for the service to keep the public better informed and minimise queries and complaints to the service. Officers advised that this is something that is currently being developed across the Streetscene services.

Members enquired about the contributions from Hampshire County Council Highways Department and asked that in future, information could be provided to detail the cost towards the Highways grass cutting element of the service.

RESOLVED that the Panel scrutinised the arrangements for grass cutting as set out in the report.

## **9. ROUTE OPTIMISATION OF WASTE COLLECTION ROUNDS**

The Panel received a report from Gary Squire, Refuse and Recycling Manager on the route optimisation of the waste collection rounds.

The report provided information to the Panel on the importance of route optimisation to maximise collection capability across the Borough in the most efficient manner. This is an extremely complex piece of work with several factors influencing the need to re-balance the refuse and recycling rounds.

Members asked about operatives assisting with the route optimisation work due to their knowledge of the rounds. Officers confirmed that discussions have already taken place with operatives to get their input.

RESOLVED that the Panel scrutinised the current arrangements for the refuse and recycling rounds.

## **10. STREETSCENE SCRUTINY PANEL PRIORITIES**

The Chairman asked Members of the Panel to consider the Scrutiny Priorities for the Streetscene Portfolio. The Panel requested that at future meetings a copy of the Scrutiny Priorities be available for Members as a prompt for discussions at this item.

Members asked to see the pro-active communication information that was being prepared for Streetscene services to keep the public informed and help minimise queries and complaints. The Head of Streetscene confirmed that the finalised communications document would be circulated to members of the Panel.

The Head of Streetscene confirmed that, at the next meeting scheduled for the 30 January 2020, items would be brought to the Panel to allow Members to scrutinise arrangements for cleaning and clearing; fly tipping, dog fouling, graffiti, litter and abandoned vehicles throughout the Borough.

RESOLVED that Members considered the Scrutiny Priorities for Streetscene.

(The meeting started at 6.00 pm  
and ended at 7.38 pm).

# FAREHAM

## BOROUGH COUNCIL

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

**Date:** Monday, 21 October 2019

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

**Councillor** Mrs C L A Hockley (Chairman)

**Councillor** Mrs L E Clubley (Vice-Chairman)

**Councillors:** Mrs S M Bayford, S Dugan, J M Englefield, M J Ford, JP and Mrs K K Trott

**Also Present:** Councillor Miss S M Bell, Executive Member for Leisure and Community.



**1. APOLOGIES FOR ABSENCE**

There were no apologies of absence.

**2. MINUTES**

RESOLVED that the minutes of the Leisure and Community Scrutiny Panel meeting held on 23 September 2019 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

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

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

There were no declarations of interest made at this meeting.

**5. DEPUTATIONS**

There were no deputations made at this meeting.

**6. EXCLUSION OF PUBLIC AND PRESS**

RESOLVED that in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and representatives of the press be excluded from the meeting for next item as the Panel considered that it was not in the public interest to consider the matter in public on the grounds that involved the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

**7. AWARD OF CONTRACT - LEISURE CENTRE OPERATOR CONTRACT**

The Panel considered a report by the Director Leisure and Community on the Award of Contract of the Leisure Centre Operator.

The Panel noted the recent changes in borrowing costs that has affected Local Government. Officers are currently investigating options for alternative borrowing methods that may be available to the Council. They will also revisit the capital fund to see if there are any capital savings that can be made elsewhere.

RESOLVED that the Panel recommend the contents of the report for endorsement to the Executive when it consider this item at its meeting on 4 November 2019.

**8. EXECUTIVE BUSINESS**

The Panel considered the Executive items of business which fall under the remit of the Leisure and Community Portfolio, including Executive Member

decisions and Officer delegated decisions, that have taken since the last meeting of the Panel on 23 September 2019.

The Panel considered the decisions shown at Items 8 (1) and 8 (2) of the agenda.

RESOLVED that the leisure and Community Scrutiny Panel considered the following items of Executive Business.

**(1) Award of Contract - Operator of Remodelled Ferneham Hall**

No comments were received.

**(2) Concept Design and Budget Costs for Remodelling Ferneham Hall**

No comments were received.

**9. LEISURE AND COMMUNITY SCRUTINY PANEL PRIORITIES**

The Chairman invited the Panel to consider the Scrutiny Priorities for the Leisure and Community Scrutiny Panel.

The Chairman informed the Panel that the next scheduled meeting of the Panel on 8 January 2020, is to be cancelled, however if any items of business come forward at that time then another date for the Panel may be set in January 2020.

Members had no additional items that they wished to bring forward at this time.

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





# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Policy and Resources Scrutiny Panel (to be confirmed at the next meeting)

**Date:** Wednesday, 23 October 2019

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

**Councillor** Mrs S M Bayford (Chairman)

**Councillor** N J Walker (Vice-Chairman)

**Councillors:** M J Ford, JP, I Bastable, S Cunningham, T Davies and  
Mrs C L A Hockley

**Also Present:** Councillor S D T Woodward, Executive Member for Policy and  
Resources (Item 6)



**1. APOLOGIES FOR ABSENCE**

There were no apologies of absence.

**2. MINUTES**

RESOLVED that the minutes of the Policy and Resources Scrutiny Panel meeting held on 24 June 2019 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

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

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

There were no declarations of interest made at this meeting.

**5. DEPUTATIONS**

There were no deputations made at this meeting.

**6. COUNCIL TAX DISCOUNTS AND EXEMPTIONS**

The Panel considered a report by the Deputy Chief Executive Officer on the proposed changes to the Council's discretionary Council Tax discounts, exemptions, reliefs and premiums policy.

The Local Taxation and Corporate Debt Manager tabled an item which set out the amendments to the report that had taken place since its publication, which has been appended to these minutes.

Member attention was drawn to the amendments made to the recommendation since it was published.

At the invitation of the Chairman, Councillor S D T Woodward, Executive Member for Policy and Resources addressed the Panel on this item.

RESOLVED that the Policy and Resources Scrutiny Panel asks the Executive to note their endorsement of the following recommendations, when it considers this item at its meeting on 4 November 2019:

- a) Approve the latest discretionary reductions and premiums set out in Appendix A:
  - To remove the discount currently allowed on empty and unoccupied properties which have been vacant for less than 1 month, so that no discount is given (Class C);
  - To remove the discount currently allowed on empty and unoccupied properties undergoing or requiring major works to make them habitable, so that no discount is given (Class D);

- To implement 100% to 300% Long Term Empty property premiums for properties which have been unoccupied and unfurnished for more than 24 months; and

b) Agree the approach for the proposed policy for up to 100% of the Council Tax for properties occupied by Care Leavers under 25 years of age, to be considered as irrecoverable.

## **7. CORPORATE STRATEGY AND LOCAL SERVICE AGREEMENTS REVIEW**

The Panel considered a report by the Deputy Chief Executive Officer on an annual review of the Council's Corporate Strategy and Local Service Agreements.

The Panel requested that the following changes be made:

Page 45 of the report under the heading of Strong, Safe and Inclusive and Healthy Communities on the last bullet point the word 'intimated' be changed to 'intimidated'; and

The bullet point on page 86 of the report pack which read "Develop long term plans aimed at bringing the Ashcroft Arts Centre and Ferneham Hall together into a new and exciting single arts and entertainment venue;" be removed from the Local Service Agreements as this is no longer part of the Council's Corporate Strategy.

RESOLVED that, subject to the amendments listed above, the Panel recommends the Corporate Strategy and Local Service Agreements report to the Executive for endorsement, when it considers this item at its meeting on 4 November 2019.

## **8. EXECUTIVE BUSINESS**

The Panel considered the Executive items of business which fall under the remit of the Policy and Resources Portfolio, including Executive Member decisions and Officer delegated decisions, that have taken place since the last meeting of the Panel on 24 June 2019.

The Panel considered the decisions shown at items 8 (1) to 8 (3) of the agenda.

RESOLVED that the Policy and Resources Scrutiny Panel considered the following items of Executive Business.

### **(1) Capital and Treasury Management Outturn 2018-19**

No comments were received.

**(2) General Fund & Housing Revenue Account Outturn 2018-19**

No comments were received.

**(3) Award of Contract: Daedalus Gate Guardian**

No comments were received.

**9. SCRUTINY PRIORITIES**

The Deputy Chief Executive Officer addressed the Panel on this item, and updated them on items of business that are being considered for the January 2020 meeting of the Panel.

Members were given the opportunity to put forward any further items that would like to consider. No further items were put forward for the Scrutiny Plan.

(The meeting started at 6.00 pm  
and ended at 6.26 pm).

# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Health and Public Protection Scrutiny Panel

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

**Date:** Thursday, 31 October 2019

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

**Councillor** G Fazackarley (Chairman)

**Councillor** Ms S Pankhurst (Vice-Chairman)

**Councillors:** Mrs P M Bryant, Mrs T L Ellis, Miss T G Harper and  
Mrs K K Trott (deputising for J G Kelly)

**Also Present:** Councillor T M Cartwright, MBE Executive Member for Health  
and Public Protection (for items 6, 7, 10 and 11)



**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors K A Barton and J G Kelly.

**2. MINUTES**

RESOLVED that the minutes of the Health and Public Protection Scrutiny Panel meeting held on 27 June 2019 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

There were no Chairman's announcements.

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

There were no declarations of interest made in respect of the agenda.

**5. DEPUTATIONS**

There were no deputations made at this meeting.

**6. EXECUTIVE BUSINESS**

The Panel considered the following item of business discharged by the Executive since the last meeting.

**(1) Improving Town Centre Security**

At the invitation of the Chairman, Councillor T M Cartwright MBE, Executive Member for Health and Public Protection, addressed the Panel on this item.

Several Members of the Panel reported that residents and members of the public have recently commented to them that the multi-agency collaboration to tackle the town centre antisocial behaviour issues is starting to show results and that the situation is improving.

A concern was raised that whilst there have been improvements in tackling the issues in the Town Centre, some of the anti-social behaviour is now being displaced to other parts of the Borough.

**7. EXECUTIVE MEMBER UPDATE**

The Panel received a verbal update from Councillor T M Cartwright MBE, the Executive Member for Health and Public Protection, on the Police and Crime Panel and Local Strategic Health issues.

**Police and Crime Panel**

The Police and Crime Panel met at the beginning of October. The Panel received an update from the Assistant Police and Crime Commissioner which highlighted many of the successful achievements of the year such as the increased recruitment of police officers, the low level of PCSO vacancies and the high level of interest in the recently advertised detective role.

The Chief Constable attended the Police and Crime Panel meeting and answered questions put forward. She reported that, overall, rates of crime have reduced, with around 11,000 less crimes this year than last year.

The Police and Crime Panel received the Police and Crime Commissioner's Annual Report which, whilst outlining everything that has been achieved, fell short of explaining what the outcomes have been. The Panel also reviewed the Police and Crime Plan Delivery which has a strong focus on commissioning and funding grants but provides little detail on the issues that are important to residents and members of the public.

The next Police and Crime Panel meeting will take place in January, where the Police Crime Commissioner will need to outline his case for next year's precept.

### **Local Strategic Health Issues**

Councillor Cartwright reported that he has attended several health-related meetings recently, including two Health and Adult Social Care committees which predominantly focused on North and West Hampshire. Hampshire County Council still needs to make significant cost savings, and this will inevitably result in a reduction in service provision.

Councillor Cartwright also reported that he attended a meeting of the Portsmouth City Council Health Overview & Scrutiny Panel which talked in detail about the various departments of the Portsmouth Hospitals NHS Trust. Discussion also took place regarding the 24-hour mental health nurse provision in the emergency department, the increased numbers of nurses and mid-wives achieved through the recruitment of international nurses, the closure of Solent Jubilee House and the lack of available dental services in Portsmouth.

Councillor Cartwright reported on the Hampshire & Isle of Wight Clinical Commissioning Group meeting – a useful meeting that provided an update on mental health services which are now more robust. Patients can now self-refer to a mental health nurse via the 111 service and this has had a positive impact on the demand for hospital and police emergency services. The Same Day Access Service is also working well, although there is not yet full surgery participation. All the Care Homes across the area have now been aligned to provide clarity on which surgery will cover them.

Councillor Cartwright advised Members that he has recently received two letters from Mark Cubbon, the Chief Executive of Portsmouth Hospitals NHS Trust. The first gave an update on the unannounced Care Quality Commission Inspection that took place to review 5 service areas. The second gave an update on the plans to transform emergency care at QA Hospital through the provision of a new accident and emergency unit. The cost to build

the unit will be £58m. The detailed planning and the strategic outline have been completed and it is hoped that construction will commence in 2021 with patient care being delivered by the end of 2023.

Finally, Councillor Cartwright reported on a local Patient Group meeting that he was invited to attend which provided a good insight into the issues being experienced in surgeries across the local area – particularly the lengthy waiting times to register with a Doctor. Those surgeries involved in the same day appointment system reported that it is working well, although there are still some complaints around people's ability to travel.

## **8. OPPORTUNITIES PLAN - COMMUNITY SAFETY AND CCTV REVIEW**

The Panel received a presentation by the Opportunities Plan Project Coordinator which provided members with an overview of the Opportunities Plan agreed by the Executive in January 2019. A copy of the presentation is attached to these minutes as Appendix A.

Members thanked the Project Co-ordinator for the presentation and commented that they would not like to see the level of CCTV coverage reduced across the Borough as residents say that it makes them feel safe.

Members suggested that consideration be given to the feasibility of installing mobile cameras as well as static cameras so that hot spot areas can be tackled quickly and effectively.

## **9. CORPORATE HEALTH AND SAFETY PERFORMANCE 2018/19**

The Panel considered a report by the Head of Environmental Health which provided members with information regarding Corporate Health and Safety performance for 2018/19.

The Head of Environmental Health presented the report and answered members' questions thereon.

RESOLVED that the Health and Public Protection Scrutiny Panel notes:

- (a) the work undertaken by all employees to maintain health and safety standards and, where necessary, improve health and safety performance for the benefit of all concerned during 2018/19; and
- (b) that the Council, as an employer, continues to achieve a standard of health and safety management within its activities that meet statutory requirements and demonstrate competence in health and safety management.

## **10. FAREHAM & GOSPORT CLINICAL COMMISSIONING GROUP SCOPING REPORT**

Councillor Mrs P M Bryant left the meeting during this item.



At the invitation of the Chairman, Councillor T M Cartwright MBE, Executive Member for Health and Public Protection, addressed the Panel on this item.

A draft scoping report in respect of scrutiny priorities to be discussed with the Fareham and Gosport Clinical Commissioning Group was tabled at the meeting for Members approval. A copy of the draft scoping report is attached to these minutes as Appendix B.

Members discussed and agreed unanimously that mental health service and provision continues to be the priority topic to scrutinise with the Clinical Commissioning Group.

RESOLVED that the Health and Public Protection Scrutiny Panel:

- (a) approves the draft scoping report as tabled at the meeting and attached to these minutes as Appendix B; and
- (b) agrees that the approved scoping report be included in an invitation to the Fareham & Gosport Clinical Commissioning Group to attend a future meeting of the Panel.

#### **11. HAMPSHIRE POLICE SCOPING REPORT**

At the invitation of the Chairman, Councillor T M Cartwright MBE, Executive Member for Health and Public Protection, addressed the Panel on this item.

A draft scoping report in respect of scrutiny priorities to be discussed with Hampshire Police was tabled at the meeting for Members approval. A copy of the draft scoping report is attached to these minutes as Appendix C.

RESOLVED that the Health and Public Protection Scrutiny Panel:

- (a) approves the draft scoping report as tabled at the meeting and attached to these minutes as Appendix C; and
- (b) agrees that the approved scoping report be included in an invitation to Hampshire Police to attend a future meeting of the Panel.

#### **12. HEALTH AND PUBLIC PROTECTION SCRUTINY PANEL PRIORITIES**

Members were invited to re-consider and re-confirm the Scrutiny priorities for the Panel.

Following discussion in respect of the proposed joint meeting for January 2020 with the Streetscene Scrutiny Panel to consider the challenges of dealing with dog fouling, fly tipping and littering issues, the Panel determined that it is for the Streetscene Panel to scrutinise these matters if it considers it necessary to do so and to refer any relevant policy or enforcement matters that arise to the Health and Public Protection Scrutiny Panel for review. It was therefore agreed that this item be removed from the Health and Public Protection Scrutiny Panel's priorities.

It was noted that some of the CCTV analysis element of the Scrutiny Priority in respect of the approach to Community Safety was covered by the presentation given at item 8 of the agenda.

(The meeting started at 6.00 pm  
and ended at 7.15 pm).

# FAREHAM

BOROUGH COUNCIL

## Minutes of the Housing Scrutiny Panel

(to be confirmed at the next meeting)

**Date:** Thursday, 7 November 2019

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

**Councillor** Mrs K Mandry (Chairman)

**Councillor** S Dugan (Vice-Chairman)

**Councillors:** I Bastable, J M Englefield, Mrs C L A Hockley, Ms S Pankhurst  
and Mrs K K Trott

**Also  
Present:**



**1. APOLOGIES FOR ABSENCE**

There were no Apologies were received at this meeting.

**2. MINUTES**

RESOLVED that the minutes of the Housing Scrutiny Panel meeting held on 11 July 2019 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

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

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

There were no declarations of interest made at this meeting.

**5. DEPUTATIONS**

There were no deputations made at this meeting.

**6. EXECUTIVE BUSINESS**

The Panel considered the Executive items of business which fall under the remit of the Housing Portfolio, including individual Executive Member decisions, that have taken place since the last meeting of the Panel.

**(1) Consultation: Draft Housing Allocations Policy**

There were no comments received for this item.

**(2) Affordable Housing Strategy**

There were no comments received for this item.

**(3) Fareham Housing Development Site at Station Road, Portchester (former Merjen Engineering site)**

There were no comments received for this item.

**7. AFFORDABLE HOUSING UPDATE**

The Panel received a presentation from the Affordable Housing Strategic Lead, which updated the Panel with a detailed overview of the progress of the key sites managed by Fareham Housing. A copy of the presentation is appended to these Minutes.

Members discussed Assheton Court at length, raising concerns over the way in which the project will proceed. Officers clarified that there will be a sensitive approach to the project, which is still to be finalised, ensuring residents are kept informed throughout the process.

RESOLVED that the Housing Scrutiny Panel considered the contents of the presentation.

**8. APPROVAL OF SCOPING REPORT FOR THE TWO SAINTS HOMELESSNESS SERVICE**

The Panel considered a draft scoping report to be included in an invitation for Two Saints Homelessness Service to attend the next scheduled meeting of the Panel on the 06 February 2020.

Members requested that an additional bullet point be included to the Objective and Description section of the report. This would be to provide on the funds that residents receive and how this is broken down for the services that they receive. Offices advised that this could be provided to the Panel as general, average figures, so as not to give any specific details about individuals.

RESOLVED that the Housing Scrutiny Panel: -

- (a) considered the draft scoping report; and
- (b) with the addition of a bullet point requesting that some general financial information be provided, approve that the report be included in an invitation for Two Saints Homelessness Service to attend the next meeting of the Panel on the 06 February 2020.

**9. TENANCY MANAGEMENT, REPAIRS AND MAINTENANCE OF COUNCIL-OWNED PROPERTIES**

The Panel received a report from the Head of Housing and Benefits, providing information about the housing management and maintenance services delivered by the Council's Neighbourhood Team and the Repairs and Maintenance teams.

The report was presented to the Panel in three sections. The first was delivered by the Head of Housing and Benefits who ran through the Neighbourhood Services. Members enquired around the funding for the new post of Welfare Support Officer. The funds for this role have been reallocated from monies that were previously paid to the Citizens Advice Bureau for a similar external post. This new internal post has been a success to date, with several positive case studies highlighted in the report. Members asked that in future reports, information also be provided on the challenges and failures to assist and engage with tenants as well as the positives.

The Responsive Repairs and Planned Maintenance sections of the report were delivered by the Head of Building Repairs and Maintenance Service and the Planned Maintenance Manager. Members enquired as to the data used to monitor the Planned Maintenance Service, officers confirmed that this data was provided by a third-party consultant.

RESOLVED that the Housing Scrutiny Panel considered the contents of the report.

**10. DRAFT FAREHAM HOUSING GREENER POLICY**

The Panel received a report from the Policy Officer on the draft Fareham Housing Greener Policy.

Members discussed the draft Fareham Housing Greener Policy at Appendix A to the report at length. It was requested that Officers explore ways of obtaining feedback from the Boroughs Passivhaus tenants to assist with the Council's housing developments moving forward. Members also asked that Officers investigate the potential use of Greywater in new developments to reduce water consumption for Council tenants. Officers thanked Members for their feedback.

RESOLVED that the Housing Scrutiny Panel considered and commented on the draft Fareham Housing Greener Policy.

**11. HOUSING SCRUTINY PANEL PRIORITIES**

Members considered the scrutiny priorities for the Housing Scrutiny Panel. Members asked for Officers to provide feedback to the Panel on the Tenant and Lease Holder Forum meetings. Officers advised that this can be added to the half yearly Tenancy Management, Repairs and Maintenance of Council-owned properties report and would be a useful tool for Members to identify areas of possible scrutiny.

RESOLVED that the Panel considered the Scrutiny priorities for the Housing Scrutiny Panel.

(The meeting started at 6.00 pm  
and ended at 7.10 pm).

# FAREHAM

## BOROUGH COUNCIL

### **Report to Council**

#### **05 December 2019**

*Subject:* **Annual Review of the Corporate Strategy 2017-2023**

*Report of:* **Director of Leisure and Community**

#### **SUMMARY**

The Council's Corporate Strategy 2017 to 2023 sets out our vision and priorities for the Borough. The Council's performance management framework requires an annual review of the strategy, to confirm future priorities and update the wording where necessary.

The Policy and Resources Scrutiny Panel considered the review of the Strategy on 23 October 2019 and supported the proposed changes to the Strategy.

The Executive considered the outcome of the review at the 4 November 2019 meeting and agreed the recommended updates and changes to the Corporate Strategy. In addition to those detailed in the report, one additional amendment was also proposed, regarding the inclusion of the review date on the front page of the Corporate Strategy document.

The updated Corporate Strategy 2017-2023 is now presented for adoption by the Council.

#### **RECOMMENDATION**

It is recommended that the Council:

- a) notes the results of the annual review of the Corporate Strategy; and;
- b) approves the updates to the Corporate Strategy.

## **INTRODUCTION**

1. The Corporate Strategy sets out the Council's priorities for the next few years, from 2017 to 2023, and shows how we have planned to ensure Fareham remains a prosperous, safe, and attractive place to live and work.
2. The Council's performance framework requires the Executive to undertake an annual review of the corporate vision and priorities. The purpose is to confirm future priorities and update the wording where necessary. The outcome of the review will influence the budgets and local service agreements for the next financial year.
3. This is the second review of the Corporate Strategy 2017-23, which was adopted by the Council on 14 December 2017. A copy is attached as Appendix A.
4. Any changes to the wording will need to be approved by the Council, because the Corporate Strategy comes within the Council's policy framework under the Constitution.

### **Progress made in delivery Corporate Priorities**

5. The Strategy contains a number of Corporate Priorities for improvement. Progress on each priority is listed below:

#### **Providing Housing Choices**

- Progress is being made in the delivery of Welborne Garden Village, following Buckland Development Limited's submission of a revised outline planning application, which was consulted upon during early 2019. The Planning Committee granted outline planning permission for Welborne on 16 October 2019 and a detailed planning agreement will be finalised over the coming months.
- The Council was awarded £300,000 in capacity funding to help bring forward Welborne Garden Village.
- A special Fareham Today was published in June 2019, outlining issues and options for the Council's emerging Local Plan. These issues and options were consulted on during June and July 2019, with over 480 responses received.
- In summer 2019 the Council consulted on its Draft Affordable Housing Strategy. Once adopted the strategy will place the Council in a good position to maximise the delivery of new affordable homes.
- Fareham Street Aid agencies continue to work together to help vulnerable people off the streets, rather than helping them to live on the streets. The public are being encouraged to donate money and provisions to local charities who work with rough sleepers, rather than giving to them direct.

#### **Protect and Enhance the Environment**

- During June 2019 the Council consulted on plans for both a landmark sculpture, called a Gate Guardian, and a new aviation-themed play area at Daedalus Common, with residents asked to vote for their various designs. The Gate Guardian is being paid for using developer contributions from National Grid and both will be in place by summer 2020.



- There have been some delays to the works at Abbey Meadows, with the open space now due to formally open in 2020.
- Fareham celebrated another year of success at the South and South East in Bloom awards, with its 15<sup>th</sup> consecutive winning entry in the Small City category, receiving a Gold Award, and was declared Category Winner. Fareham in Bloom also received the County Award for Hampshire for the highest marked entry in the county.
- Holly Hill Woodland Park and the Sensory Garden in Fareham Town Centre retained their prestigious Green Flag Awards.
- Changes to glass recycling in the borough means that there is now no need to separate different coloured glass jars and bottles when using the Borough's bottle banks. Metal lids can also be left on, as the metal can now be recovered during the recycling process.
- The Council launched its Give Plastic the Push campaign, to reduce the use of single use plastic (SUP) in the Borough. A SUP policy was created, which includes a commitment by the Council to stop its use of plastic straws, stirrers, and cups and to phase out the sale of drinks from SUP bottles at Fareham and Holly Hill Leisure Centres, Westbury Manor Museum and Ferneham Hall by 2020.

### **Strong, Safe, Inclusive and Healthy Communities**

- The Council has received almost £1.4million to deliver four sustainable measures aimed at ensuring air quality across Fareham remains compliant and nitrogen dioxide levels are not exceeded. The four measures include: providing better infrastructure for walking and cycling; providing real time information on bus stops; improving traffic signals at Market Quay; and; introducing a scheme to encourage Fareham taxi drivers to upgrade their older old diesel vehicles.
- In response to concerns raised by residents and local businesses, the Council held a special CAT meeting in June 2019 to talk about drug misuse and other anti-social behaviour in Fareham town centre. A successful follow up meeting took place in October 2019 to update residents on measures taken to address the issues raised and brought together the Council, Police and support agencies, as well as community groups and residents. A new Street Aid donation card was also launched, make it easier for people to donate money to the Two Saints charity, rather than giving cash directly to individuals.
- The multi-storey car parks in Fareham Town Centre are now secured overnight, following complaints from shoppers who feel intimidated by rough sleepers and drug users.

### **Maintain and Extend Prosperity**

- Traders in Fareham Town Centre were invited to a business breakfast meeting with Council staff to discuss how the Council and traders can work together and for any issues or concerns to be raised.
- A new vision for Daedalus was drawn up, with the vision's plans for the next

three to five years including: provision of new commercial buildings; provision of more community facilities; improved airport infrastructure; and; consideration of expansion opportunities.

- In June 2019 a consultation was undertaken asking for comments on Fareham's town centre car parks. The views received will help decide on the best parking equipment for the car parks and whether we should offer a greater choice of ways to pay.

### **Leisure Opportunities for Health and Fun**

- Following consultation, the Council's vision to remodel Ferneham Hall into a new arts and entertainment venue with a community focus was updated to include a larger main auditorium and the provision of a flexible studio space. Ferneham Hall will be closing in January 2020 for a period of up to two years whilst the works are carried out.
- Thousands of people attended a special weekend event at Solent Airport at Daedalus to commemorate 75 years since D-Day. As well as static aircraft, a classic car display, and arena and stage events, visitors were treated to a number of aerial displays.
- In 2018 a review was undertaken of all play areas in the borough and a five-year plan of improvements was put in place. Four play areas were improved during 2018/19 with another four due for completion early October 2019. An additional four are currently being consulted on, with improvements due to take place during autumn 2020.

### **Dynamic, Prudent and Progressive Council**

- A new Corporate Project Team was established to bring forward some of the projects on the Opportunities Plan, which could bring in savings and income generation to help bridge the predicted funding gap of £1 million by 2021/22.
- Systems thinking interventions continue to be carried out in customer facing services. As well as helping us provide a better service to our customers, the changes to how we provide our services have realised savings of £1.1 million, with additional future savings anticipated.
- The average score for the quarterly 10/10 customer satisfaction surveys conducted by customers facing services that have gone through a systems thinking intervention was 9.3 out of 10, highlighting the benefits of embedding a systems thinking approach to service design.
- An intervention review of Committee Services resulted in the dissolution of the Policy Development and Review Panels and Scrutiny Board Meetings, with a new Scrutiny Panel created for each of the six portfolios, each scheduled to meet 4 times per municipal year. As these Scrutiny Panels are linked to Executive portfolios, it has enabled a shift in focus to encourage involvement in the Council's Corporate Priorities and the improvement actions identified in the Corporate Strategy 2017-2023.
- The Council's PR and Communications department was recognised for its

outstanding work when the team was named Public Sector Team of the Year at the Chartered Institute of Public Relations Pride Awards in November 2018.

- The Southampton and Fareham Legal Services Partnership team were named National Legal Team of the Year in the Lawyers in Local Government Awards in November 2018.

## PROPOSED CHANGES

6. Overall, the Corporate Strategy remains on track and it is proposed that the Council approves the following minor changes to the Corporate Strategy document; attached as Appendix A, which incorporates these changes:

- Add 'the award winning' in front of Solent Airport at Daedalus in the opening paragraph (High Flying Plans, page 5).
- Delete paragraph three regarding the Solent Enterprise Zone and replace with the Daedalus Vision:

'The Daedalus Vision plan was reviewed in 2019, with plans for the next three to five years including: the provision of new commercial buildings for employment opportunities; additional community facilities; improved airport infrastructure; and expansion opportunities' (High Flying Plans, page 5).

- Amend the number of Community Centres in the borough from 18 to 17, to reflect the sale of the former Locks Heath Memorial Hall site (Safe and Healthy, page 6).
- Update the number of football pitches in the borough from 24 to 27 (Safe and Healthy, page 6).
- Amend the end of the third paragraph, to reflect Ferneham Hall's closure 'with the building set to close for refurbishment at the beginning of 2020' (Safe and Healthy, page 6).
- Update the jigsaw graphic with current data, '1160 football pitch bookings between September 2018 and April 2019' (Safe and Healthy, page 6).
- Update paragraph one with the latest figures for owner occupied homes in the borough to read '86%' (Home is where the Heart is..., page 7).
- Amend the opening date of Abbey Meadows open space to '2020' (The Great Outdoors, page 8).
- Update the number of consecutive years that Fareham in Bloom has received a Gold Award from 14 to 15 on paragraph 4 (The Great Outdoors, page 8).
- Change the colour of the Conservation Areas jigsaw, to make it easier to read (The Great Outdoors, page 8).
- Amend the number of Community Centres in the borough from 18 to 17, to reflect the sale of the former Locks Heath Memorial Hall site (It's the Little Things that Matter, page 13).

- Amend the first bullet point to reflect the name given to the public open space at Daedalus:  
`Transform the fields and verges on the boundary of Daedalus into Daedalus Common, an exciting new area of public open space for the local community' (Priority Two, page 15).
- Add `Complete July 2017' to bullet point three to reflect the new public open space at Coldeast (Priority Two, page 15).
- Add a new bullet point to reflect the Council's `Give Plastic the Push' campaign:  
`Continue with our `Give Plastic the Push' campaign, aiming to reduce the use of single use plastic in the Borough' (Priority Two, page 15).
- Add a new bullet point to reflect the Council's commitment to tackling climate change:  
`Develop an action plan to mitigate and adapt to impacts of climate change in Fareham and reduce our carbon footprint' (Priority Two, page 15).
- Amend bullet point four to include the air quality measures supported:  
`Deliver four sustainable measures supported as part of the Council's `Let's Clear the Air' campaign, aimed at ensuring nitrogen dioxide levels do not exceed national guidelines' (Priority Three, page 16).
- Amend the email address given for comments to `consultation@fareham.gov.uk' (Strategic Framework, page 20).

## **POLICY AND RESOURCES SCRUTINY PANEL**

7. The Policy and Resources Scrutiny Panel considered the report on the annual review of the Corporate Strategy and Local Service Agreements on 23 October 2019 and requested that the following changes be made:
  - On the report under the heading of Strong, Safe, Inclusive and Healthy Communities, on the last bullet point the word `intimated' be changed to `intimidated'.
  - On the Local Service Agreements document, the bullet point which read `Develop long term plans aimed at bringing the Ashcroft Arts Centre and Ferneham Hall together into a new and exciting single arts and entertainment venue' be removed from the Local Service Agreements, as this is no longer part of the Council's Corporate Strategy.
8. Subject to the amendments above, the Panel recommended the Corporate Strategy and Local Service Agreements report to the Executive for endorsement, when it considered the items at its meeting on 4 November 2019.

## **EXECUTIVE MEETING**

9. The Executive considered the report on the annual review of the Corporate Strategy and Local Service Agreements on 4 November 2019 and agreed the recommended proposed updates. In addition to those listed in the report, the following additional amendment to the Corporate Strategy was also recommended:
  - The inclusion of the date last reviewed on the front page of the Corporate Strategy document.
10. Subject to the amendment above, the Executive approved the recommended changes to the Corporate Strategy and the report can now be presented for adoption by the Council.

## **CONCLUSION**

11. This report is a key stage in the Council's performance management framework. The Council is invited to consider the results of the annual review and approve the updated Corporate Strategy 2017-2023.

**Appendices:** Appendix A – Corporate Strategy 2017-2023

**Background Papers:** None

**Reference Papers:** None

**Enquiries:** For further information please contact Lindsey Ansell (Ext. 4567).

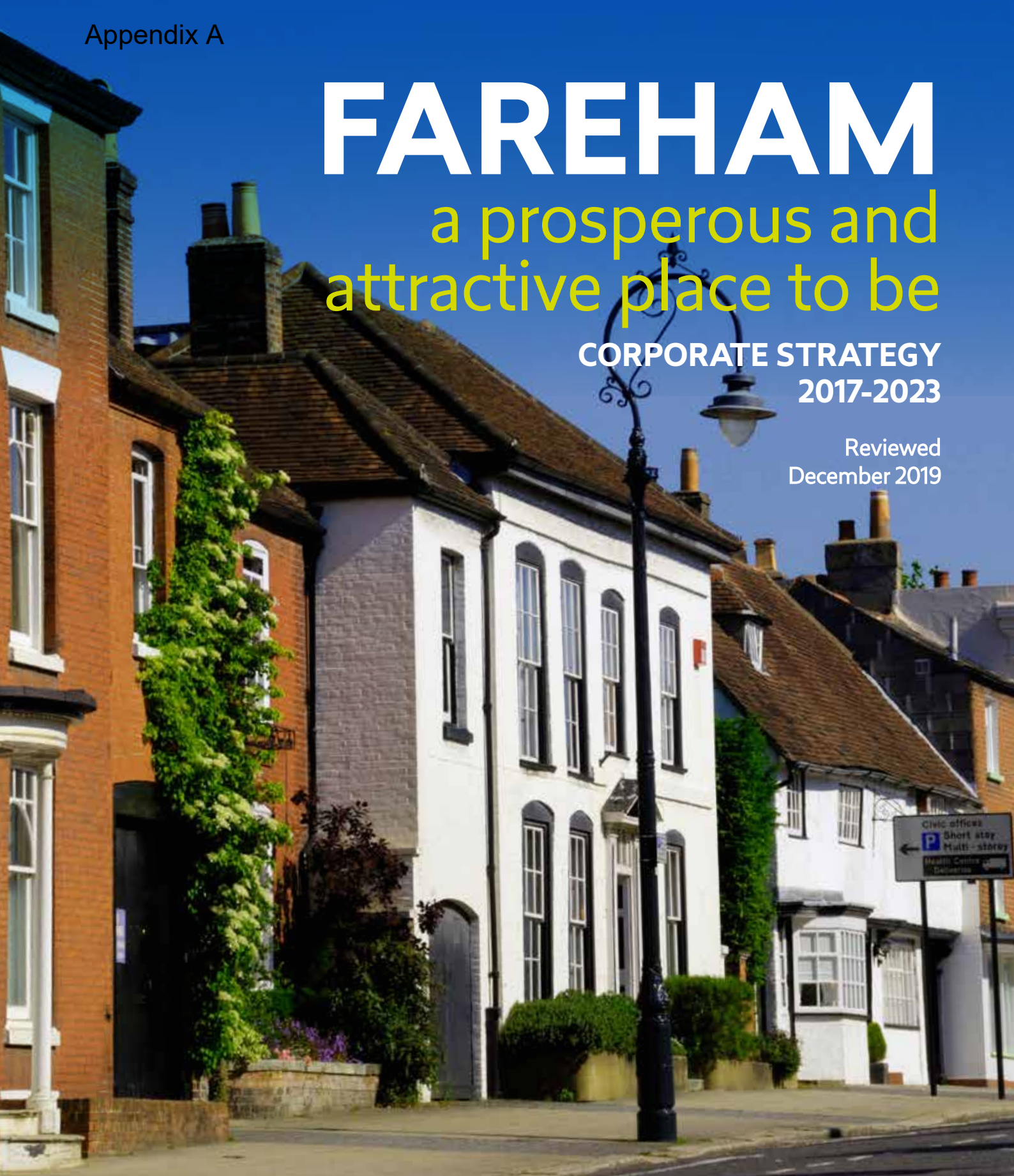


# FAREHAM

a prosperous and  
attractive place to be

CORPORATE STRATEGY  
2017-2023

Reviewed  
December 2019





# PLANNING FOR FAREHAM'S FUTURE



## Prosperous, safe, attractive...

**Our corporate strategy for Fareham Borough Council sets out our priorities for the next few years, from 2017 to 2023, and shows how we have planned to ensure that Fareham remains a prosperous, safe and attractive place to live and work.**

Our approach has been led by a number of factors. First and foremost, our residents, customers, partners and others have told us what is important to them. Our research has also highlighted a range of external influences we need to consider such as economic and social factors and indeed changes to the way our residents live and work.

One factor that cannot be ignored is the continuing reduction in government funding awarded to Fareham Borough Council.

Yet despite this reduction, as you will read, we have exciting plans for the next few years that will provide benefits to many people working and living within the Borough of Fareham.

By focusing on these we believe we can help make sure that Fareham continues to be a great place to live and work.

**“...FAREHAM  
CONTINUES  
TO BE A GREAT  
PLACE TO LIVE  
AND WORK.”**



# A GREAT PLACE

# TO LIVE...

FAREHAM'S POPULATION

2001: 107,977

2015: 114,799

2017: 117,000

2022: 120,000

2037: 130,000

Located in an area of some 30 square miles along the south coast of Hampshire between Portsmouth and Southampton, Fareham is a popular and attractive place to live. It is well connected to the M27 motorway and has good rail links to London and the wider rail network. There is also easy access to ferry ports and Southampton airport.

Fareham is growing. Our population has steadily increased over the last 30 years and that trend is expected to continue. People are living longer and we have an increasingly ageing population.

For example, Fareham has experienced the largest rise in the number of residents aged

85+ in Hampshire during the last 20 years. By contrast the number of people of working age living in the Borough has reduced; particularly those aged between 25 and 39.

Consistent with the rest of the country the make-up of Fareham's households is changing. Around a quarter of people now choose to live alone so that adds to the number of smaller homes that we need. Additionally an increase in divorce and break ups also means that there are now more 'blended families' living together than ever before. Minority ethnic groups make up a small, but slowly growing, proportion of the population.

Fareham has five distinct communities: **Fareham town; Portchester; Titchfield; Western Wards** and **Hill Head and Stubbington**. The development of **Welborne**, made up of of around 6,000 homes, will create a new distinct community whilst, at the same time, help to meet our future housing needs.

"...THE MAKE-UP OF FAREHAM'S HOUSEHOLDS IS CHANGING."

# OPEN FOR BUSINESS

With a well-educated workforce and low levels of unemployment, Fareham is a thriving place for business.



**A well-educated workforce makes Fareham an attractive proposition for local businesses. The local talent pool is rich with potential employees equipped with all the skills they need to meet their needs and, whilst Fareham salaries tend to be higher than the national average, they remain well below London-weighted salaries.**

The proportion of Fareham residents educated to college level and above is higher than both the south east region and the country as a whole. This is a boost to businesses both in Fareham and its neighbouring cities.

Fareham is a hard-working Borough with the percentage of local people in work higher than both regional and national averages. By contrast the number of residents claiming out of work benefits is low.



**“...FAREHAM IS A THRIVING PLACE FOR BUSINESS.”**



# HIGH FLYING PLANS...

Solent Airport at Daedalus is owned by Fareham Borough Council. Forming part of the Solent Enterprise Zone, the site features two new business parks: Faraday and Swordfish.

“...AN UNFLINCHING COMMITMENT TO SUPPORTING AND ENCOURAGING BUSINESS GROWTH...”

Underpinned by an unflinching commitment to supporting and encouraging business growth, Fareham Borough Council's vision for the award winning Solent Airport at Daedalus has already begun to take shape.

The Council's Fareham Innovation Centre opened in 2015 as an incubation hub to provide support and guidance to small and start-up businesses. It reached 100% occupancy within a year of opening. A £7m extension was opened in 2018.

The Daedalus Vision plan was reviewed in 2019, with plans for the next three to five years

including: the provision of new commercial buildings for

employment opportunities; additional community facilities; improved airport infrastructure; and expansion opportunities.

Over the coming years, the new development at Welborne, which lies to the north of Fareham, will also play a significant role in creating jobs for the Borough.



# SAFE AND HEALTHY

**Fareham is a safe and healthy place to live and work. Overall crime levels are low when compared to similar Boroughs in the area.**

Life expectancy is higher than the national average for both men and women and our residents are generally healthier than most other areas in the country. Deprivation levels across the Borough are generally very low, but there are some small pockets of deprivation within Fareham town.

Fareham is a great place to be healthy and has a variety of sports and leisure facilities for residents to enjoy. We have invested significantly in facilities such as the multi-million pound Holly Hill Leisure Centre which opened in 2016. Within the Borough, residents benefit from two leisure centres, 17 community

centres, 27 football pitches, nine cricket squares and two rugby pitches. There are also 17 outdoor recreation sites and 43 children's play areas. The Council also continues to support a wide range of cultural and entertainment activities including Westbury Manor Museum. We have also produced a vision to remodel Ferneham Hall into a new arts and entertainment venue, with the building set to close for refurbishment at the beginning of 2020.

1160

FOOTBALL PITCH  
BOOKINGS  
BETWEEN  
SEPTEMBER 2018  
AND APRIL 2019





# HOME is where the HEART is...

**Fareham residents are, on the whole, well housed. Around 86% of homes are now owner occupied, which is much higher than the national average. By contrast the proportion of social and private rented housing is very low.**

Despite an increase of 38% in property prices between 2013 and 2018 for an average home in Fareham, house prices remain slightly lower than the Hampshire average although they are higher than some neighbouring authorities. First-time buyers in Fareham struggle to get onto the property market as the ratio between average house prices and earnings is higher than the level for most other areas in south Hampshire.

**“FIRST-TIME  
BUYERS IN  
FAREHAM  
STRUGGLE TO  
GET ONTO THE  
PROPERTY  
MARKET...”**

# THE GREAT OUTDOORS...



**With many acres of space safeguarded for wildlife and miles of natural coastline there are ample opportunities for getting out and about with or without the family.**

The Council manages 331 acres of land for nature conservation across 25 different sites that include two nature reserves (Holly Hill Woodland Park and Warsash Common), and a Site of Special Scientific Interest (Portchester Common).

Cultivated spaces are important too and add quality to our everyday lives. Two open spaces, the Sensory Garden in Fareham Town Centre and Holly Hill Woodland Park, have consistently been awarded the prestigious Green Flag Award. A new open space, Abbey Meadows is set to open in 2020.

Additionally, for 15 consecutive years 'Fareham In Bloom' work has been recognised with a Gold Award in the South and South East in Bloom awards, brightening up our communities.

The great outdoors includes our streets and buildings too and important historic buildings are protected for future generations.



In fact there are 13 conservation areas and nearly 600 listed buildings within the Borough, each offering a little piece of history and helping to weave a picture of Fareham across the ages.

## THERE ARE 13 CONSERVATION AREAS:

- CAMS HALL
- CATISFIELD
- FAREHAM HIGH STREET
- HOOK
- OSBORN ROAD
- PORTCHESTER, CASTLE STREET
- SARISBURY GREEN
- SWANWICK SHORE
- TITCHFIELD
- TITCHFIELD ABBEY
- TOWN QUAY
- WALLINGTON
- WARSASH





# Tell us what **WORKS** and what **DOESN'T**


**Listening to residents' views is essential to the way the Council works and helps us deliver better services.**

Community Action Team (CAT) meetings take place where there is a local 'hot topic' of interest to residents. There are also regular YCAT meetings where young people can ask questions and have their say.

Residents can have their say using an online Customer Engagement Panel (the E-Panel) to help customers better understand how we work, have their say and increase openness and transparency. They can also take part in various consultations that take place throughout the year.

Social media is important too. Residents can contact the Council directly on Facebook and Twitter, both of which are used to keep customers up-to-date with useful information including details of any new consultations taking place, public meetings or local events.

Our website contains all the Council's latest news and copies of the Council's Online magazine 'Fareham Today' whilst Council



Connect, in Fareham shopping centre, is also a good place to check for information.

**Sign up for the Council's e-panel at:**  
[www.fareham.gov.uk/epanel](http://www.fareham.gov.uk/epanel)

**Check out any current consultations at:**  
[www.fareham.gov.uk/consultations](http://www.fareham.gov.uk/consultations)

**SIGN UP TO OUR  
ONLINE CUSTOMER  
ENGAGEMENT PANEL  
(THE E-PANEL) AND JOIN  
IN THE CONVERSATION**





# OUR VISION

Fareham is a prosperous, safe and attractive place to live and work. This has occurred through careful management and development, as well as constant attention to our environment and the needs of our communities. Our vision for Fareham's future is based upon the assumption that residents want to preserve all that is good about Fareham, whilst increasing prosperity, providing new homes for our growing communities and making it an even more inclusive and attractive place to live and work.

**“FAREHAM IS  
A PROSPEROUS,  
SAFE AND  
ATTRACTIVE  
PLACE TO LIVE  
AND WORK.”**



# OUR VALUES

Everything we do is guided by a set of values which are shared by all elected members and employees.

## OUR CORPORATE VALUES

Listening and being responsive to our customers

Recognising and protecting the identity of existing communities

Enhancing prosperity and conserving all that is good

Being efficient, effective and providing value for money

Leading our communities and achieving change for the better



“LEISURE OPPORTUNITIES AVAILABLE FOR RESIDENTS AND VISITORS ALIKE...”

# OUR PRIORITIES

We will achieve our vision by focusing our efforts and resources on six corporate priorities:



## 1 PROVIDING HOUSING CHOICES

by working with our key partners to enable and support a diverse housing market so that residents have access to good quality housing that is affordable and offers a choice of tenures. We will take positive steps to prevent homelessness and assist individuals and families in finding good quality accommodation.



## 2 PROTECT AND ENHANCE THE ENVIRONMENT

by ensuring that Fareham remains a clean and attractive place to live and work. We will make sure that our heritage and natural environment are conserved and enhanced for future generations. We will also minimise the impact on the environment by reducing our use of natural resources; minimising the generation of waste and maximising the collection of recyclable materials.



## 3 STRONG, SAFE, INCLUSIVE AND HEALTHY COMMUNITIES

by working with others to provide an environment where people of all ages feel safe. We will give people greater influence over the decisions that affect their lives and build more inclusive communities by providing easy access to information and services provided by the Council. We will also ensure that measures are in place to protect the health and safety of people who live, work or visit the Borough.



## 4 MAINTAIN AND EXTEND PROSPERITY

by working with others to continue to support and promote the economic vitality of the Borough. Developing and improving vibrant town and district centres offering a range of shopping, leisure and employment opportunities, together with the delivery of an employment-led vision for Daedalus will be vital to achieving this.



## 5 LEISURE OPPORTUNITIES FOR HEALTH AND FUN

so that residents and visitors of all ages can socialise with other members of our communities; participate in arts and entertainment activities; and improve their fitness and health.



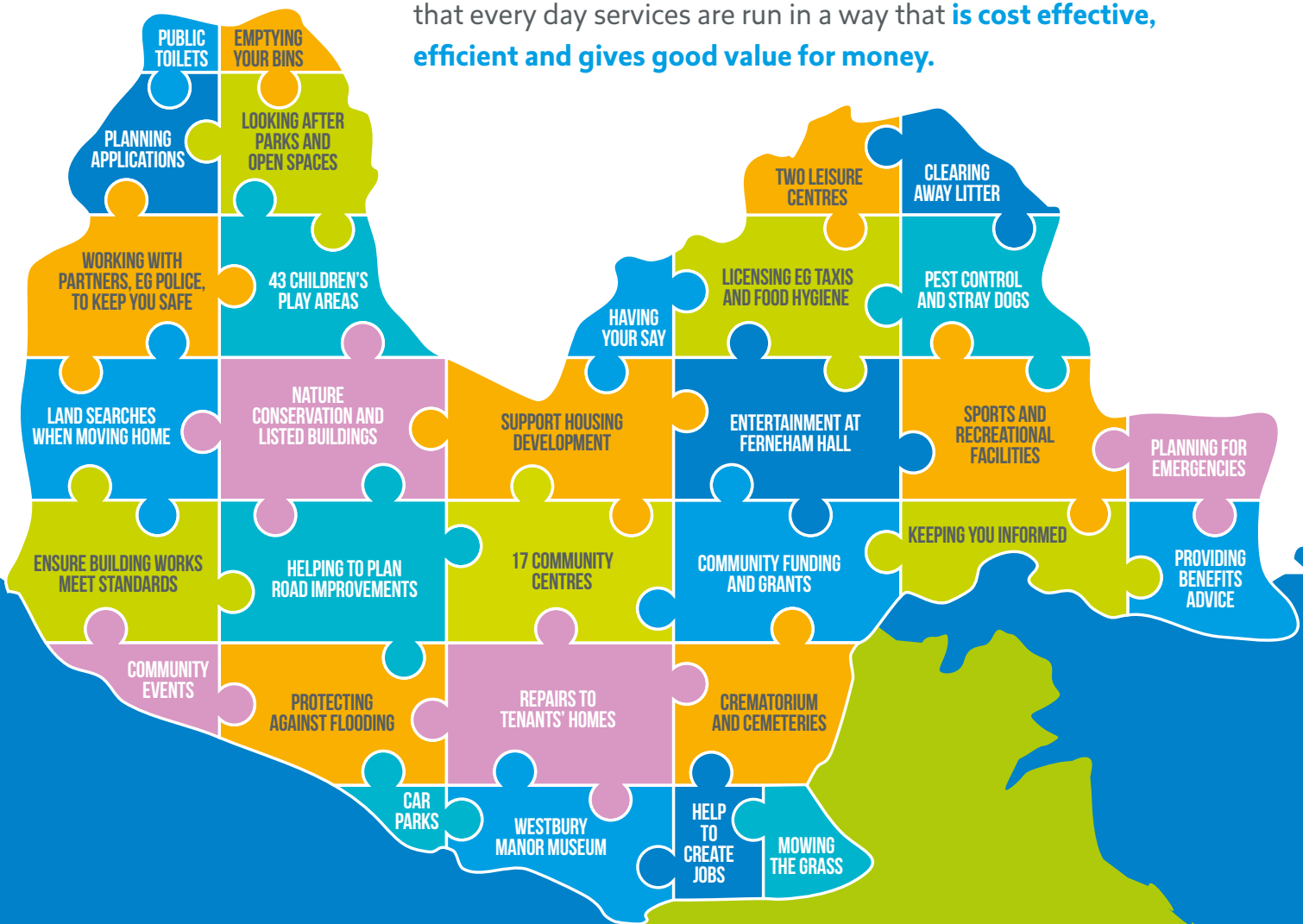
## 6 DYNAMIC, PRUDENT AND PROGRESSIVE COUNCIL

by making sure that the decisions we make are transparent and that arrangements are in place to secure on-going improvement. Our overall priority is to ensure that we offer good value for money by providing high quality services and maintaining high levels of customer satisfaction, whilst keeping council tax levels low when compared to other district councils.

“WE WILL GIVE PEOPLE GREATER INFLUENCE OVER THE DECISIONS THAT AFFECT THEIR LIVES...”

# It's the **LITTLE THINGS** **THAT MATTER**

Although it is the big projects that get the headlines, it is the day to day work we carry out that takes up most of our time and energy. It is also what the Fareham element of your council tax pays for. We know how important it is to you that we get the basics right and we work really hard to ensure that every day services are run in a way that **is cost effective, efficient and gives good value for money.**





# PRIORITY one

Between now and 2023 we have big plans for improvements all of which are driven by our corporate priorities. You will be able to keep an eye on how we are doing as key milestones will be included in our annual review.

## PROVIDING HOUSING CHOICES

**Ensuring everyone has somewhere to live is a vital role for Council.**

Working against the backdrop of a national shortfall in housing and accommodation, we have worked hard to develop key strategies that will enable us to ensure there are housing choices for people in Fareham. We will...

- Enable the delivery of a new Garden Village at Welborne, providing thousands of new homes, new jobs, new schools and new leisure facilities.
- Prepare a new Local Plan, which will plan for the provision of new homes, and employment space, across the Borough up to 2036.
- Prepare and implement a new Affordable Housing Strategy, which will determine the Council's future role in the provision of housing.



**“ENSURING EVERYONE HAS SOMEWHERE TO LIVE IS A VITAL ROLE FOR COUNCIL.”**

# PRIORITY TWO

## PROTECT AND ENHANCE THE ENVIRONMENT

The environment in which we live helps to shape our experiences and the way we live our lives. We want to make sure that the things we enjoy today will still be around for future generations.

As well as protecting our assets, the next few years will see some exciting developments across the Borough. We will...

- Transform the fields and verges on the boundary of Daedalus into Daedalus Common, an exciting new area of public open space for the local community.
- Create Abbey Meadows, a new park in Titchfield, providing easy access to the countryside for local people.
- Transform woodland areas at Coldeast to create new public open spaces. (Complete July 2017).
- Deliver major coastal defence schemes at Portchester and Hill Head.
- Increase our recycling rates and reduce the amount of household waste.
- Continue with our 'Give Plastic the Push' campaign, aiming to reduce the use of single use plastic in the Borough.
- Develop an action plan to mitigate and adapt to impacts of climate change in Fareham and reduce our carbon footprint.

“WE WANT TO MAKE SURE THAT THE THINGS WE ENJOY TODAY WILL STILL BE AROUND FOR FUTURE GENERATIONS.”





# PRIORITY three

## STRONG, SAFE INCLUSIVE AND HEALTHY COMMUNITIES



**“PROMOTE AND  
SUPPORT THE  
DELIVERY OF  
WELBORNE...”**

**Feeling safe and secure in our homes and everyday activities is vital for our wellbeing and peace of mind.**

We also know it is important to local people that we recognise and protect the identity of existing and new communities. This includes the provision of local facilities. We will...

- Promote and support the delivery of a Garden Village at Welborne, as part of a planned sustainable new community to come forward over the next 20 years.
- Build 400 new graves as an extension to Holly Hill cemetery to increase the number of burial plots available to those living in the west of the Borough.
- Review our approach to Community Safety, including analysis of CCTV, street lighting and landscaping to ensure that we make the Borough as safe as possible.
- Deliver four sustainable measures supported as part of the Council's 'Let's Clear the Air' campaign, aimed at ensuring nitrogen dioxide levels across Fareham do not exceed national guidelines.

# PRIORITY four

## MAINTAIN AND EXTEND PROSPERITY

We recognise that business growth is essential to the local economy, providing good quality jobs for local people and creating attractive, vibrant town and district centres.

As well as supporting and protecting existing businesses we want to attract new employers to our Borough providing opportunities for future generations. We will...

- Commence the regeneration of Fareham Town Centre, which will include the provision of new homes, improvements to retail, leisure and entertainment facilities and changes to parking provision.
- Construct a second phase extension to our highly successful Innovation Centre at Daedalus, offering office and working space to new businesses and creating new jobs within the Borough. (Complete March 2018).
- Enable the redevelopment of Portchester District Centre, which will include improvements to the shopping precinct, the provision of new homes and improvements to car parking facilities.
- Continue to implement our vision for Daedalus. We will build the necessary roads and services to unlock new employment opportunities at Swordfish Business Park, building new hangars and facilities to support the development of the airport and encourage employers to relocate and grow their businesses on the site.
- Support the construction of major highway schemes across the Borough to include the Stubbington Bypass, improvements to the southern section of Newgate Lane and a redesigned “all moves” Junction 10 on the M27. (Newgate Lane complete April 2018).
- Encourage the provision of more A Level courses within the Borough.



“A VIBRANT  
SHOPPING  
CENTRE IS AN  
ASSET TO ANY  
COMMUNITY...”



# PRIORITY five

## LEISURE OPPORTUNITIES FOR HEALTH AND FUN

**Fareham is an attractive place to live and well-equipped with a whole host of leisure activities.**

As a Council we are constantly seeking to improve leisure facilities for residents and over the coming years we will see some exciting developments. We will...

- Transform Westbury Manor into a vibrant “culture stop” in Fareham Town Centre. (Complete July 2017).
- Transform Ferneham Hall into a new arts and entertainment venue with a community focus.
- Provide new sports pitches and children’s play area at Coldeast. (Complete July 2018).
- Provide a new allotment site in the Stubbington area.
- Improve the facilities at Cams Alders Recreation Ground to meet the needs of the sports clubs and encourage greater participation by the community.



**“TRANSFORM WESTBURY MANOR MUSEUM INTO A ‘CULTURE STOP’...”**



# PRIORITY six

## A DYNAMIC, PRUDENT AND PROGRESSIVE COUNCIL

We are constantly seeking ways to reduce our spending and make your money work harder so that we can continue to deliver good services.



We will...

- Continue to work within a balanced and sustainable budget, recognising the reduction in Government funding.
- Continue to implement systems thinking\* across all Council services to ensure a customer focused approach and the quick resolution of problems.
- Develop the Civic Offices to be an attractive working environment for existing and prospective tenants.
- Undertake a major review of all Council owned land and buildings to ensure that we are making the best use of our assets.
- Be alive to new opportunities for further investment in commercial properties to boost income and help meet corporate priorities.
- Continue to explore opportunities for shared services, partnerships and joint working with neighbouring Councils.

\*Systems thinking helps to design Council services so that the needs of the customer are met in the simplest and most efficient way.



# Strategic FRAMEWORK

Our strategic framework is made up of key financial and planning documents that help shape the work of the Council.

**CORPORATE STRATEGY** sets out our vision and priorities for the medium-term (i.e. five years). It also includes a set of improvement actions that describe the key projects and initiatives that we will focus on over this period.

**LOCAL PLAN** sets out the policies that will determine future land use to meet the needs of the corporate strategy.

**MEDIUM TERM FINANCIAL STRATEGY AND ANNUAL BUDGET** addresses the financial implications of all the Council's strategies and plans.

The corporate strategy and other strategies and plans are supported by local service agreements, which include a range of measures that demonstrate the general performance and degree of success of the Council.

Email your comments to [consultation@fareham.gov.uk](mailto:consultation@fareham.gov.uk)



# FAREHAM

## BOROUGH COUNCIL

### Report to Council

#### 05 December 2019

*Subject:* **COUNCIL TAX DISCOUNT SCHEME**

*Report of:* **The Deputy Chief Executive Officer**

#### SUMMARY

This report sets out the current mandatory and discretionary Council Tax Discounts, Exemptions, Reliefs and Premiums that apply to Council Tax Payers in Fareham as attached in Appendix A to this report. It also recommends a) the adoption of a new Council Tax reduction for young adults leaving the care system and b) changes to the discounts and premiums on empty properties and properties undergoing/requiring major works.

#### RECOMMENDATION

It is recommended that the Council approve:

- (a) the approach for the proposed policy for up to 100% of the Council Tax for properties occupied by Care Leavers under 25 years of age, to be considered as irrecoverable (Section 10 of Appendix A to the report); and
- (b) the latest discretionary reductions and premiums set out in Section 9 of Appendix A to the report for:
  - (i) 0% discount for properties which are unoccupied and unfurnished for less than 2 years (Class C);
  - (ii) 0% discount for properties requiring major works to render them habitable (Class D);
  - (iii) 100% to 300% Long Term Empty property premiums for properties which have been unoccupied and unfurnished for more than 24 months.

## **INTRODUCTION**

1. Fareham Borough Council is the designated Billing Authority and therefore responsible for the collection of Council Tax and distributing it to the precepting bodies. Council Tax is a local contribution to the many services provided in the borough by Fareham Borough Council, Hampshire County Council, Hampshire Police & Crime Commissioner and Hampshire Fire and Rescue Service.
2. Some properties or households are eligible for discounts, reliefs or exemption from Council Tax, reducing their Council Tax bill. Most of these are mandatory reductions and contained in Legislation, other adjustments are discretionary and can be set locally by the Council. A full summary of all Council Tax reductions is attached in the report Appendix.
3. This report seeks approval for some proposed changes to the discretionary reductions and premiums that can be applied to Council Tax bills, in relation to empty properties and care leavers.

## **EMPTY PROPERTIES**

4. In 2012 and 2018 the Government made changes to the provisions for Council Tax Discounts, Exemptions and Premiums as part of an overall strategy to bring empty properties into productive use. The government abolished some mandatory exemptions and gave Billing Authorities the power to provide local discounts (lower discount or no discount at all). In addition to this, Councils could charge a premium on properties that had been empty over 2 years.
5. Fareham has a shortage of affordable residential accommodation and there are currently over 1,104 people on the housing waiting list. Fareham is therefore taking this opportunity to encourage homeowners to bring back empty properties into use, as follows.

### **Unoccupied and Unfurnished Property (Class C)**

6. The 2012 changes abolished the exemption for unoccupied and unfurnished properties for the first 6-months from when the property became empty. Fareham maintained the 6-month exemption as a 100% discount from 2013 but in January 2019, the Executive agreed to reduce this discount from 6-months to 1-month from 1 April 2019.
7. The proposal is to further reduce this discount from 1 April 2020 to nil, meaning that there would be no discount on unoccupied and unfurnished properties which have been vacant for a period of less than 2 years. This is set out in Paragraph 9:1 of the Appendix to this report.
8. There are 141 properties receiving the 1-month discount (or a proportion of the 1 month) at 31 October and the annual discount is estimated to cost £195,000 per year. If this discount was removed, Fareham's share of the saving is estimated at £19,500.

### **Properties undergoing major repairs or structural alterations to render them habitable (Class D Previously Class A)**

9. The 2012 changes also abolished the exemption for unoccupied and unfurnished properties undergoing major repairs or structural alterations to render them habitable.
10. Fareham maintained the 100% exemption for a period of up to 12 months, as a discount from 2013, but in January 2019 the Executive agreed to reduce this discount to 50% for up to 12 months, from 1 April 2019.
11. The proposal is to further reduce this discount from 1 April 2020 to nil, meaning that there would be no discount on unoccupied and unfurnished properties undergoing major repairs or structural alterations to render them habitable. This is set out in Paragraph 9:2 of the Appendix to this report.
12. There are 61 properties receiving this up to 12-month discount (or a proportion of the 12 months) at 31 October and the annual discount is estimated to cost £48,000 per year. If this discount was removed, Fareham's share of the saving is estimated at £4,800.
13. For properties in a derelict state, the Valuation and Listing Office, the Agency responsible for Banding properties for Council Tax purposes, may decide to remove the property from the Banding List.

#### **Premiums for Unoccupied & Unfurnished Properties empty in excess of 2 years**

14. The changes in 2012 also gave Billing Authorities the ability to levy a 50% premium on properties which had been unoccupied and unfurnished for a period of more than two years. Fareham agreed to levy a premium and have charged a 50% premium on this type of property since 1 April 2013.
15. In 2018, the Government made additional changes, giving Billing Authorities the power to raise increased premiums on properties which have been unoccupied and unfurnished for more than two years, as follows:
  - (i) From 1 April 2019 to 31<sup>st</sup> March 2020 where the property has been empty over two years, a 100% premium.
  - (ii) From 1 April 2020 to 31<sup>st</sup> March 2021 where the property has been empty between two to five years a 100% premium and where the property has been empty over five years, a 200% premium.
  - (iii) From 1 April 2021 where the property has been empty between two to five years a 100% premium, where the property has been empty between five and ten years a 200% premium and for property that has been empty over ten years, a 300% premium.
16. The Executive agreed to increase this premium to 100% from 1 April 2019. However, it is now proposed that additional premiums as proposed by the Government are introduced from 1 April 2020 and 1 April 2021 for properties which have been unoccupied and unfurnished for 2 to 5 years, 5 to 10 years and over 10 years, to continue to support the Council in encouraging empty properties to be brought back into use and releasing much need housing. This is set out in Paragraph 9:3 of the Appendix to this report.
17. At 30 September 2018 there were 54 properties which had been unoccupied and



unfurnished more than 2 years. This number reduced to 46 properties by September 2019. 7 of these long-term empty properties have been unoccupied and unfurnished for over 10 years.

18. The tables below show the premiums that would be collected under the proposed policy compared to the current policy.

<b>Table 1 – Increased Charge under Current Policy</b>			
<b>Band</b>	<b>No of Properties</b>	<b>100% Premium Additional income</b>	<b>FBC Share</b>
A	8	£8,886.72	£888.67
B	6	£7,775.88	£777.59
C	12	£17,773.56	£1,777.36
D	7	£11,663.82	£1,166.38
E	5	£10,182.70	£1,018.27
F	6	£14,440.92	£1,444.09
G	2	£5,554.20	£555.42
H	0	£0.00	£0.00
<b>Total</b>	<b>46</b>	<b>£76,277.80</b>	<b>£7,627.78</b>

<b>Table 2 – Increased Charge under Proposed Policy</b>							
<b>Band</b>	<b>Empty 2 to 5 Years</b>	<b>Empty 5 to 10 Years</b>	<b>Empty over 10 years</b>	<b>100% Premium Additional Income</b>	<b>200% Premium Additional Income</b>	<b>300% Premium Additional Income</b>	<b>FBC Share</b>
A	3	4	1	£3,332.52	£8,886.72	£3,332.52	£1,555.18
B	4	1	1	£5,183.92	£2,591.96	£3,887.94	£1,166.38
C	5	5	2	£7,405.65	£14,811.30	£8,886.78	£3,110.37
D	5	2	0	£8,331.30	£6,665.04	£0.00	£1,499.63
E	1	1	3	£2,036.54	£4,073.08	£18,328.86	£2,443.85
F	3	3	0	£7,220.46	£12,219.24	£0.00	£1,943.97
G	0	2	0	£0.00	£11,108.40	£0.00	£1,110.84
H	0	0	0	£0.00	£0.00	£0.00	£0.00
<b>TOTAL</b>	<b>21</b>	<b>18</b>	<b>7</b>	<b>£33,510.39</b>	<b>£60,355.74</b>	<b>£34,436.10</b>	<b>£12,830.22</b>

19. The net effect would raise additional income for Fareham of £5,202.44 (£12,830.22 less £7,627.78).

## **CARE LEAVERS**

20. Care leavers are amongst the most vulnerable groups in our society. Hampshire County Council have been undertaking several initiatives to help care leavers which have included a recommendation that Billing Authorities offer reductions in Council

Tax to this category of resident.

21. It is proposed that Fareham Borough Council does offer a reduction in Council Tax by considering the Council Tax due as irrecoverable either in full or in part, as a way of providing practical help and financial assistance to care leavers whilst they are developing independent lives and their individual life skills.
22. The policy is detailed in Section 10 of the report Appendix and seeks to offer up to a 100% reduction for Care Leavers aged between 18 and 25, where previously any English based local authority had been acting as the corporate parent. The reduction (by considering the Council Tax as irrecoverable) can be applied if they pay Council Tax or live with someone who pays Council Tax in Fareham: the reduction can be awarded retrospectively from 1 April 2019 forward.
23. To qualify for their Council Tax to be considered irrecoverable the Care Leaver must:
  - Be aged 25 years and under
  - Have their main residence in the borough of Fareham
  - Be liable for Council Tax (Solely or jointly) or
  - Move into a household and cause an increase in Council Tax liability (e.g. the loss of single resident discount)
  - Be able to provide evidence of their care leaver status
24. The reduction in Council Tax will be granted after any entitlement to other appropriate Legislative discounts or exemptions have been awarded (this may include Council Tax Support, single resident Discount or relevant disregards).
25. It is difficult to estimate how many care leavers would choose to locate to Fareham and how many of these would be liable to Council Tax on their own or jointly with another person or cause an increase the Council Tax payable by moving into a property.
26. Research suggests that we may only have only 4 care leavers aged between 18 and 25 years and only three of those are liable for Council Tax. Of the three liable to Council Tax, two pay an amount and one receives 100% Council Tax Support. The fourth Care Leaver resided in a property with other adults and had no impact on the Council Tax liability. If we were to consider 100% of the Council Tax liability as irrecoverable in these cases, the total cost in 2019/2020 would be **£1,055.30**.
27. The policy will be monitored and if the number of Care Leavers increased significantly, the policy may be reviewed.

## **RISK ASSESSMENT**

28. An Equality Impact Assessment has been considered and ruled as not necessary as the policies will be applied consistently to all households meeting the criteria as stipulated in the policy. There are no significant risk considerations in relation to this report.

## **CONCLUSION**

29. The owner of an empty property has every right to decide to leave that property empty, however there is a housing shortage in Fareham and these changes set to

encourage owners to bring their properties back into use and bring those properties back into use sooner. Where an owner prefers to leave their property empty in the longer term, then an additional Council Tax should be payable as recommended.

30. The approach for the proposed policy for up to 100% of the Council Tax for properties occupied by Care Leavers under 25 years of age, to be considered as irrecoverable, will assist some of the most vulnerable people in our society
31. The Council is asked to approve the Changes in the Recommendations above and detailed in the Appendix to this report.

## **APPENDICES:**

**Appendix A:** The Proposed Council Discounts, Reliefs, Exemption and Premium Policy

## **BACKGROUND PAPERS:**

In January 2019 we consulted Fareham residents on the proposed changes to empty property discounts, which were later implemented from April 2019. Of the 510 residents who responded to the survey:

Empty Properties - 78% of residents felt it was reasonable to reduce the 100% discount on empty and unoccupied properties from 6 months to 1 month only (from the date the property first became vacant).

Major Works – 82% of residents felt it was reasonable to reduce the 100% discount granted for up to 12 months, on empty and unoccupied properties, requiring or undergoing major works to make them habitable, to a 50% discount for 12 months.

Long Term Empty properties - 85% of residents felt it was reasonable to increase the premium payable on properties which have been empty and unoccupied for more than 24 months from 50% to 100% (meaning that the owner of the property would pay 200% Council Tax).

## **REFERENCE PAPERS:**

The Local Government Finance Act 2012 Section 11

The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.

**CONTACT:** Adrian Collier, Local Taxation and Corporate Debt Manager (Ext: 4632)



# Council Tax

## Discounts, Reliefs, Exemptions and Premiums



**Version 1 – December 2019**

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## Introduction

Council Tax is collected as a local contribution to the many services provided in the borough by Fareham Borough Council, Hampshire County Council, Hampshire Police & Crime Commissioner and Hampshire Fire and Rescue Service.

Council Tax is charged on domestic properties, which are grouped into valuation bands (A to G), based on domestic property valuations as at 1 April 1991; these bands determine the level of tax charged.

The Fareham Borough Council element of the tax rate for band D properties is set by the Council each February, considering spending needs, local Council Tax priorities and central government thresholds on the level of Council Tax increases that can be made before a local referendum is held. These are then added to the band D rates set by the other 3 precepting authorities. There is a standard formula for the calculation of the other bands relative to Band D.

Some properties or households are eligible for discounts, reliefs or exemption from Council Tax reducing their Council Tax bill. Most of these are MANDATORY and contained in Legislation, other adjustments are DISCRETIONARY and can be set locally by the Council.

In addition, we can also levy a DISCRETIONARY Premium for Long Term Empty Properties, increasing the Council Tax bill.

This document summarises the different Mandatory and Discretionary discounts, reliefs, exemptions and premiums that are available or automatically applied in this borough.

# MANDATORY DISCOUNTS, RELIEFS AND EXEMPTIONS

## 1: Annexes

**Value:** 50% discount

Where an annexe is lived in by a family member, providing that they are related to the person liable to pay Council Tax for the main dwelling.

A discount also applies for people living in dwellings with annexes which are unoccupied, provided they are using those annexes as part of their main dwelling.

*See also 5.13 Unoccupied Annexe and 6.8 Occupied Annexe Exemption*

## 2: Job Related Dwellings

**Value:** 50% discount

Properties which are classed as second homes and are occupied as job-related dwellings or retained because the Council Tax Payer lives in a property classed as a job-related dwelling.

The discount may be awarded if at least one of the following criteria is met:

The employee needs to live at the property to carry out the duties of their employment and,

- The employment is of the type where it is customary for employers to provide accommodation and the accommodation is required for better performance of the duties of that person's employment.
- The employee is required under the contract to live at that property and they live there for the proper performance of the duties of their employment

### 3: Single Resident Discount

**Value:** 25% discount

Where there is only one adult resident and the property is that person's main home.

### 4: Disregarded Occupiers

**When looking at the number of adult residents in a property, we may be able to disregard occupiers in the following categories, which could allow a discount of 25%, 50% or 100%:**

#### 4.1 Young People

**Under 18s** and young people who are still in receipt of Child Benefit.

**School leavers aged 18 or 19** and have left school or college between 30 April and 1 November in the year that the bill is due.

#### 4.2 Students

4.2.1 To be considered as a **full-time student**:

- The student must be studying at an educational establishment providing higher or further education
- They must be required to study, receive tuition or undertake work experience for at least 21 hours per week on average
- They must be registered on a course that lasts for at least a calendar year or an academic year of at least 24 weeks.
- Any period of work experience undertaken must not exceed 50% of the whole time spent on your course (unless they are a trainee teacher).

4.2.2 **Students on qualifying courses** are also disregarded if:

- They are under the age of 20
- Spending at least 12 hours a week on the relevant activities of the course
- Attending a course which must be at least 3 months long
- Where tuition must be undertaken between the hours of 8.00am and 5.30pm
- The course must not be a correspondence course
- The course must have no connection to any job that they do.

- 4.2.3 **Foreign language assistants** are treated as students if they are:
- Registered with the Central Bureau for Educational Visits and Exchanges
  - Appointed as an assistant at a school or other educational institution in Great Britain
- 4.2.4 **Student Nurses, Midwives and Health Visitors:** Student nurses, or nurses studying to become a midwife or health visitor will be treated as a full-time student.
- 4.2.5 **Spouses and dependants of students from abroad:** Spouses or a dependant of a student from another country may be treated as a full-time student. The terms of the visa allowing them to live in this country must state that they are not entitled to work or have access to public funds.

### 4.3 Apprentices and Trainees

- 4.3.1 A resident is an **apprentice**, regardless of age, if:
- They are employed for the purposes of learning a trade or profession;
  - Are working towards a qualification accredited by the Qualification and Curriculum Development Agency;
  - Earn substantially less than the rate of pay a qualified person would receive; and
  - Earn no more than £195 per week.
- 4.3.2 A **youth training trainee** is:
- Aged under 25; and
  - Undergoing training through arrangements made under the Employment Training Act 1973 which is funded by the Secretary of State under section 14 of the Education Act 2002.

### 4.4 Health Related

- 4.4.1 **Severely Mentally Impaired:** A person has a severe impairment of intelligence and social functioning (however caused) which appears to be permanent and:
- The person obtains a certificate duly signed to that effect by a registered medical practitioner and
  - The person is entitled to a qualifying benefit



4.4.2 **People Providing or Receiving Care:** Some carers may be entitled to a range of different reductions depending on their circumstances.

In all cases, the care that is being given or received must be for:

- Old age
- Physical or mental disability
- Past or present alcohol dependency
- Past or present drug dependency
- Past or present mental illness.

If a carer lives in someone else's house and provides care, he or she will not be counted when adding up the number of adults who live in the property.

## 4.5 Resident Elsewhere

4.5.1 **People in Detention:** A person is in detention if they are:

- In prison;
- On remand;
- Awaiting deportation
- Held under the Mental Health Act.

It does not include periods where someone is in police custody and is waiting to be remanded in custody by a Court. Neither does it apply to people who are in custody for non-payment of their Council Tax or a fine.

4.5.2 **Hospital Patients:** A person with their sole or main residence in a National Health Hospital (where the hospital is a dwelling/home)

4.5.3 **Patients in Homes:** A person who is resident in a care home or independent hospital and receiving care or treatment.

4.5.4 **Residents of Hostels for the Homeless or Night Shelters:** Anyone who is resident for the time being in accommodation for the homeless is disregarded.

## 4.6 Special Occupations or Status

4.6.1 **Members of International Headquarters and Defence Organisations** and their dependants.

4.6.2 **Members of religious communities** where the principle occupation is prayer, contemplation, education and the relief of suffering.

4.6.3 **Members of visiting forces** who lease or own a property in which they live. Dependants living with them may also be disregarded if not a British Citizen or permanently resident in the United Kingdom.

4.6.4 **Persons with Diplomatic Immunity or Privilege** conferred by reference to various prescribed Legislation. The person must not be a British subject or citizen.

## 5: Empty Property (mandatory exemptions)

### 5.1 Property Owned by a Charity (Class B)

**Value:** 100% exemption

**Duration:** 6 months

An unoccupied property previously used for charitable purposes.

### 5.2 Owner in Detention (Class D)

**Value:** 100% exemption

**Duration:** Period of confirmed detention

An unoccupied property where the Council Tax payer is in detention providing they are:

- In prison;
- On remand;
- Awaiting deportation
- Held under the Mental Health Act.

It does not include periods where someone is in police custody and is waiting to be remanded in custody by a court. Neither does it apply to people who are in custody for non-payment of their Council Tax or a fine.

### 5.3 Owner Living in Care (Class E)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> No Maximum Period</p>
---

People receiving care outside of the home for one of the following reasons may be entitled to claim an exemption providing that their previous home remains unoccupied:

- Old age
- Physical or mental disability
- Past or present alcohol dependency
- Past or present drug dependency
- Past or present mental illness.

### 5.4 Owner Deceased (Class F)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Until Probate &amp; for 6 Months afterwards</p>
---

The former home of someone who has died is exempt from Council Tax providing they were either the owner or a tenant (where the trustee or administrator of the estate still pays the rent). The property must be unoccupied.

The exemption ceases if:

- The property is sold;
- The property is handed back to a landlord;
- The property is handed over to a beneficiary;
- The property is reoccupied
- 6 months has expired since either probate or letters of administration have been granted.

### 5.5 Occupation Prohibited by Law (Class G)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period of prohibition</p>
---

An unoccupied property which is subject to a legally recognised "prohibition from occupation" order.

## 5.6 Dwelling Held for a Minister of Religion (Class H)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period while unoccupied</p>
---

An unoccupied property waiting to be occupied by a Minister of Religion as a residence from which he/she will perform the duties of their office.

## 5.7 Person Living Elsewhere to Receive Personal Care (Class I)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period while unoccupied</p>
---

An unoccupied property where the previous resident is receiving care outside of their home for one of the following reasons:

- Old age
- Physical or mental disability
- Past or present alcohol dependency
- Past or present drug dependency
- Past or present mental illness

## 5.8 Person Living Elsewhere to Provide Personal Care (Class J)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period while unoccupied</p>
---

An unoccupied property where the previous resident is providing care outside of their home for one of the following reasons:

- Old age
- Physical or mental disability
- Past or present alcohol dependency
- Past or present drug dependency
- Past or present mental illness

### 5.9 Dwelling Left Empty by a Student (Class K)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period while unoccupied/Course Ending</p>
---

Full time students who have left a property they own unoccupied, in order to study, providing:

- It was their main residence immediately before they became a full-time student
- They vacated it less than six weeks before starting their course
- The property has remained vacant since the student left.

### 5.10 Mortgagee in possession (Class L)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period of Repossession</p>
--

An unoccupied property repossessed by the mortgagee (usually a mortgage lender, bank or building society).

### 5.11 Property left empty by Bankrupt Person (Class Q)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period held by bankruptcy trustee</p>
---

An unoccupied property where the previous occupier is bankrupt, the trustee will not have to pay any Council Tax. The property will be exempt even if the person who is bankrupt was jointly liable with someone else who is not bankrupt.

### 5.12 Unoccupied Caravan Pitch or Boat Mooring (Class R)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period while unoccupied</p>
---

A caravan pitch or boat mooring which is not in use

### 5.13 Unoccupied Annexe (Class T)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period while unoccupied</p>
---

A property that is a self-contained annexe with its own Council Tax band and owing to planning constraints is unable to be let separately. The exemption applies even if the main property is also unoccupied

*See also 1. Occupied Annexe Discount and 6.8 Occupied Annexe Exemption*

## 6: Occupied Property (mandatory exemptions)

### 6.1 Students Hall of Residence (Class M)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period used as such</p>
---

A hall of residence predominantly occupied by full time students and owned or run by a college, a university or a charitable institution.

### 6.2 Property Wholly Occupied by Students (Class N)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period occupied by students</p>
---

Properties wholly occupied by a full-time student(s)

### 6.3 UK Armed Forces Accommodation (Class O)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period used as accommodation</p>
--

Living accommodation for UK armed forces personnel which is owned by the Ministry of Defence, this includes barracks and other accommodation on military bases, together with married quarters (whether on bases or not).

#### 6.4 Visiting Forces Accommodation (Class P)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period used as accommodation</p>
--

Where a member of a visiting force leases or owns a property in which they live. Any dependants living with the member of the visiting force must not be a British Citizen or permanently resident in the United Kingdom.

#### 6.5 Property Wholly Occupied by Persons Under 18 Years of Age (Class S)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period used/until occupier becomes 18</p>
---

A property occupied by one or more people who are all aged under 18.

#### 6.6 Property Occupied by Severely Mentally Impaired persons (Class U)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period used as accommodation</p>
--

Where the occupier has a severe impairment of intelligence and social functioning (however caused) which appears to be permanent and:

- The person obtains a certificate signed to the effect by a registered medical practitioner and
- The person would be entitled to a qualifying benefit

#### 6.7 Property Occupied by a Person with Diplomatic Immunity (Class V)

<p><b>Value:</b> 100% exemption</p> <p><b>Duration:</b> Period used as accommodation</p>
--

A property occupied by a foreign diplomat who leases or owns the property in which they live. The occupier must not be permanently resident in the United Kingdom and the property concerned must not be their second home.

## 6.8 Occupied Annexe (Class W)

**Value:** 100% exemption

**Duration:** Period used as accommodation

Where an elderly or disabled dependant relative lives in an adjoining property (an annexe). The dependant relative must be:

- 65 years old or more; or
- Severely mentally impaired
- A person who is substantially and permanently disabled.

A relative for this purpose is defined as a:

- Spouse
- Parent
- Child
- Grandparent
- Grandchild
- Brother or sister
- Aunt or uncle
- Nephew or niece
- Great (or great-great) grandparent
- Great (or great-great) grandchild
- Great (or great-great) uncle or a great aunt
- Great (or great-great) nephew or a great niece

*See also 1. Occupied Annexe Discount and 5.13 Unoccupied Annexe*



## 7. Disabled Persons Relief

If the Council Tax payer is disabled, or if a disabled person lives with them, they may be able to claim a reduction in their Council Tax bill (the disabled person may be a child).

The reduction will be equivalent to having to pay Council Tax at the next Council Tax Band down from the one designated for the property (e.g. if the house is currently valued in Band D, the reduction will mean that the Council Tax payer will pay Council Tax at the Band C level).

If the property is already in the lowest band (Band A), the reduction is 16.5% off the Council Tax bill.

Disabled Relief applies if one of the following features is required for meeting the needs of the disabled person and is of major importance to their well-being:

- A room other than the main bathroom, kitchen or lavatory which is used predominantly by the disabled person
- A second bathroom or kitchen
- Extra space inside the property to allow for the use of a wheelchair and a wheelchair is used.

# DISCRETIONARY DISCOUNTS, EXEMPTIONS AND PREMIUMS

## 8. Council Tax Support

Since 1 April 2013, all billing authorities have been responsible for developing their own means-tested Council Tax Support schemes, to assist working-age people on low incomes pay their Council Tax. The Government has continued to prescribe in Legislation the support to be provided to pensioner-age claimants.

The support can be applied for if a resident of a property is paying Council Tax and lives on a low income (even if they are in full-time work or self-employed).

The amount or type of help they will receive depends on who else lives at the property, the amount of money they have coming in to the household, and any other benefits and savings they have.

Households who receive help with their Council Tax because they are on low income pay at least 20% towards their Council Tax, unless they are in one of the protected groups such as a war pensioner or severely disabled. Anyone living in a Band D property or above also have their Council Tax Support restricted to 80% of the Council Tax liability for a Band C property.

The Council has agreed and implemented a scheme based on the following principles:

- Every working-age claimant should pay something towards their Council Tax
- 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 living in the claimant's property) should pay something towards the household's Council Tax bill
- Provide additional financial support to the most vulnerable claimants (such as those receiving a War Pension or who are severely disabled)

The full details of the Council Tax support scheme are set out in a separate policy document which can be found from paragraph 29 in the [2019 Finance Strategy, Capital Programme, Revenue Budget and Council Tax Report](#)

## 9. Empty Properties and Second Homes (discretionary discounts)

### 9.1 Unoccupied and Unfurnished Dwellings (Class C)

<b>Value:</b> 0% discount
<b>Duration:</b> For any vacant period less than 2 years

An unoccupied and substantially unfurnished property will be subject to 100% Council Tax from the date it was last occupied/furniture removed for any period of less than 2 years.

### 9.2 Unoccupied & Unfurnished properties undergoing alterations (Class D)

<b>Value:</b> 0% discount
<b>Duration:</b> Maximum period 12 Months or until next occupied

An unoccupied & unfurnished property that requires or is undergoing major works or structural alteration to render it habitable will be subject to 100% Council Tax for any period that the property requires or is undergoing those works.

### 9.3 Long-Term Empty Premium

Properties which have been unoccupied and unfurnished in excess of two years, are required to pay a premium increase on their Council Tax as follows:

Date unoccupied	Period of non-occupancy	Premium
1 <sup>st</sup> April 2019 to 31 <sup>st</sup> March 2020	the property has been empty over 2 years	100%
1 <sup>st</sup> April 2020 to 31 <sup>st</sup> March 2021	the property has been empty between 2 to 5 years	100%
1 <sup>st</sup> April 2020 to 31 <sup>st</sup> March 2021	the property has been empty over 5 years	200%
From 1 <sup>st</sup> April 2021	the property has been empty between 2 to 5 years	100%
From 1 <sup>st</sup> April 2021	the property has been empty between 5 to 10 years	200%
From 1 <sup>st</sup> April 2021	the property has been empty over 10 years	300%

(In relation to paragraphs 9:1, 9:2 and 9:3 above, any period of occupation of less than 6 weeks will be ignored for the purposes of resetting the discount or premium)

## 9.4 Second Homes

**Value:** 0% discount

Any property which is substantially furnished and is not anyone's sole or main residence, is considered as a second home. The full Council Tax is payable on all second homes.

## 10. Care Leavers Under 25

Care leavers are among the most vulnerable groups in our society and by Fareham Borough Council considering the Council Tax as irrecoverable in full or in part for a Care leaver, we will be providing practical help and financial assistance to this group of residents whilst they are developing independent lives and their individual life skills. The cost of the policy will be borne by the Collection Fund.

### 10.1 Definition

A 'care leaver' is defined in The Children (Care Leavers) Act 2000 and refers to "eligible", "relevant" and "former relevant" children:

- Eligible children are those young people aged 16-17 who are still in care and have been 'looked after' for a total of 13 weeks from the age of 14, including their 16th birthday;
- Relevant children are those young people aged 16 and 17 who have already left care, and who were 'looked after' for at least 13 weeks from the age of 14 and have been 'looked after' at some time while they were 16 or 17;
- Former relevant children are those young people aged 18, 19 or 20 who have been eligible and/or relevant.

Care leavers can also be classified as a 'qualifying' care leaver. This category applies to young people who:

- Left care after 1st October 2001, after they had turned 16, but who are not 'eligible' or 'relevant' because they did not fulfil the 13-week criteria
- Were accommodated, but in residential education, mental/health provision private fostering or Special Guardianship

## 10.2 Entitlement

Care leavers aged between 18 and 25 and where a local authority in England has acted previously as a corporate parent, will be entitled to their Council Tax being irrecoverable in full or in part, if they pay Council Tax or live with someone who pays Council Tax in Fareham since 1 April 2019.

To qualify for this reduction the Care Leaver must:

- Be aged 25 years and under
- Have their main residence in the borough of Fareham
- Be liable for Council Tax (Solely or jointly) or
- Move into a household and cause an increase in Council Tax liability (e.g. the loss of single resident discount)
- Be able to provide evidence of their care leaver status

The reduction in Council Tax will be granted after any entitlement to other appropriate Legislative discounts or exemptions have been awarded (this may include Council Tax Support, single resident Discount or relevant disregards).

## 10.3 Exclusions

Houses in Multiple Occupation (HIMOs) are accommodation set up commercially where the residents do not constitute a single household and the property owner is liable for Council Tax, not the residents. Houses in Multiple Occupation are where occupants:

- Do not constitute a single household
- Have a licence or tenancy to occupy only part of the dwelling
- Share the living space
- Are not the liable party to pay Council Tax.

## 10.4 Changes to Bills

The following reductions will be applied to the Council Tax bills:

Care leaver circumstances	Irrecoverable Reduction
Care leavers who live alone and are the liable person to pay Council Tax	100%
Where a property is occupied only by care leavers	100%
Care leavers who are jointly liable with one or more residents in the property, who are a not care leavers	50%
Where the care leaver lives in a household and the Council Tax would be subject to either a discount or exemption, if the care leaver did not reside there	The bill will be reduced to the sum payable before the care leaver resided in the property (so there is no Council Tax increase due the care leaver living in the property)

## 10.5 Administration

Evidence of the care status of the applicant, will need to be confirmed with the relevant Local Council (if the applicant cannot confirm the position)

The care leaver (or his/her appointee or a recognised third party acting on his/her behalf) or the liable person where relevant (i.e. the liable person at the property in which the care leaver resides) must advise of any change of circumstances which may impact the Council Tax charge within 21 days.

Any excess reduction given will be reclaimed through the relevant Council Tax account and collected and recovered under the Council Tax (Administration and Enforcement) Regulations 1992.





# FAREHAM

## BOROUGH COUNCIL

### Report to Council

#### 05 December 2019

*Subject:* **ANNUAL REVIEW OF CONSTITUTION**

*Report of:* **Deputy Monitoring Officer**

#### **SUMMARY**

At the Audit and Governance Committee meeting held on the 25 November 2019, Members considered a number of changes to the Council's Constitution as part of the Committee's annual review of the Constitution.

Council is now asked to approve these changes to allow them to take effect.

#### **RECOMMENDATION**

It is RECOMMENDED that the Council approves: -

- (a) the amendments to the Standing Orders with Respect to Meetings as set out in Appendix B, to the report;
- (b) the amendments to the Scheme of Delegation to Officers as set out in Appendix C, to the report;
- (c) the addition of the Anti Bribery Policy in Part 5 of the Constitution; and
- (d) the deletion of the Part 3 – Chapter 12 – Deputation Scheme.

## **INTRODUCTION**

1. This report forms the Audit and Governance Committee's annual review of the Council's Constitution. The Audit and Governance Committee considered these changes at the meeting on the 25 November 2019 and now Council is asked to approve these changes in order for them to take effect.
2. This report is set out in four sections for Members' consideration and approval: -
  - i. The first part of this report for consideration, provides an overview of the work that has been carried out to keep the document up to date and the continued work to revamp the webpages to assist users accessing the information they require.
  - ii. Appendix A provides details of all the decisions that have been agreed by Council that have subsequently required changes to the Constitution document. For example, the change to the Senior Management Structure in February 2019 and the updates to the Financial Regulations in October 2019.
  - iii. Appendix B highlights all the changes which require approval to the Council's Standing Orders with Respect to Meetings.
  - iv. Appendix C sets out changes that are required to the Scheme of Delegation to Officers to delegate authority to the Head of Development Management to issue planning consents, the detail of which is set out in paragraph 16 to this report.

## **WEBPAGES AND ASSOCIATED DOCUMENTS**

3. The website is the sole platform by which the Constitution document is now viewed. Officers within the Committee team monitor the pages regularly to make sure the pages are user friendly and the information is up to date.
4. Work is currently underway to create links and shortcuts to allow users to move through the document with ease. Links have also been created to other documents, such as legislation and other relevant pages within the Council's webpages to assist users in navigating around the document.
5. Alongside this work on the Constitution, Officers have updated supporting webpages, such as the Deputation and Petition procedure pages which ensure they are fit for purpose and mirror the schemes outlined within the Constitution document itself.
6. The Anti-Bribery Policy is now also to be added to the Constitution in Part 5 – Codes of Conduct. The Anti-Bribery Policy is a key Governance policy, so it is deemed appropriate by Officers for this to be included formally in this section of the Constitution.

## **AMENDMENTS REQUIRED THROUGH THE DECISION-MAKING PROCESS**

7. Appendix A to this report lists all the decisions made at Council over the past twelve months which have subsequently required updates to the Constitution.
8. Not all the decisions listed explicitly outline the amendments made but allow delegated authority to amendments to be made where necessary. These amendments have been

updated on the webpages and the Constitution log has been updated accordingly.

9. Members are required to simply note that these changes have been made in accordance with the decisions previously made.

#### **AMENDMENTS TO THE STANDING ORDERS WITH RESPECT TO MEETINGS**

10. Following the initial amendments to the Constitution that were made in October 2018 to allow the creation of the new Scrutiny Panels to take effect, Officers found that further amendments were required to clarify the procedures under the new committee and Scrutiny Panel meetings structure.
11. On reviewing the document several other updates were discovered and the decision was made by the Head of Democratic Services to conduct a full review of the Standing Order with Respect to Meetings, which have not been updated since December 2013.
12. The areas for review were identified and several meetings with the Southampton legal team were held to analyse the document in more detail.
13. The changes to the document are shown in Appendix B, by way of track changes with notes to explain the rationale for the amendments.
14. Key changes are the addition of a section on the call-in procedure to clearly outline how this process now differs from the ordinary Scrutiny Panel meetings, and there is also the addition of a Petition Scheme which until now was not included within the Constitution document.
15. An additional change for Council to approve, is to remove the Deputation Scheme from the main part of the Constitution as it currently is duplicated in Part 3 – Chapter 12 and the Standing Orders with Respect to Meetings – Appendix One and Two.

#### **AMENDMENTS TO SCHEME OF DELEGATION TO OFFICERS**

16. As part of the work to review the Constitution some updates have been made to the Scheme of Delegation to Officers. The wording has been updated to ensure the scheme reflects the delegation of both Executive and non-Executive functions.
17. An additional paragraph has been added to the scheme, under the Delegation to the Head of Development Management, as a result of the following -

Before the Council can grant planning permission for residential development, it must carry out an appropriate assessment under the Conservation of Habitats and Species Regulations 2017 and conclude that the development will not have an adverse effect on the integrity of European protected sites.

During the early part of 2019, Natural England highlighted that increased levels of nitrates entering The Solent (because of increased amounts of wastewater from new dwellings) is likely to have a significant effect upon European protected sites.

18. There are twelve planning applications (comprising 822 dwellings) that have a resolution to grant planning permission from the Council's Planning Committee but where the formal decision notice has not yet been issued. These resolutions pre-date Natural England's current advice.

There is a need to undertake appropriate assessments on each of these 12 planning applications, which the Planning Committee has resolved to grant planning permission for. Once the appropriate assessments have been undertaken, there is also a need to consult with Natural England.

Where an appropriate assessment concludes that the proposed development will not have an adverse effect on the integrity of designated sites (with any necessary mitigation), the proposed change to the Scheme of Delegation would enable the Head of Development Management to determine these planning applications, following due consideration of any further material planning considerations, and amendments to and/or additional planning conditions and amendments to and/or additional heads of terms in related planning obligations where necessary, to address any likely significant effects identified through appropriate assessments.

19. This delegation relates solely to those 12 planning applications which the Planning Committee have previously considered and resolved to grant planning permission for.

### **CONCLUSION**

20. It is RECOMMENDED that the Council approves: -
- (a) the amendments to the Standing Orders with Respect to Meetings as set out in Appendix B, to the report;
  - (b) the amendments to the Scheme of Delegation to Officers as set out in Appendix C, to the report;
  - (c) the addition of the Anti Bribery Policy in Part 5 of the Constitution; and
  - (d) the deletion of the Part 3 – Chapter 12 – Deputation Scheme.

**Appendices:** Appendix A - Decisions made since November 2018 which have required amendments to be made to the Council's Constitution.

Appendix B – Standing Orders with Respect to Meetings

Appendix C – Scheme of Delegation to Officers

**Background Papers:** NONE

**Reference Papers:** The Constitution

- Report to Council - Constitution Updates Following Committee Structure Changes – 13 December 2018
- Report to Council - Senior Management Structure – 23 February 2019
- Council Minutes – 24 October 2019
- Audit and Governance Committee Minutes – 25 November 2019

**Contact:** For further information please contact Leigh Usher (Ext: 4590)

Council – 05 December 2019

## Decisions made since November 2018 which have required amendments to be made to the Council's Constitution.

Section of the Constitution that required amending	Date amendment agreed at Council	Report title	Minute text
<ul style="list-style-type: none"> <li>• Part One Chapter 7 – Overview and Scrutiny</li> <li>• Part One Chapter 16 – Codes of Conduct – Appendix 6 – Role of Chairman of Scrutiny Panels</li> <li>• Part Two – Chapter 3 – Functions of the Scrutiny Panels</li> <li>• Part Three – Chapter 9 – Rights of the Scrutiny Board and PDR Panels</li> <li>• Part Three – Chapter 12 – Deputation Scheme</li> </ul>	13 December 2018	Constitution Updates Following Committee Structure Changes	RESOLVED that the updates made to the Constitution (as set out in Appendix A), following the Committee Structure changes agreed by Council on the 11 October 2018, be received.
Part Four - Scheme of Delegations to Officers	22 February 2019	Senior Management Structure	RESOLVED that the Council approves: <ol style="list-style-type: none"> <li>(a) the deletion of the current post of Managing Director of Fareham Housing with effect from 1st April 2019;</li> <li>(b) that with effect from 1st April 2019:               <ol style="list-style-type: none"> <li>i. the designation of the Director of Finance and Resources be amended to Deputy Chief Executive Officer;</li> <li>ii. the designation of the Director of Planning and Regulation be amended to Director of Planning and Regeneration;</li> <li>iii. the designation of the Head of Human Resources and ICT be amended to Director of Support Services; and</li> <li>iv. the designation of the Head of Leisure and Corporate Services be amended to Director of Leisure and Community;</li> </ol> </li> <li>(c) the appointment of Mrs Sarah Robinson, Director of Support Services (subject to the approval of recommendation (b)), to the role of the Council's Monitoring Officer with effect from 1st April 2019;</li> <li>(d) that authority be delegated to the Chief Executive Officer to amend the Constitution, including but not limited to the Scheme of Delegation to Officers to transfer functions between Directors as described in this report.</li> </ol>
Part Three – Chapter 1 – Access to information procedure rules	18 April 2019	Constitution Updates	RESOLVED that: <ol style="list-style-type: none"> <li>(a) the Minutes of the Audit and Governance Committee meeting held on Monday 11 March 2019 be received;</li> </ol>

Part Three – Chapter 3 – Notice of Key Decisions and Key Decisions			(b) the recommendations contained in Minute 13 – Constitution Update, be accepted and accordingly that the Council agrees the updates to the Constitution as set out in Appendices A and B to the report; and (c) the recommendation in respect of Item 14 – Annual Report of the Committee be dealt with at Item 16 of the agenda.
<ul style="list-style-type: none"> <li>• Part Four – Financial Regulations</li> <li>• Part Two – Functions of the Audit and Governance Committee</li> </ul>	24 October 2019	<ul style="list-style-type: none"> <li>• Review of Financial Regulations</li> <li>• Review of Functions of the Audit and Governance Committee</li> </ul>	RESOLVED that: a) the Minutes of the Audit and Governance Committee held on Monday 23 September 2019 be received; and b) the recommendations contained in Minute 8 – Review of Financial Regulations, be accepted and the Council agrees the proposed changes as set out in Appendices A, B and C.

# FAREHAM

BOROUGH COUNCIL

## Standing Orders with Respect to Meetings



5 April 2007  
Amended: Dec 2008  
Further amended: April 2009  
Further amended wef:13 May 2010  
Revised December: 2013

Updated – October 2018

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# FAREHAM BOROUGH COUNCIL

## STANDING ORDERS WITH RESPECT TO MEETINGS

### INTRODUCTION

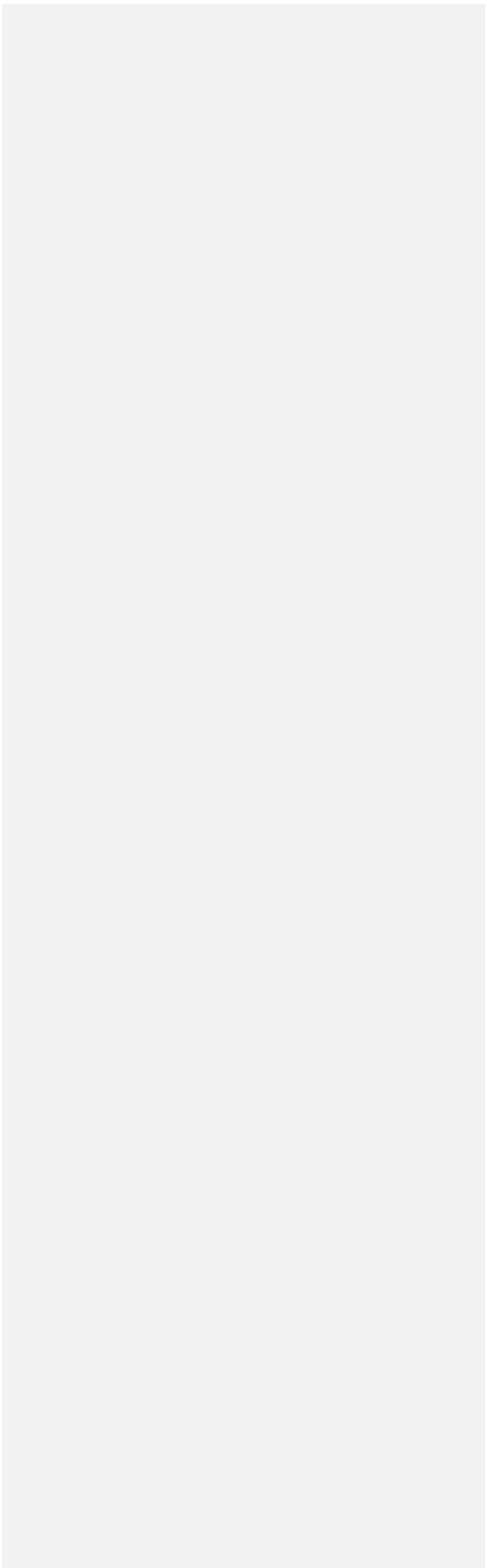
- i A local authority is permitted, but not required, by the Local Government Acts 1972 and 2000, to make Standing Orders for the regulation of its proceedings and business.
- ii Such Standing Orders are for the purpose of establishing and maintaining the orderly conduct of meetings. The form and operation of the Standing Orders are under the control of the Council and may be worded to regulate meetings in the manner that the Council wishes. Apart from matters referred to in paragraph 4 below, there is no statutory requirement to provide Standing Orders in any form or for them to contain specific provisions. However, the Council is required by law to include its Standing Orders in its written Constitution.
- iii Once Standing Orders have been established, however, failure to comply with them could, in some circumstances, render a decision void or subject to legal challenge. Further, it could be maladministration to do so. Except for those requirements mentioned at paragraph 4 below, the Council may rescind, suspend, waive, or vary Standing Orders in accordance with the procedures contained in them.
- iv The Council is required by law to include in its Standing Orders the following:
  - (a) Provisions as to the Appointment of Chief Officers and other Statutory Officers; and
  - (b) Provisions with regard to Disciplinary Action in respect of the Head of the Paid Service and other Statutory Officers.
- v These matters are contained in separate Standing Orders with respect to the Appointment, Dismissal and Discipline of Employees. [\(Part 4: Chapter 2 of this Constitution\)](#)
- vi [These Standing Orders set out the Council's processes to maintain transparency and democracy throughout the decision-making process.](#)
- vii [The Appendices \(Deputation and Petition Schemes\)](#) to these Standing Orders is for information only and does not form part of the Constitution. Certain procedures of the Council are, however, prescribed by Statute (Local Government Acts 1972 and 2000).
- viii These Standing Orders have been approved by the Council and are written in a form to enable Members to identify the procedures to be followed in relation to any point or matter.

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**Commented [HA1]:** Following advice from the Legal Team this paragraph has been added.

**Commented [HA2]:** Reference to the Petition Scheme has been included here as this is a new addition to the Standing Orders with Respect to Meetings.

**NOTE:** This introduction does not form part of Standing Orders and is explanatory only.



**PART 1**  
**ANNUAL MEETING OF THE COUNCIL**

**1. DATE AND TIME OF MEETING**

- 1.1 The Annual Meeting of the Council will be held on the second Thursday of May, subject to any statutory provisions to the contrary. If it cannot be held on that date, it must be held as soon as possible after the second Thursday of May as decided by the Council, or, failing decision by the Council, by the Mayor.
- 1.2 The Annual Meeting of the Council shall be held at 10:30 in the morning or such other time as the Mayor shall decide.

**2. ELECTION OF MAYOR**

- 2.1 The first formal business shall be the election of a Mayor.
- 2.2 In addition to electing the Mayor at the Annual Meeting, the Council shall elect a Deputy Mayor.

**3. APPOINTMENT OF EXECUTIVE LEADER**

- 3.1 The Council shall appoint or confirm, a member to act as Executive Leader in accordance with section 9C (3) Local Government Act 2000.
- 3.2 The Executive Leader shall be appointed for a term of office as provided for in the Council's Constitution (Part 1: Chapter 6). The Executive Leader may hold office for more than one term.

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**4. APPOINTMENT OF EXECUTIVE MEMBERS**

- 4.1 The Executive Leader shall announce the number of Members to be appointed as Executive Members to act with the Executive Leader as the Executive under section 9C of the Local Government Act 2000.
- 4.2 The Executive Leader shall appoint Members to act as Executive Members under Standing Order 4.1.
- 4.3 The Executive Members shall each be appointed for such term of office as is provided for in the Council's Constitution (Part 1: Chapter 6). The Executive Members may hold office for more than one term.

4.4 The appointment of any Executive Member may be terminated as provided for in the Council's Constitution (Part 3: Chapter 7).

#### 5. DETERMINATION OF AREA OF EXECUTIVE RESPONSIBILITY

5.1 The Executive Leader shall determine the separate areas of responsibility to be allocated to individual Executive Members in accordance with the Council's constitution. The areas of responsibility of the Executive Members are outlined in the Executive Portfolios – Part 1: Chapter 16, Appendix 5 (annexe).

5.2 A decision of the Executive Leader under 5.1 above shall be made in accordance with the Council's procedures for the taking of decisions by individual members of the Executive and a written record provided.

#### 6. APPOINTMENTS OF SCRUTINY PANELS

6.1 The Council shall appoint Scrutiny Panels, as are provided for in the Council's Constitution, to undertake the functions of overview and scrutiny under sections 9F and 21 of the Local Government Act 2000 (Part 1: Chapter 7 of this Constitution).

~~6.2 Each Scrutiny Panel appointed under Standing Order 6.1 shall have such terms of reference and areas of responsibility as the Council approves from time to time in accordance with executive arrangements and the Constitution of the Council (Part 2: Chapter 3 of this Constitution).~~

~~6.3 The number of Members and Deputies appointed for each Scrutiny Panel, shall be decided by Council.~~

~~6.4 The Council shall appoint the Chairmen and Vice-Chairmen of each of the Scrutiny Panels it appoints under Standing Order 6.1.~~

~~6.5 The Council shall allocate seats on the Scrutiny Panels to Members in accordance with the political balance under Section 15 of the Local Government and Housing Act 1989~~

~~6.6 Seats allocated shall not last longer than the next Annual Council. This shall not prevent re-appointment to office.~~

#### 7. APPOINTMENTS OF OTHER COMMITTEES

7.1 The Council shall appoint such committees as it is required to appoint under statute and as it considers necessary to carry out its functions.

~~7.2 Each Committee appointed under Standing Order 7.1 shall have such terms of reference and areas of responsibility as the Council approves from time to time in accordance with executive arrangements and the Constitution of the Council (Part 2).~~

~~7.3 The number of Members and Deputies appointed for each Committee, shall be decided by~~

**Commented [HA3]:** Text simplified through this section.

**Deleted:** The Scrutiny Panels shall have such number of members and standing deputies as the Council from time to time appoints. Subject to any statutory provision providing otherwise, no member may be appointed to hold office later than the next Annual Meeting of the Council.

Council.

7.4 The Council shall appoint the Chairmen and Vice-Chairmen of each of the Committees it appoints under Standing Order 7.1

7.5 The Council shall allocate seats on the Committee to Members in accordance with the political balance under Section 15 of the Local Government and Housing Act 1989.

7.6 Seats allocated shall not last longer than the next Annual Council. This shall not prevent re-appointment to office.

8. **POLICY FRAMEWORK**

8.1 The Council must establish or confirm the plans and strategies that are to comprise the Council's overall policy framework within which the Executive shall operate during the coming year.

9. **OTHER BUSINESS**

9.1 The Council shall make appointments to outside bodies other than those appointments which are required by law to be made by the Executive.

9.2 Other business shall be conducted, where relevant, in accordance with Part 2 of these Standing Orders.

**Deleted:** shall have such number of members and standing deputies as the Council from time to time appoints, subject to any applicable statutory requirements. Subject to any statutory provision providing otherwise, no member of a committee may be appointed to hold office later than the next Annual Meeting. This shall not prevent re-appointment to office.

**Deleted:** <#>The Council shall appoint the Chairman and Vice-Chairman of each of the Committees it appoints under Standing Order 7.1.

¶ **ALLOCATION OF SEATS** ¶

¶ Whenever the Council is either required to review the allocation of seats on committees between political groups or the Council resolves to carry out such a review, the Council must determine the allocation of seats to political groups in a way which best meets the requirements of or other statutory provision.¶

**Deleted:** ¶ **ALLOCATION OF SEATS** ¶

¶ Whenever the Council is either required to review the allocation of seats on committees between political groups or the Council resolves to carry out such a review, the Council must determine the allocation of seats to political groups in a way which best meets the requirements of or other statutory provision.¶

## PART 2

### MEETINGS OF THE COUNCIL

#### 10. TIME OF MEETINGS

- 10.1 Meetings of the Council for the transaction of general business shall be held during each year on dates set by Council. Meetings shall be held at 6:00 p.m. unless the Mayor determines otherwise. [The annual budget setting Council meeting held in February will commence at 5pm.](#)
- 10.2 Any additional meeting called by the Mayor or by five Members of the Council under [paragraph 3 of Schedule 12 of the Local Government Act 1972](#) shall be on the date and at the time the Mayor decides.

#### 11. CHAIRMAN

- 11.1 The Mayor must act as Chairman of the Council and, if present, must preside at meetings of the Council.
- 11.2 If the Mayor is absent, the Deputy Mayor must act as Chairman and shall preside.
- 11.3 If both Mayor and Deputy Mayor are absent from a meeting of the Council, the Council must elect a Member to preside.

#### 12. QUORUM

- 12.1 A quorum of the Council is at least one third of [the whole number of members of the Council.](#)
- 12.2 If, after counting the number of members present during any meeting of the Council, the Mayor declares that there is not a quorum present, the meeting must stand adjourned.
- 12.3 The consideration of any business not transacted must be adjourned to a time fixed by the Mayor at the time the meeting is adjourned, or, if he/she does not fix a time, to the next ordinary meeting of the Council.

#### 13. ORDER OF BUSINESS

- 13.1 Except for variations allowed under Standing Order 13.2, the order of business at ordinary meetings of the Council shall be:
- (a) Prayers;
  - (b) To choose a person to preside in the absence of both the Mayor and Deputy Mayor;
  - (c) To approve as a correct record and sign the minutes of the last meeting of the Council;



- (d) To deal with any business expressly required by statute to be done;
- (e) Mayor's announcements;
- (f) Executive Leader's announcements;
- (g) Executive Members' announcements;
- (h) Declarations of Interest;
- (i) Presentation of Petitions;
- (j) Reception of Deputations;
- (k) To dispose of business (if any) remaining from the last meeting;
- (l) To receive, consider and answer questions on reports and recommendations of the Executive and of the Scrutiny Panels or other Committees of the Council and minutes of Committees of the Council;
- (m) To answer questions asked under Standing Order 16.2;
- (n) To consider motions in the order in which notice has been received; and
- (o) Other business, if any, specified in the summons.

#### **Variation of Order of Business**

13.2 The Order of Business may be varied: -

- (a) By the Mayor at his/her discretion.
- (b) By a resolution passed on a motion properly moved and seconded. Such a motion shall be moved and put without discussion.

14. MOTION

#### **Notice of Motions**

14.1 Except for motions under Standing Order 15, written notice must be given of each motion to be moved at the meeting of the Council. Such written notice may be given by electronic means provided that S.O.15.2 is complied with as to signature.

14.2 Each notice must be signed by the member or members of the Council giving the notice unless sent electronically, in which case it must be sent from the lead member's Fareham Borough Council e-mail account.

14.3 Each notice must be delivered at least seven clear working days before the next meeting of the Council, to the office of the Chief Executive Officer. The Chief Executive Officer must

date each notice and number the notices in the order received. Motions shall be listed on the agenda in the order in which notice was received. The notices received must be retained and be open to the inspection of every member of the Council.

- 14.4 If notice is given of a motion which, in the opinion of the Chief Executive Officer is illegal, irregular, improper or repetitive (repeated within the last 6 months), it shall not be accepted. In the event of nonacceptance, the Chief Executive Officer shall immediately inform the member giving notice.

#### **Motions to be Set Out in Summons**

- 14.5 The summons for every meeting of the Council must have set out in it the properly notified motions, in the order in which they have been received.

#### **Motion Not Moved**

- 14.6 If a motion set out in the summons is not moved either by a member who gave notice of it or by another member on his/her behalf it must, unless postponed by consent of the Council, be treated as withdrawn and cannot be moved without fresh notice.

#### **Automatic Reference to the Executive, Committee or Scrutiny Panel**

- 14.7 If the subject matter of any properly notified motion comes within the terms of reference or functions of the Executive or of a committee of the Council it must, on being formally moved and seconded, stand referred without discussion to the Executive, the relevant Committee or relevant Scrutiny Panel. The Executive, Committee or relevant Scrutiny Panel to which the motion has been referred shall consider the motion and report back to the Council provided that, before considering a motion that has been referred to it, the Executive must consult the relevant Scrutiny Panel.

If the Mayor considers it appropriate, he/she may allow the motion to be dealt with at the meeting at which it is moved, and they shall inform the proposer accordingly before the meeting, unless the motion relates to an Executive function.

For the purposes of clarification, if a motion to Council falls under an Executive Function, the Council must not make a decision unless it would contravene the Policy framework or be outside or not fully in accordance with the approved budget (in which case the Executive has no power to make it).

**Deleted:** upon an Executive function, arising from a Motion to Council, may not be taken by the Council

#### **Scope of Motions**

- 14.8 Every motion must be directly relevant to some matter in relation to which the Council has powers or duties or which affects the economic, social or environmental well-being of the Borough of Fareham or any of its inhabitants. For the purposes of this Standing Order, Council shall be deemed to include the Executive.

#### **15. NOTICE NOT REQUIRED**

- 15.1 The following motions and amendments may be moved without notice:
- Appointment of a Chairman of the meeting.
  - Motions relating to the accuracy of the minutes.

- (c) That an item of business specified in the summons shall have precedence.
- (d) Reference to a committee or to the Executive.
- (e) Appointment of a committee or members thereof, prompted by an item mentioned in the summons to the meeting.
- (f) Receipt of reports and recommendations of the Executive, committees of the Council or officers and of minutes of Committees of the Council and any consequent resolutions.
- (g) That leave is given to withdraw a motion.
- (h) Extending the time limit for speeches.
- (i) Amendments to motions.
- (j) Motion to exclude the public under Section 100A(4) of the Local Government Act 1972.
- (k) Variation of order of business in accordance with Standing Order 13.2.
- (l) That a member named under **Standing Order 20** be not further heard or must leave the meeting.
- (m) Suspending Standing Orders, in accordance with **Standing Order 69**
- (n) Removing the confidentiality from any item on the Council agenda provided that the motion must refer to the confidential item by minute reference number only.
- (o) That the Council proceed to the next business.
- (p) That the question is now put.
- (q) That the debate is now adjourned.
- (r) That the Council now adjourn.

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## 16. QUESTIONS

- 16.1 A member of the Council may ask the Executive Leader, Executive Members or the Chairman of a committee of the Council any question on an item contained in the recommendations or reports of the Executive or of a committee or minutes of a committee when those reports, or recommendations or minutes, are under consideration by the Council.
- 16.2 A member of the Council may: -
- (a) If seven clear working days" notice in writing has been given to the Chief Executive Officer, ask the Mayor or the Executive Leader or the Chairman of any committee of the Council any question on any matter falling within their terms or reference in relation to which the Council has powers or duties or which directly affects the economic, social or environmental wellbeing of the Borough of Fareham or any of its inhabitants. For the purposes of this Standing Order, Council shall be deemed to include the Executive.
  - (b) With the permission of the Mayor, put to him/her or the Executive Leader or the Chairman of any committee of the Council, any question relating to urgent business falling within their terms of reference, of which notice has not been given; but a copy of any such question must, if possible, be delivered to the Chief Executive Officer not later than ten o'clock in the morning of the day of the meeting.
- 16.3 Every question must be put and answered without discussion, but the person to whom a question has been put may decline to answer. If the member asking a question considers

that the reply given requires further clarification, he/she may ask for a further reply. Otherwise no further question may be put except by permission of the Mayor.

- 16.4 An answer may take the form of:
- (a) a direct spoken answer, or
  - (b) where the desired information is contained in a publication of the Council, a reference to the publication; or
  - (c) a written answer.

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## 17. PREVIOUS MINUTES

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- 17.1 The Mayor must put the motion that the minutes of the meeting of the Council held on the.....day of.....be approved as a correct record.
- 17.2 No discussion shall take place on the minutes, except as to their accuracy, and any question of their accuracy must be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Mayor must sign the minutes.
- 17.3 Where the next meeting is an extraordinary meeting of the Council called under paragraph 3 of Schedule 12 to the Local Government Act 1972, the next following meeting of the Council shall be treated as a suitable meeting for the purposes of signing the minutes (in accordance with Local Government Act 1972 Schedule 12 paragraph 41(1) and (2)).

## 18. RULES OF DEBATE FOR COUNCIL MEETINGS

### Motions and Amendments

- 18.1 A motion or amendment may not be discussed unless it has been proposed and seconded. Unless notice has already been given in accordance with Standing Order 15, it must, if required by the Mayor, be put into writing and handed to the Mayor before it is further discussed or put to the meeting.

### Secunder's Speech

- 18.2 If he/she then declares his/her intention to do so, a member seconding a motion or amendment may reserve his/her speech until the end of the debate.

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### Only One Member to Stand at a Time

- 18.3 When speaking, each member must stand and address the Mayor. If two or more members rise at the same time, the Mayor shall call on one to speak; the other or others must then sit. While a member is speaking, the other members shall remain seated, unless rising to a point of order or in personal explanation.

### Content and Length of Speeches

- 18.4 A member must direct his/her speech to the question under discussion or to a point of order or to a personal explanation. No speech may exceed five minutes except with the permission of the Council.

### When a Member May Speak Again

- 18.5 A member who has spoken on any motion may not speak again whilst it is the subject of debate, except:
- (a) To speak once on an amendment moved by another member;
  - (b) If the motion has been amended since he/she last spoke, to move a further amendment;
  - (c) If his/her first speech was on an amendment moved by another member, to speak on the main issue, whether or not the amendment on which he/she spoke was carried;
  - (d) In exercise of a right given by Standing Order 18.11 or 18.16;
  - (e) On a point of order; or
  - (f) By way of personal explanation.

### Amendments to Motions

- 18.6 An amendment must be relevant to the motion and must be either:
- (a) To refer a subject of debate to the Executive or to a committee of the Council for consideration or re-consideration;
  - (b) ~~Remove~~ words;
  - (c) ~~Replace words~~; or
  - (d) ~~Add~~ words.

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Any omissions, insertions or addition of words must not have effect of negating the motion before the Council.

- 18.7 Only one amendment may be moved and discussed at a time and no further amendment may be moved until the amendment under discussion has been disposed of.

However, the Mayor may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the proper conduct of the Council's business. The Mayor may postpone discussion of an amendment which in his/her view materially changes the meaning of the motion until in his/her opinion members who wish to speak on the motion as proposed have had the opportunity to do so.

18.8 If an amendment is lost, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion on which any further amendment may be moved.

#### **Alterations of Motions**

**Commented [HA5]:** Wording amended to match section above for consistency.

18.9 With the consent of the Council signified without discussion, a member may:

(a) Alter a motion of which he/she has given notice, or

(b) Remove words;

(c) Replace words; or

(d) Add words.

**Deleted: <#>**With the further consent of his/her seconder, alter a motion which he/she has moved, if (in either case) the alteration is one which be made as an amendment to it.¶

#### **Withdrawal of Motion**

18.10 The mover may withdraw a motion or amendment with the consent of his/her seconder and of the Council. Consent, if given, must be signified without discussion. No member may speak on the motion or amendment after the mover has asked permission for its withdrawal, unless such permission has been refused.

#### **Right of Reply**

18.11 The proposer of a motion must have a right to reply at the close of the debate on a motion immediately before it is put to the vote.

A member exercising a right of reply shall not introduce a new matter.

If an amendment or reference back is moved, its proposer shall have a right of reply at the close of the debate on it, subject to the proposer of the original motion (who shall not otherwise speak on the amendment) having the final right of reply immediately before that amendment or reference back is put to the Council.

After reply by the proposer of the original motion, a decision shall be taken on that amendment without further discussion or questions asked.

18.12 The recommendations, reports or minutes of the Executive, the Scrutiny Panels or of a Committee of the Council shall be presented to the Council by the Executive Leader or the Chairman of the meeting concerned or, in his/her absence, by some other member of the Executive or of the committee who was present at that meeting. The Executive Leader, Chairman or other member shall move that the report or minutes be received, and that any recommendation be approved and adopted.

18.13 After a motion has been proposed under Standing Order 18.12, a recommendation shall be determined by the members present. The Mayor or person presiding at the meeting shall require that the matter subject to debate be debated and disposed of before proceeding to

the next motion except where otherwise agreed by the Council or where Standing Order 18.14 applies.

18.14 When the Council resolves that two or more motions or amendments shall be considered together, Standing Order No 19.11 shall apply so as to give to each proposer of any such motions or amendments the right of reply. The order specified in Standing Order 19.11 shall apply. The Mayor may direct as to the order in which the various motions and/or amendments are voted on.

18.15 When a motion is under debate, no other motion may be moved except the following:

- (a) To amend the motion;
- (b) That a member is not further heard;
- (c) By the Mayor under Standing Order 21.2 that a member must leave the meeting;
- (d) That the public be excluded under Section 100A (4) of the Local Government Act 1972;
- (e) That the subject of debate be referred (back) to the Executive or committee of the Council;
- (f) That the Council proceed to the next business;
- (g) That the question is now put;
- (h) That the debate is now adjourned;
- (i) That the Council now adjourns.

#### **Closure Motions**

18.16 At the conclusion of a speech of a member, another member may move without comment, "That the Council proceed to the next business," "That the question is now put", "That the debate is now adjourned," or "That the Council now adjourns," on the seconding of which the Mayor shall proceed as follows:

- (a) **On a motion to proceed to next business:** unless in his/her opinion the matter before the meeting has not been sufficiently discussed, he/she shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business;
- (b) **On a motion that the question is now put:** unless in his/her opinion the matter before the meeting has not been sufficiently discussed, he/she shall first put to the vote the motion that the question is now put. If the motion is passed the mover of the original motion shall have a right of reply under Standing Order 19.11 before putting his/her motion to the vote;

- (c) **On a motion to adjourn the debate (or the meeting):** if in his/her opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion he/she shall put the adjournment motion to the vote without giving the mover of the motion his/her right of reply on that occasion.

### Points of Order and Personal Explanation

- 18.17 A member may rise on a point of order or in personal explanation and shall be entitled to be heard immediately.

A point of order may relate only to an alleged breach of a Standing Order or statutory provision and the member shall specify the Standing Order or statutory provision and the way in which he/she considers it has been broken.

A personal explanation must be confined to:

- (a) some material part of a former speech by him/her which may appear to have been misunderstood in the present debate and must be in order to clarify his/her former speech or to correct such misunderstandings, or
- (b) the correction of facts which concern himself/herself contained in a speech of another member in the present debate.

- 18.18 The ruling of the Mayor on a point or order or on the admissibility of a personal explanation shall not be open to discussion.

### Respect for Chairman

- 18.19 Whenever the Mayor rises during a debate, a member then standing must resume his/her seat and the Council shall be silent.

### 19. MOTIONS AFFECTING PERSONS EMPLOYED BY THE COUNCIL

- 19.1 If any question on a motion arises at a meeting of the Council as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct of any person employed by the Council, such question may not be the subject of discussion until the Council has decided whether or not the power of exclusion of the public under section 100A(4) of the Local Government Act 1972 shall be exercised. This Standing Order applies also to the Executive or to a committee of the Council to which the Local Government Act 1972 applies by virtue of Sections 100A and 100E of that Act.

**Deleted:** <#>Questions as to the appointment, promotion, dismissal, salary, superannuation or conditions of service of any employee other than a Chief Officer, shall not be the subject of discussion at a meeting of the Council, the Executive, or a Committee or Sub-Committee of the Council other than the Appeals Committee.¶¶  
<#>¶¶

### 20. RESCISSION OF PRECEDING RESOLUTION

- 20.1 No motion to rescind any resolution passed within the preceding six months and no motion or amendment to the same effect as one which has been rejected within the preceding six

**Commented [HA7]:** The order has been changed to this section to allow the topic of Motions to be in one place.

**Moved (insertion) [3]**



months, may be proposed unless:

(a) a member gives notice as required by Standing Order 15; and

(b) the notice has been signed by at least six other members.

## 21. MOTIONS ON EXPENDITURE

Moved (insertion) [1]

21.1 Any motion or recommendation which is not accompanied by a recommendation of the Executive and which if carried, would materially increase the expenditure on any service or reduce revenue or involve capital expenditure must, when proposed and seconded, be adjourned without discussion to the next ordinary meeting of the Council. The Executive and any committee of the Council affected by the motion must consider and report their view thereon.

## 22. VOTING

Moved (insertion) [2]

22.1 All questions coming or arising before the Council shall be determined by a majority of those members of the Council present and voting. If there is an equality of votes, the person presiding at the meeting shall have a second (or casting) vote.

22.2 Members shall vote:

(a) By shows of hands; or

(b) By the use of an electronic system of recording votes, as the Mayor shall determine on each occasion.

22.3 If any member so requests before the vote is taken, the voting on any question shall be by roll call and shall be recorded so as to show how each member present and voting gave his/her vote. The name of any member present and not voting must also be recorded.

22.4 If any member so requires immediately after a vote is taken at a meeting of the Council, there must be recorded in the minutes of the proceedings of that meeting whether that person cast his/her vote for the question or against the question or whether he/she abstained from voting.

## 23. VOTING ON APPOINTMENTS

23.1 Where there are more than two persons nominated for any position to be filled by the Council, and of the votes given there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.

## 24. DISORDERLY CONDUCT

### **Misconduct by a Member**

24.1 If, in the opinion of the Mayor notified to the Council, any member misconducts himself or herself by persistently disregarding the ruling of the Chairman or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Council, the Mayor or any other member may move that the member named be not further heard. If seconded, the motion must be put and determined without discussion.

#### Continuing Misconduct by a Named Member

24.2 If the member named continues his/her misconduct after a motion under Standing Order 21.1 has been carried the Mayor shall either: -

- (a) move that the member named shall leave the meeting (in which case the motion shall be put and determined without seconding or discussion); or
- (b) adjourn the meeting of the Council for such period as he/she in his/her discretion considers expedient.

#### General Disturbance

24.3 In the event of general disturbance which in the opinion of the Mayor renders the due and orderly dispatch of business impossible, in addition to any other power vested in him/her, the Mayor may, without question put, adjourn the meeting of the Council for such period as he/she in his/her discretion considers expedient.

#### 25. DISTURBANCE BY MEMBERS OF THE PUBLIC

25.1 If a member of the public interrupts the proceedings at any meeting the Mayor shall warn him/her/them. If he/she/they continue(s) the interruption, the Mayor shall order his/her/their removal from the Council Chamber. In the case of general disturbance in any part of the Chamber open to the public, the Mayor shall order that part to be cleared and/or the meeting to be adjourned.

25.2 This Standing Order does not apply to a decision or recommendation of the Executive, a Scrutiny Panel or of a Committee of the Council.

25.3 Any motion to rescind a previous resolution of the Council that has been passed within the preceding six months may be dealt with by the Council at the meeting at which it is moved.

#### 26. DURATION OF COUNCIL MEETINGS

26.1 After a meeting has lasted three hours, the Mayor may direct that only unopposed or formal business shall be proceeded with and any remaining motions shall stand adjourned to a subsequent meeting.

#### 27. INTERESTS OF MEMBERS IN CONTRACTS AND OTHER MATTERS

#### Moved up [3]: <#>RESCISSION OF PRECEDING RESOLUTION¶

<#>¶  
<#>No motion to rescind any resolution passed within the preceding six months and no motion or amendment to the same effect as one which has been rejected within the preceding six months, may be proposed unless:¶  
<#>¶  
<#>a member gives notice as required by Standing Order 15; and¶  
<#>¶  
<#>the notice has been signed by at least six other members.¶

#### Moved up [2]: <#>VOTING¶

<#>¶  
<#>All questions coming or arising before the Council shall be determined by a majority of those members of the Council present and voting. If there is an equality of votes, the person presiding at the meeting shall have a second (or casting) vote.¶  
<#>¶  
<#>Members shall vote:¶  
<#>¶  
<#>By shows of hands; or¶  
<#>¶  
<#>By the use of an electronic system of recording votes, as the Mayor shall determine on each occasion.¶  
<#>If any member so requests before the vote is taken, the voting on any question shall be by roll call and shall be recorded so as to show how each member present and voting gave his/her vote. The name of any member present and not voting must also be recorded.¶  
<#>¶  
<#>If any member so requires immediately after a vote is taken at a meeting of the Council, there must be recorded in the minutes of the proceedings of that meeting whether that person cast his/her vote for the question or against the question or whether he/she abstained from voting.¶  
<#>¶

#### <#>VOTING ON APPOINTMENTS¶

<#>¶  
<#>Where there are more than two persons nominated for any position to be filled by the Council, and of the votes given there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.¶

#### Moved up [1]: <#>MOTIONS ON EXPENDITURE¶

<#>¶  
<#>Any motion or recommendation which is not accompanied by a recommendation of the Executive and which if carried, would materially increase the expenditure on any service or reduce revenue or involve capital expenditure must, when proposed and seconded, be adjourned without discussion to the next ordinary meeting of the Council. The Executive and any committee of the Council affected by the motion must consider and report their view thereon.¶

### **Disclosable Pecuniary Interests and Pecuniary Interests**

- 27.1 If any member of the Council has any disclosable pecuniary interest or a pecuniary interest within the meaning of the Council's Code of Conduct for Members in any contract, proposed contract, or other financial matter, that member must:
- (a) disclose the existence and nature of that interest in accordance with the Council's Code of Conduct for Members; and
  - (b) withdraw from the meeting while the contract, proposed contract, or other matter, is under consideration by the Council unless he/she has obtained a dispensation from the Monitoring Officer or can attend in accordance with paragraph 1.7 and/or 5.4 of the Code (i.e. making representations).

### **Non-pecuniary Interests**

- 27.2 If any member of the Council has a non-pecuniary interest, within the meaning of the [Council's Code of Conduct for Members](#), in any contract, proposed contract, or other matter, that member must disclose the existence and nature of that interest in accordance with the Council's Code of Conduct for Members.

### **General**

- 27.3 Any interest under the Council's Code of Conduct for Members must be declared at or as near as possible to the start of a meeting.
- 27.4 Reference in this Standing Order to the Council shall include the Executive, Scrutiny Panels, a Committee, Sub-Committee of the Council.
- 27.5 The agenda for each meeting of the Council, the Executive, Scrutiny Panels, a Committee or Sub-Committee, must include an item at the beginning allowing for members of the Council to declare interests on any matter(s) under consideration at that meeting.

### **28. BUDGET AND POLICY FRAMEWORK**

- 28.1 The Council will approve the Budget and Policy Framework in accordance with the Budget and Policy Framework Procedure Rules ([Part 3: Chapter 4 of the Constitution](#)).

## PART 3

### MEETINGS AND PROCEEDINGS OF THE EXECUTIVE

#### 29. STATUTORY REQUIREMENTS

- 29.1 All meetings and proceedings of the Executive shall be conducted in accordance with the [Local Authorities \(Executive Arrangements\) \(Access to Information\) \(England\) Regulations 2012](#) or any amendment or addition to those Regulations.

#### 30. AREAS OF RESPONSIBILITY

- 30.1 The areas of Executive Responsibility shall be as determined by the Executive Leader and recorded in accordance with Standing Order 5 above.

#### 31. DELEGATION BY THE EXECUTIVE LEADER

- 31.1 The Executive Leader may discharge any Executive function in accordance with [Section 9E Local Government Act 2000](#). The Executive Leader may choose to delegate any Executive function to:

- (a) the Executive;
- (b) an individual member of the Executive;
- (c) a committee of the Executive;
- (d) a sub-committee of the Executive; or
- (e) an officer of the Council.

- 31.2 Where the delegation takes place, this will be reflected in the Constitution and/or the terms of reference of the committee or the scheme of delegation, as appropriate. A decision of the Executive Leader under 32.1 above shall be made in accordance with the Council's procedures for the taking of decisions by individual members of the Executive and a written record provided.

- 31.3 Such written record shall include:

- (a) the extent of the authority delegated, including any limitation whether as to time or otherwise; and
- (b) the name of the committee or Executive Member, or the title of the officer to whom the delegation is made.

## 32. CONDUCT OF EXECUTIVE MEETINGS

### Meeting

32.1 The Executive shall meet no less than six times a year. The Executive shall meet on such dates and at such times and at such location to be agreed by the Executive Leader.

**Deleted:** (Note: see also paragraph 6.4 of Part1: Chapter 6 of the Council's Constitution).

32.2 The quorum for a meeting of the Executive, or a committee of the Executive, shall be at least one third of the Members. In no case shall the quorum be less than three.

**Commented [HA8]:** Text has been added to allow consistency and clarity across all meetings with regards to quorum.

32.3 If the Executive Leader is present at a meeting of the Executive, he/she shall preside. In his/her absence, the Deputy Leader (if appointed) shall preside, and in the absence of the Deputy Leader, a person appointed to do so by those present shall preside.

32.4 At a meeting of a committee of the Executive, those present shall appoint a person to preside.

### Business to be conducted

32.5 At each meeting of the Executive the following business shall be transacted:

(a) apologies for absence;

(b) Executive appointments;

**Commented [HA9]:** Following advice from the Legal Team this has been added to the Executive agenda to allow any changes to the Executive to be Minuted.

(c) consideration of minutes of the last meeting;

(d) Executive Leader's announcements;

(e) declarations of interest;

(f) petitions;

(g) deputations;

(h) matters referred to the Executive (whether by a Scrutiny Panel or by the Council) for consideration by the Executive;

(i) matters set out in the agenda for the meeting and which shall indicate which are key decisions and which are not;

(j) consideration of reports from the Scrutiny Panels; and

(k) other business, if any, specified in the summons.

32.6 All reports to the Executive from any member of the Executive or an officer on proposals relating to the budget and policy framework must contain details of the consultation

undertaken, including that with the relevant Scrutiny Panel, and the outcome of consultation as appropriate.

32.7 Any Non-Executive Member may request to speak at a meeting of the Executive giving notice to the Executive Leader at least one clear working day before the Executive meeting in which they wish to speak.

32.8 Any Executive member may require that an item be placed on the agenda of the next available meeting of the Executive for consideration.

32.9 There shall be a standing item on the agenda of each meeting of the Executive for matters referred by a Scrutiny Panel. The Chairman or Vice-Chairman of any Scrutiny Panel shall be entitled to attend and speak at a meeting of the Executive when a recommendation or report of that Panel is being considered.

32.10 Any member of the Council may ask the Executive Leader to put an item on the agenda of an Executive meeting for consideration and, if the Executive Leader agrees, the item shall be considered at an appropriate meeting of the Executive.  
The member asking for the item to be considered shall be invited to attend and speak at the meeting, whether or not it is a public meeting.

32.11 The Head of Paid Service, Monitoring Officer and/or the Chief Financial Officer may include an item for consideration on the agenda of an Executive meeting and may require such a meeting to be called in pursuance of their statutory duties.

32.12 **Notwithstanding** the provisions of this section 33, no matter may be placed on the agenda for an Executive decision or **Executive** meeting unless it has complied with the requirements of the Constitution in relation to the [Access to Information Procedure Rules](#) (Part 3, Chapter 1), the [Executive Procedure Rules](#) (Constitution Part 3, Chapter 2), [Notice of Key Decisions and Key Decisions](#) (Constitution Part 3, Chapter 3), [Decision making by individual members of the Executive and key decisions by Officers](#) (Constitution Part 3, Chapter 5) or [Urgent Decisions Outside the Policy Framework and / or Budget](#) (Constitution Part 3, Chapter 6) and the provisions of the Local Authorities (Executive Arrangements) (Meetings & Access to Information) Regulations 2012.

**Commented [HA10]:** Text has been added to this paragraph to add clarification and links will be added to the final document to assist users.

32.13 Items of business containing exempt or confidential information within the meaning of the Local Authorities (Executive Arrangements) (Meetings & Access to Information) Regulations 2012 may only be added to the agenda following a period of 28 days' notice of the item containing exempt or confidential material.

32.14 Urgent business may only be transacted having complied with [Regulations 10 \(General Exception\)](#) or [Regulation 11 \(Urgency\)](#) of the Local Authorities (Executive Arrangements) (Meetings & Access to Information) Regulations 2012. Regulation 10 requires notice to have been given to the Chairman of the relevant Scrutiny Panel, or in his/**her** absence, every member of the relevant Scrutiny Panel at least 5 clear days prior to the date of the decision /decision meeting. Regulation 11 ([for which there is no required notice period](#)) requires the written consent to the matter being urgent ([less than 5 clear working days](#)) having been

obtained from the Chairman of the relevant Scrutiny Panel, or in their absence, the Chairman of the Authority, or in both of their absence, the Vice Chairman of the Authority.

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#### **Confidentiality of Proceedings**

- 32.15 The provisions of Standing Order 39, relating to confidentiality of proceedings, shall apply to proceedings of the Executive.

#### **Right to Attend Meetings**

- 32.16 In addition to the rights of members to attend meetings under the Regulations referred to at Standing Order 30, Standing Order 37 and Standing Order 47 (Right for Mover of Motion to Attend Meeting) shall apply to meetings of the Executive when a motion has been referred by Council.

## PART 4 SCRUTINY PANELS

### 33. GENERAL PROCEDURE

33.1 In these Standing Orders the term 'Panel' refers to Scrutiny Panels appointed by the Council under Standing Order ??.

33.2 The provisions of Standing Orders 33 to ?? shall apply to meetings of all Panels of the Council.

33.3 Each Scrutiny Panel is scheduled to meet four times per municipal year, with additional meetings created if necessary or a meeting being cancelled for lack of business with the consent of the Chairman.

33.4 The Scrutiny Panels shall consider the following business at every meeting: -

- (a) minutes of the last meeting;
- (b) chairman's announcements;
- (c) declarations of interest;
- (d) deputations;
- (e) Executive Business;

### 34. TERMS OF REFERENCE

34.1 Each Panel of the Council shall exercise such functions, duties and powers as are allocated or required by statute.

34.2 Each Panel of the Council shall, in addition, have the terms of reference and delegated powers that the Council approves for it from time to time.

### 35. CHAIRMAN OF COMMITTEE

35.1 In the absence from a meeting of the Chairman and Vice-Chairman, a Chairman for that meeting may be appointed from those members of the Panel present and voting.

### 36. RIGHT TO ATTEND MEETINGS

36.1 The Mayor and the Executive Leader shall ex officio have the right to attend and speak at meetings of all Panels of which he or she is not otherwise a voting member.



36.2 Each elected member of the Council has a right to attend any meeting of any Panel of the Council, and in doing has the right to take part in discussions held in the Panel meeting with direct invitation of the Chairman of that Panel. Standing Orders 28 (Interests) and 39 (Confidentiality) shall apply to such visiting members.

36.3 Members who are co-opted for the consideration of specific business or for a specified period only, such appointment being less than a full municipal year, shall not be entitled to receive copies of reports relating to other business of the Scrutiny Panel containing information which is exempt.

### 37. STANDING DEPUTIES

37.1 When making or terminating appointments of voting members to Panels under Standing Order 6 and 7 or to other bodies of the Council under Standing Order 43, each appointing body shall also make or terminate the appointment of such deputies as nominated by political groups.

37.2 Each political group may nominate one member to act as deputy for that group for each Panel.

37.3 In the absence from a meeting of a voting member holding a seat allocated to a political group on a Panel, a deputy appointed under this Standing Order may act as his/her substitute and shall be entitled to attend, speak and vote at the meeting.

37.4 A deputy attending at a meeting under Standing Order 38.3 must, before the start of the meeting, advise the Chairman or cause the Chairman to be advised of the member for whom he/she is deputising.

37.5 Where a person for whom a member is deputising is appointed Chairman or Vice-Chairman of the Panel, the deputy shall not be entitled to act in that capacity.

37.6 In the case that a deputy appointed to, present at, and participating in a meeting and the voting member for whom he/she is deputising subsequently also attends, the voting member may not take the place of the deputy. The Chairman of the meeting may invite that member to speak on such items of business as the Chairman considers reasonable. However, that member shall not be entitled to vote.

37.7 If a voting member of a Panel is present at and participating in a meeting, a deputy may not be appointed to subsequently take his/her place.

37.8 If a meeting at which either a deputy or a voting member has participated is adjourned until a later date, then notwithstanding Standing Orders 38.6 and 38.7, the deputy or voting member may take the place of the other at the resumed meeting provided that such substitution may take place only at the beginning of the resumed meeting.

### 38. CONFIDENTIALITY OF PROCEEDINGS

38.1 Where the public have been excluded from a meeting under any paragraph of Part 1 of

Schedule 12A of the Local Government Act 1972, no member of the Council or of a Panel (whether elected or co-opted) may disclose (except to another member of the Council) a matter dealt with by or to be brought before the a Panel, without the permission of the Council.

38.2 Minutes, reports and documents containing exempt or confidential information and marked as such must be treated as confidential until the member is informed otherwise by the Council. Discussions which have taken place on and verbal reports of officers on exempt or confidential matters must not be disclosed except as specifically approved by the Council.

#### 39. LIMITATION ON EXERCISE OF DELEGATED POWERS

39.1 The exercise by any Panel of the Council, members or officers of the Council of any of the powers and duties from time to time delegated to them are subject to the following limitations and conditions:

(a) Nothing may be done in pursuance of purported exercise of any such powers and duties which would or might involve any commitment on the part of the Council to capital expenditure required to be financed by way of loan or any other expenditure for which no provision has been made in the approved annual estimates or which would be in excess of any amount so provided.

(b) In dealing with any matter under delegated powers, effect must be given to any resolution passed by the Council specifically relating thereto and any other general instructions or directions of the Council (or of the Executive or any committee of the Council in the case of powers delegated to an officer) as to the principles to be observed or the policy to be followed in regard to matters of that kind.

(c) A Panel of the Council may not deal with any matter under delegated powers where at least one quarter of the membership of the Panel present at the Panel meeting requests that a recommendation on the matter be submitted to the Council.

#### 40. URGENT BUSINESS

40.1 Urgent business arising at a time when it is not expedient to await the next scheduled meeting of the relevant Panel shall be dealt with at an extra meeting scheduled as the proper Officer in consultation with the Chairman may decide.

#### 41. ADDITIONAL MEETINGS

41.1 The proper Officer in consultation with Chairman of a Panel may call an additional meeting of the Panel at any time. Additional meetings will be transacted in the same way as a scheduled meeting. Call-in meetings will follow a separate procedure as set out at Standing Order [??]

Commented [HA12]: Add numbering

42. QUORUM OF SCRUTINY PANELS

42.1 Except where authorised by a statute or ordered by the Council, business may not be transacted at a meeting of any Panel unless at least one third of the whole number of the Panel is present. In no case shall less than three members comprise the quorum of a Panel.

43. VOTING IN PANELS

43.1 All questions coming or arising before a meeting of a Panel of the Council, shall be determined by a majority of those members present and voting.

In the case of an equality of votes, the person presiding at the meeting shall have a second (or casting) vote.

43.2 The mode of voting at meetings of a Panel shall be by show of hands.

43.3 If, immediately after a vote is taken at a meeting of a Panel, any member of that body requires it, there must be recorded in the minutes of the proceedings of that meeting whether that person cast his/her vote for the question or against the question or whether he/she abstained from voting.

44. STANDING ORDERS TO APPLY TO SCRUTINY PANELS

44.1 The Standing Orders of the Council (except those parts which relate to standing and to speaking more than once), with any necessary modification, apply to meetings of Panels of the Council.

44.2 Minutes of Panels shall be signed, where possible, at the next following meeting or other suitable meeting as appropriate.

45. MOVER OF MOTION MAY ATTEND COMMITTEE, [Scrutiny Panel](#) OR SUB-COMMITTEE

45.1 A member of the Council who has moved a motion that has been referred to any committee, [scrutiny panel](#) or sub-committee must have notice of the meeting of the committee or sub-committee at which it is proposed to consider the motion. He/she has a right to attend the meeting and if he/she attends must have an opportunity of explaining the motion.

46. [SCRUTINY PANEL MEETING CONVENED UNDER CALL-IN](#)

46.1 [A Scrutiny Panel meeting convened under the rules of call-in shall be called a Special Scrutiny Panel meeting.](#)

46.2 The [Special](#) Scrutiny Panels shall consider the following business at [a call-in](#) meeting: -

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- (a) minutes of the last meeting;
- (b) chairman's announcements
- (c) declarations of interest;
- (d) deputations
- (e) Call-in of XXXX decision XXXXX.

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#### 47. ATTENDANCE BY OTHERS

- 47.1 In scrutinising or reviewing decisions made or action taken in connection with the discharge of any function of the Council, the relevant Scrutiny Panel may require any Executive Member (including the Executive Leader) and/or any senior officer to attend before it to explain in relation to matters with their remit:
- (a) any particular decision or series of decisions;
  - (b) the extent to which the actions taken implement Council policy; and/or
  - (c) their performance and it is the duty of those persons to attend if so required.
- 47.2 Where any member or officer is required to attend a Scrutiny Panel under Standing Order 48.1, the Chairman of the relevant Scrutiny Panel shall inform the Chief Executive Officer. The Chief Executive Officer shall inform the member or officer in writing giving at least five working days' notice of the meeting at which he/she is required to attend. The notice shall state the nature of the item on which attendance is required and whether any papers are required to be produced for the relevant Scrutiny Panel. Where the account to be given to the relevant Scrutiny Panel shall require the production of a report, then the member or officer shall be given sufficient notice to allow for preparation of that documentation.
- 47.3 Where, in exceptional circumstances (unless a statutory notice of attendance has been secured), the member or officer is unable to attend on the required date, then the relevant Scrutiny Panel shall in consultation with the member or officer concerned arrange an alternative date for attendance.
- 47.4 Any Scrutiny Panel may invite people other than those referred to in Standing Orders 53.1 and 53.2 to address it, discuss issues of local concern, and/or and answer questions.

## PART 5

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### COMMITTEES AND SUB-COMMITTEES

#### 48. GENERAL PROCEDURE

48.1 The provisions of Standing Orders 34 to 55 shall apply to meetings of all Committees and Sub-Committees of the Council.

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In these Standing Orders, the term "Committee" also includes the Scrutiny Panels appointed by the Council under Standing Order 6.¶

48.2 Each Committees and Sub-Committees is scheduled to meet a set number of times per municipal year, as set annually by Council. Additional meetings may be created if necessary or a meeting being cancelled for lack of business with the consent of Council.

48.3 The Committee and Sub-Committees shall consider the following business at every meeting: -

(a) minutes of the last meeting;

(b) chairman's announcements;

(c) declarations of interest;

(d) deputations;

#### 49. TERMS OF REFERENCE

49.1 Each Committee of the Council shall exercise such functions, duties and powers as are allocated or required by statute.

49.2 Each Committee of the Council shall, in addition, have the terms of reference and delegated powers that the Council approves for it from time to time.

#### 50. CHAIRMAN OF COMMITTEE

50.1 In the absence from a meeting of the Chairman and Vice-Chairman, a Chairman for that meeting may be appointed from those members of the committee present and voting,

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#### 51. RIGHT TO ATTEND MEETINGS

51.1 The Mayor and the Executive Leader shall ex officio have the right to attend and speak at meetings of all committees of which he or she is not otherwise a voting member.

51.2 Each elected member of the Council has a right to attend any meeting of a committee of the Council or any sub-committee thereof, provided that he or she takes no part whatever in the discussions held in the committee or sub-committee except by direct invitation of the Chairman of that committee or sub-committee. Standing Orders 28 (Interests) and 39

(Confidentiality) shall apply to such visiting members.

- 51.3 The Chairman and Vice-Chairman of a committee of the Council ex officio have the right to attend and speak at meetings of every sub-committee appointed by that committee, if the said Chairman or Vice-Chairman is not otherwise appointed as a voting member.

## 52. STANDING DEPUTIES

- 52.1 When making or terminating appointments of voting members to committees under Standing Order 6 and 7 or to other bodies of the Council under Standing Order 43, each appointing body shall also make or terminate the appointment of such deputies as nominated by political groups.
- 52.2 Each political group may nominate one member to act as deputy for that group for each committee or other body of the Council, with the exception of the Planning Committee, to which each group may appoint two deputy members.
- 52.3 In the absence from a meeting of a voting member holding a seat allocated to a political group on a committee or other body of the Council, a deputy appointed under this Standing Order may act as his/her substitute and shall be entitled to attend, speak and vote at the meeting.
- 52.4 A deputy attending at a meeting under Standing Order 38.3 must, before the start of the meeting, advise the Chairman or cause the Chairman to be advised of the member for whom he/she is deputising.
- 52.5 Where a person for whom a member is deputising is appointed Chairman or Vice-Chairman of the committee or body concerned, the deputy shall not be entitled to act in that capacity.
- 52.6 In the case that a deputy appointed to and is present at and participating in a meeting and the voting member for whom he/she is deputising subsequently also attends, the voting member may not take the place of the deputy. The Chairman of the meeting may invite that member to speak on such items of business as the Chairman considers reasonable. However, that member shall not be entitled to vote.
- 52.7 If a voting member of a committee or other body is present at and participating in a meeting, a deputy may not be appointed to subsequently take his/her place.
- 52.8 If a meeting at which either a deputy or a voting member has participated is adjourned until a later date, then notwithstanding Standing Orders 38.6 and 38.7, the deputy or voting member may take the place of the other at the resumed meeting provided that such substitution may take place only at the beginning of the resumed meeting.

## 53. CONFIDENTIALITY OF PROCEEDINGS

- 53.1 Where the public have been excluded from a meeting under any paragraph of Part 1 of

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¶  
¶  
Members of Scrutiny Panels who are co-opted for the consideration of specific business or for a specified period only, such appointment being less than a full municipal year, shall not be entitled to receive copies of reports relating to other business of the Scrutiny Panel containing information which is exempt.¶

Schedule 12A of the Local Government Act 1972, no member of the Council or of a Committee or Sub-Committee (whether elected or co-opted) may disclose (except to another member of the Council) a matter dealt with by or to be brought before the Council, committee or sub-committee, without the permission of the Council or that committee or sub-committee.

53.2 Minutes, reports and documents containing exempt or confidential information and marked as such must be treated as confidential until the member is informed otherwise by the Council. Discussions which have taken place on and verbal reports of officers on exempt or confidential matters must not be disclosed except as specifically approved by the Council.

#### 54. LIMITATION ON EXERCISE OF DELEGATED POWERS

54.1 The exercise by any committee of the Council, members or officers of the Council of any of the powers and duties from time to time delegated to them are subject to the following limitations and conditions:

- (a) Nothing may be done in pursuance of purported exercise of any such powers and duties which would or might involve any commitment on the part of the Council to capital expenditure required to be financed by way of loan or any other expenditure for which no provision has been made in the approved annual estimates or which would be in excess of any amount so provided.
- (b) In dealing with any matter under delegated powers, effect must be given to any resolution passed by the Council specifically relating thereto and any other general instructions or directions of the Council (or of the Executive or any committee of the Council in the case of powers delegated to an officer) as to the principles to be observed or the policy to be followed in regard to matters of that kind.
- (c) A committee of the Council may not deal with any matter under delegated powers where at least one quarter of the membership of the committee present at the committee meeting requests that a recommendation on the matter be submitted to the Council.
- (d) A sub-committee of the Council may not deal with any matter under delegated powers where at least one quarter of the membership of the subcommittee present at the sub-committee meeting requests that a recommendation on the matter be submitted to the appropriate parent committee.
- (e) Notwithstanding (c) and (d) of this Standing Order, except where required by law, applications for planning permission shall not be considered at a meeting of the full Council but shall be determined by the appropriate Committee of the Council or Sub-Committee.

#### 55. URGENT BUSINESS

55.1 Urgent business arising at a time when it is not expedient to await the next scheduled meeting of the relevant committee of the Council shall be dealt with at a special meeting of

that committee.

## 56. SPECIAL MEETINGS OF COMMITTEE

- 56.1 The proper officer in consultation with the Chairman of a committee may call a special meeting of the committee at any time. A special meeting must also be called on the requisition of at least four members of the committee, delivered in writing to the Chief Executive Officer. The agenda for the special meeting must set out the business to be considered, and no business other than set out in the agenda may be considered at that meeting.

## 57. SUB-COMMITTEES

- 57.1 Every committee appointed by the Council may appoint sub-committees for such specified purposes as they think fit and may make arrangements for such subcommittees to discharge any of the functions of the authority which the committee may discharge.
- 57.2 The number of members and standing deputies to serve on a sub-committee shall be as determined by the relevant committee from time to time, but a sub- committee must have at least three members.
- 57.3 Whenever a committee is required to review the allocation of seats on a subcommittee between political groups or a committee resolves to carry out such a review, the committee must determine the allocation of seats to political groups in a way which may best meets the requirements of Section 15 of the Local Government and Housing Act 1989 or other statutory provision.

## 58. QUORUM OF COMMITTEES AND SUB-COMMITTEES

- 58.1 ~~Except~~ where authorised by a statute or ordered by the Council, business may not be transacted at a meeting of any committee unless at least one third of the whole number of the committee is present. In no case shall less than three members comprise the quorum of a committee.

**Commented [HA15]:** Wording simplified.

## 59. VOTING IN COMMITTEES AND SUB-COMMITTEES

- 59.1 All questions coming or arising before a meeting of a committee of the Council, a sub-committee, a relevant joint committee or sub-committee of such a committee shall be determined by a majority of those members present and voting.

In the case of an equality of votes, the person presiding at the meeting shall have a second (or casting) vote.

- 59.2 The mode of voting at meetings of a committee, a sub-committee, a relevant joint committee or sub-committee of such a committee, shall be by show of hands.

**Deleted: ¶**  
Subject to Standing Order 44.3 below, except where authorised by statute or otherwise ordered by the committee that has appointed it, business may not be transacted at a sub- committee unless at least one quarter of the whole number of the sub-committee is present.¶  
¶  
Subject to Standing Order 44.3 below, in no case shall less than three members comprise the quorum of a sub-committee.¶  
¶  
Notwithstanding Standing Order 44.2 above, where a sub-committee comprises only three members as provided in Standing Order 43.2 above, two members shall comprise a quorum of that sub-committee.¶



59.3 If, immediately after a vote is taken at a meeting of a committee or sub-committee or a relevant joint committee or sub-committee of such a committee, any member of that body requires it, there must be recorded in the minutes of the proceedings of that meeting whether that person cast his/her vote for the question or against the question or whether he/she abstained from voting.

60. **STANDING ORDERS TO APPLY TO COMMITTEES AND SUB-COMMITTEES**

60.1 The Standing Orders of the Council (except those parts which relate to standing and to speaking more than once), with any necessary modification, apply to meetings of committees of the Council.

60.2 Minutes of committees or sub-committees shall be signed, where possible, at the next following meeting or other suitable meeting as appropriate.

61. **MOVER OF MOTION MAY ATTEND COMMITTEE OR SUB-COMMITTEE**

61.1 A member of the Council who has moved a motion that has been referred to any committee or sub-committee must have notice of the meeting of the committee or sub-committee at which it is proposed to consider the motion. He/she has a right to attend the meeting and if he/she attends must have an opportunity of explaining the motion.

62. **SUBMISSION OF ESTIMATES**

62.1 Every committee of the Council having power to incur expenditure paid for by local taxation must submit to the Executive not later than the first day of February an estimate, in a form approved by the Council of the proposed expenditure to be recommended by such committee for the ensuing year.

62.2 In the event of the Executive referring estimates back to a committee that committee shall consider such reference and submit revised estimates or observations by the first day of March.

62.3 A Committee shall, before incurring any expenditure not included in approved estimates, submit to the Executive a supplementary estimate accompanied by a detailed statement in support of the expenditure.

## PART 6

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### GENERAL MATTERS AND EFFECT OF STANDING ORDERS

#### 63. ALLEGATIONS OF MISCONDUCT

- 63.1 Where there is an allegation of misconduct or conduct which amounts to breach of the Council's Code of Conduct for Members, by a member of the Council, such allegation must be dealt with in accordance with procedures approved by the Audit and Governance Committee.

Deleted: misconduct, or

#### 64. DEPUTATIONS

- 56.2 Deputations shall be heard by Council, a meeting of the Executive, a Committee of the Council or a Scrutiny Panel as appropriate in accordance with such scheme(s) as the Council may from time to time approve.

#### 65. PETITIONS

Commented [HA16]: With the addition of a Petition Scheme this section covers the regulations.

- 65.1 A petition is a communication submitted to the Council signed by people who live, work or study in the Borough on a topic which relates to a function of the Council.

- 65.2 All petitions received will be formally acknowledged by the Council.

- 65.3 Any petition received which, in the opinion of the Head of Democratic Services is illegal, irregular or improper it shall not be dealt with under the Council's Petition Scheme. In the event of nonacceptance, the lead petitioner will be notified within 10 working days.

#### 66. INTERESTS OF OFFICERS IN CONTRACTS

- 66.1 The Chief Executive Officer must record particulars of any notice given by an officer of the Council under Section 117 of the Local Government Act, 1972 of a disclosable pecuniary interest in a contract and the record must be open during office hours to inspection.

#### 67. INSPECTION OF DOCUMENTS BY MEMBERS

##### General

- 67.1 For the purpose of his/her duty as a member of the Council or as a member of a committee or sub-committee:
- (a) A member may inspect any document which is in the possession of, or under the control of the Council, which contains material relating to any business to be transacted at a meeting of a committee or sub-committee to which the Local Government Act 1972

applies. However, the right does not apply if the appropriate proper officer is of the opinion that a document discloses certain classes of exempt information described in Paragraphs 1-6, 9, 11, 12 and 14 of Part 1 of Schedule 12A to that Act or is prohibited from disclosure by virtue of the Data Protection Act [2018, the General Data Protection Act or other data protection legislation](#).

Deleted: 1998

- (b) A member may have access to documents in the possession of the Council:
- i which relate to the work of the committee or sub-committee on which that member serves;
  - ii which relate to the work of a committee or sub-committee on which he/she does not serve if the member can show good reason;
  - iii a member who is denied access to documents by a chief officer may refer the matter to the Chief Executive Officer who may consult the Mayor. In the event of continued dispute, the matter shall be determined by the committee concerned having regard to any relevant legal advice that may, in the opinion of the Chief Executive Officer, be required to be brought to the attention of the committee.
  - iv a chief officer shall so far as is practicable and lawful, supply on request a copy of any document asked for by a member of the Council.

### The Executive

- 67.2 Members shall have, as a minimum, all of the rights of inspection to documents of the Executive, as are provided by the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012 or any supplementary or amending legislation.
- 67.3 Further to the provisions in Standing Order 58.2, any member may inspect and be provided with a copy of any document that is in the possession of, or under the control of, the Executive which:
- (a) contains material relating to any business to be transacted at a public meeting of the Executive,
  - (b) contains material which relates to a key decision made by an officer in accordance with executive arrangements.
- 67.4 The rights referred to in Standing Order 58.3(a) shall include material relating to exempt information except where the appropriate proper officer is of the opinion that a document discloses exempt information as described in paragraphs 1- 6,9,11, 12 and 14 of Part I of Schedule 12A to the Local Government Act 1972, is prohibited from disclosure under the Data Protection Act [2018](#) or if the Chief Executive Officer is of the opinion that there would be a disclosure of advice provided by a political assistant or adviser.

Deleted: 1998

**Legal Privilege**

67.5 Standing Orders 58.1 and 58.3 shall not preclude the Solicitor to the Council from declining to allow inspection of any document which is or, in the event of legal proceedings would be, protected by privilege arising from the relationship of Solicitor and Client.

68. RECORDING OF PROCEEDINGS BY THE MEDIA

68.1 Audio and visual recordings of a meeting of the Council, the Executive, Committees, Panels and other Council bodies by a recognised media organisation shall normally be permitted following receipt of a request by the Mayor or Chairman of the relevant meeting. The Mayor or Chairman of the meeting shall advise members that the meeting is being recorded. A request to record a meeting shall only be refused if the Mayor or Chairman of the meeting believes recording would disrupt the meeting and following a motion to refuse a recording request being passed by a two-thirds majority of those members present and voting at the meeting or which otherwise would breach the Data Protection Act 2018, the General Data Protection Regulations or other data protection legislation.

69. INSPECTION OF LAND, PREMISES, ETC

69.1 Unless specifically authorised to do so by the Council, the Executive or a committee of the Council, a member of the Council may not issue any order in respect of any works which are being carried out by or on behalf of the Council. He/she may not claim by virtue of his/her membership of the Council any right to inspect or to enter on any lands or premises that the Council has the power or duty to inspect or enter.

70. FINANCIAL REGULATIONS, ETC

70.1 The Executive, the Scrutiny Panels, Committees, Members and Officers of the Council must observe such Financial Regulations and Standing Orders with Respect to Contracts as are from time to time prescribed by the Council (Part 4: Ch 3 of the Constitution).

71. VARIATIONS AND REVOCATIONS OF STANDING ORDERS

71.1 Unless it has been considered by the Audit and Governance Committee (or such other committee or sub-committee with powers delegated to it in this respect) no resolution may be passed by Council which has the effect of adding to varying or revoking these Standing Orders.

71.2 No Standing Order made or modified in pursuance of the Local Authorities (Standing Orders) Regulations 1993 or such other statutory provision shall be varied other than authorised by statute.

72. STANDING ORDERS TO BE GIVEN TO MEMBERS

72.1 The Chief Executive Officer must provide each member of the Council with a copy of these Standing Orders, and of such statutory code or local code as regulates the proceedings and business of the Council.

73. EACH MEMBER TO GIVE AN ADDRESS FOR NOTICES

73.1 Every member of the Council must give to the Chief Executive Officer an address to which all notices to that member are to be forwarded until he/she gives another address. Notices sent to the address so given shall be deemed valid and sufficient for all purposes.

74. INTERPRETATION OF STANDING ORDERS

74.1 The ruling of the Mayor as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council, may not be challenged at any meeting of the Council.

Removed

**Commented [HA17]:** This is covered in Part One – Chapter 15.

**Deleted: SUSPENSION OF STANDING ORDERS**

¶  
Subject to Standing Order 66.2 of this Standing Order, any of the preceding Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved.¶

¶  
A motion to suspend Standing Orders may not be moved without notice (i.e. under Standing Order 16) unless at least one-half of the whole number of the members of the Council are present.¶

## APPENDIX ONE

### SCHEME FOR DEPUTATIONS TO COUNCIL, EXECUTIVE, SCRUTINY ~~PANEL, COMMITTEE AND SUB-COMMITTEE MEETINGS (other than Planning Committee)~~

Deleted: BOARD

Deleted: POLICY DEVELOPMENT AND  
REVIEW PANEL,

Deleted: ¶

1. Notice of a proposed Deputation, which shall be given in writing, shall be lodged with the Head of Democratic Services no later than by noon two working days before the day of the meeting and:
  - (a) in the case of a meeting of the full Council, shall be addressed to the Mayor
  - (b) in the case of a meeting of the Executive, shall be addressed to the Executive Leader
  - (c) in the case of a Scrutiny Panel, Committee or Sub-Committee of the Council, shall be addressed to the chairman of the relevant Panel, Committee or Sub-Committee.
2. A notice shall give brief details of the subject on which a Deputation wishes to be heard.
3. A Deputation to the Executive or a Committee, shall be entitled to address the meeting only on a matter which forms the subject of an item for discussion on the agenda for that meeting.
4. A Deputation to a meeting of the full Council shall be entitled only to address members on matters concerning functions and powers of the Council.
5. A Deputation to a Scrutiny Panel shall be entitled only to address Members on matters concerning functions and powers of the relevant Panel.
6. If notice of a Deputation is received which, in the opinion of the Head of Democratic Services is illegal, irregular or improper it shall not be accepted. In the event of nonacceptance, the Head of Democratic Services shall notify the Deputee.
7. Deputations shall be received only from persons/organisations who are currently living, working or studying in the Borough
8. Councillors may not make deputations under this scheme.
9. With the consent of the Mayor, Executive Leader or Chairman, as appropriate, a Deputation may be presented by one person to speak on his, her or its behalf.
10. Subject to the other provisions of this scheme Deputations may be in writing or submitted electronically.
11. Notwithstanding the time limits for Deputations allowed by the Councils Standing

Orders (that is, that addresses shall not exceed ten minutes in total for each deputation, this period to include the time taken to read any memorial presented) the total time for receipt of all Deputations at any one meeting shall be thirty minutes. If more than three Deputations are received at a meeting, the time allowed for each shall be reduced accordingly.

12. In relation to meetings of the Executive, the Scrutiny Panels or Committees, the item next on each agenda after Apologies for Absence, (election of a Vice-Chairman as required), Minutes, Chairman's Announcements and Declarations of Interests, shall be: -

*'To receive Deputations of which notice has been lodged'.*

If no notice has been lodged or if no Deputation is present to be received, the meeting shall proceed to the next business.

13. In relation to meetings of the full Council, receipt of Deputations shall be timetabled as the Mayor shall decide.
14. Deputations shall not be received at site meetings or at the Annual Meeting of the Council.
15. Arrangements shall be made for a list of Deputations to be circulated to members present at the beginning of each relevant meeting.
16. The Head of Democratic Services in consultation with the Chairman, has the authority to alter this scheme, should circumstances require.

**Commented [HA18]:** Following discussions with the Legal Team this paragraph has been added to allow greater flexibility in allowing people to speak in some circumstances.



## APPENDIX TWO

### SCHEME FOR DEPUTATIONS TO MEETINGS OF THE PLANNING COMMITTEE

1. Notice of a proposed deputation shall be given in writing and shall be lodged with the Head of Democratic Services no later than noon two working days before the day of the meeting.
2. The notice shall specify the application or other matter on which a deputation wishes to be heard and, in the case of an application for planning consent, shall specify whether the deputation is for or against the proposal.
3. A deputation shall be entitled to address the meeting only on a matter which forms the subject of an item for discussion on the agenda for that meeting.
4. Deputations shall be received only from the applicant or his/her professional agent or from persons who are living or working in the Borough. Only one deputation will be accepted per household. (Note: for this purpose, "household" will be taken to mean all the persons who usually live in the same dwelling unit and who share living arrangements).
5. Where two or more notices of deputation are received on the same matter, the Council will actively encourage the appointment of a single spokesman to present the deputation on behalf of all.
6. Subject to the other provisions of this scheme, deputations may be given in written form in place of a verbal deputation. Any written, photographic or other material to be presented as part of the deputation shall be lodged with the Head of Democratic Services no later than noon two working days before the day of the meeting. With the consent of the Committee, deputees may be permitted to circulate relevant photographs or drawings at the meeting but no additional written material which has not been lodged prior to the meeting. Planning officers will be invited to comment if appropriate on the photographs or drawings circulated.
7. Deputations shall **not** be received at site meetings.
8. Notwithstanding the provisions of Standing Order 57, the time limits for presenting deputations shall be:
  - (a) In respect of those speaking in support of an application: a single deputation shall be allocated not more than three minutes; a single spokesman representing two or more deputees shall be allocated not more than six minutes; in the event that there is more than one speaker, the total time allowed for all speakers shall be six minutes and the time shall be shared equally among them.

(b) In respect of those speaking against an application: a single deputation shall be allocated not more than three minutes; a single spokesman representing two or more deputees shall be allocated not more than six minutes; in the event that there is more than one speaker, the total time allowed for all speakers shall be six minutes and the time shall be shared equally among them.

(c) In respect of those deputations to be made by established amenity groups\* on an issue relevant to their area of interest: a single deputation shall be allocated not more than three minutes; a single spokesman representing two or more amenity groups shall be allocated not more than six minutes; in the event that there is more than one speaker, the total time allowed for all speakers shall be six minutes and the time shall be shared equally among them.

*(\* a list of established amenity groups is maintained by the Committee and may be revised periodically at the discretion of the Chairman in consultation with ward members.)*

In respect of deputations on other matters: the total time allocated shall be five minutes for a proposal and five minutes against a proposal when it is appropriate to do so; otherwise the total time allocated shall be five minutes. A single deputation shall be allocated not more than three minutes; a single spokesman representing two or more deputees shall be allocated not more than five minutes; in the event that there is more than one speaker, the total time allowed for all speakers shall be five minutes and the time shall be shared equally among them.

9. The Head of Democratic Services in consultation with the Chairman, has the authority to alter this scheme, should circumstances require.

Scheme adopted Dec2004 and amended at subsequent meetings. Last updated: December 2019.

Deleted: December 2013

## APPENDIX THREE

### PETITION SCHEME

Commented [HA19]: This is the new Petition Scheme

#### 1. INTRODUCTION

- 1.1 A petition is a communication submitted to the Council signed by people who live, work or study in the Borough on a topic which relates to a function of the Council.
- 1.2 All petitions submitted to the council will receive a formal acknowledgement within 10 working days of receipt. This acknowledgement will be sent by the Democratic Services Department.
- 1.3 Petitions can be in written paper form or as an online e-petition. Petitions will not be accepted in any other form.
- 1.4 The Council's Petition Scheme covers both electronic and paper Petitions.
- 1.5 Further information relating to the Council's Petition Scheme can be found on the Council's website at (address). You can also start a Petition here (link to FBC website)

#### 2. GUIDELINES FOR SUBMITTING A PETITION

- 2.1 For a Petition to be valid, which triggers a formal response by the Council, as described in this scheme, a petition must:
  - i Be addressed to the Council;
  - ii Relate to functions of the Council;
  - iii Include a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take;
  - iv Include the contact details, including an address, for the petition organiser (lead petitioner). This is the person we will contact to explain how we will respond to the petition; and
  - v Obtain a minimum of 50 signatures of support from people who live, work or study in the borough. Paper copies should include the names and addresses of those signing the petition so that we may check its validity if required. Those "signing" an electronic petition must provide their house number and postcode and state whether they live, work or study in the Borough.
- 2.2 A petition submitted to the Council must follow these guidelines. If a petition is not accepted, an acknowledgment letter will still be sent to the lead petitioner within 10 working days.
- 2.3 Petitions with less than 50 signatures may still be submitted to the Council but may not be dealt in accordance with this scheme. An explanation for the action to be taken will be sent to the lead petitioner within 10 working days of receipt.
- 2.4 During a pre-election period (Purdah), the Council is governed by Regulations which may mean that a petition will be managed differently. In this case the Council will explain the reasons and discuss the revised timescale which will apply to the lead petitioner.

#### 3. RESTRICTIONS

- 3.1 The Head of Democratic Services may decide not to accept a petition on behalf of the Council if: -

- i the petition is a request for action that is outside the functions or powers of the council or a statement where no action is required;
- ii the petition is a request that is substantially the same as an existing petition or one that has been submitted in the past 12 months;
- iii the content is considered to be malicious, vexatious, abusive or otherwise inappropriate or which is intended to be solely humorous;
- iv language is offensive, intemperate or inappropriately provocative. This not only includes obvious swear words and insults, but any language to which people reading it could reasonably take offence;
- v the petition contains party political content, as we are unable to publish such material;
- vi the petition is potentially libellous, false or defamatory statements or information which may cause loss or personal distress without justified cause;
- vii the petition contains material which is potentially confidential;
- viii the petition contains information which is commercially sensitive or is a commercial endorsement or promotion of any product, service or publication;
- ix the names of individual officials of the council or other public body are displayed. Disputes relating to the actions of individual officers should be presented through the council's complaints procedure. Petitions may however refer to a senior manager responsible for delivery of public services but must relate to their role in delivering that service and not to their character, personality or private life.
- x the petition contains the names of family members of elected representatives or officials.

3.2 Petitions which fall within these restrictions will be formally acknowledged within 10 working days of receipt by way of a letter to the petitioner explaining the reasons for nonacceptance under this scheme. No further action will be taken by the Council where these restrictions apply.

#### 4 RESPONSES

- 4.1 The Council will respond to each petition in accordance with this petition scheme.
- 4.2 If the Council can action the request without any further action being required the lead petitioner will be notified in writing.
- 4.3 If the petition contains more than 1500 valid signatures then this will trigger a debate at Council. The lead petitioner will be notified of the date and time of the relevant meeting and will be formally invited to attend.
- 4.4 If the petition relates directly to a planning or licensing application, these matters are statutory functions which cannot be debated at Council. The lead petitioner would be notified of the procedure for handling petitions relating to statutory functions.
- 4.5 If a petition is received on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply. Further information on these procedures will be provided to the lead petitioner.
- 4.6 A petition with less than 1500 valid signatures may be referred to one of the Councils Committees or Scrutiny Panels for consideration or where appropriate be passed to the relevant service area, for further investigation.
- 4.7 If a petition clearly falls under the functions or powers of another local government authority, the Council will, where appropriate, forward the petition to the relevant body.
- 4.8 If a petition is about something over which the council has no direct control (for example the local railway or hospital) the Council will forward your Petition to the relevant Authority or Body.

4.9 If a petition is asking for a senior council officer to give evidence to a committee about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision the lead petitioner will be notified of the relevant details for this meeting.

## 5 APPEALS

5.1 If the lead petitioner does not feel that their petition has been handled adequately, they can complain through the Council's formal complaints procedure.

## 6. EXTERNAL PETITIONS

We need to discuss a policy on the acceptance, or otherwise, of external Petitions from sites such as Change.org, particularly where there is often no cut-off and the information can be provided at several different times and also there is no indication of our live, work or study in the Borough criteria. Often, external petitions will require the person signing to actively amend their settings so that this information is visible.

# FAREHAM

BOROUGH COUNCIL

## SCHEME OF DELEGATION TO OFFICERS



Deleted: April 2019

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Note : Reference should be made also to Part 1 Chapter 10 of the Constitution – Functions and Areas of Responsibility of Officers.



This delegation scheme is made under section 15(5) Local Government Act 2000.

~~Deleted: EXECUTIVE~~

~~Deleted: FUNCTIONS~~

~~Deleted: by the Executive of Fareham Borough Council on 15 May 2006 and comes into force on 1 June 2006.~~

## 1. General

- 1.1 In this scheme Chief Officer means a Director, a Chief Officer or the Solicitor to the Council and Monitoring Officer.
- 1.2 A local authority is a creature of statute and only has the power to act according to statutory provisions. In the same way, officers of the Council only have power to do those things which they are required by law to do or which the Council or its Executive have validly delegated to them.
- 1.3 Having the power or authority to take the action is a prerequisite for any officer to act but does not replace or override normal managerial arrangements for the performance and allocation of duties, and the need to consider what action to take in the light of the Council's stated priorities aims and objectives.
- 1.4 Whilst the exercise of a function by an officer under these arrangements is not made the subject of any precondition or qualification, an officer shall when exercising a discretion be under a duty to consider whether the decision conforms to Council approved policies and strategies and that in reaching the decision he/she has observed approved practices and procedures.
- 1.5 Any decision made by the Council, Committees, the Executive or an individual Executive Member authorises any officer of the Council to take all action necessary to implement the decision.
- 1.6 Any Executive or individual Executive Member, decision whether before or after the date of adoption of this scheme to delegate any specific function, power or authority is additional to and independent of any delegation made under this scheme.
- 1.7 The delegation of a function to a Chief Officer does not require the Chief Officer to give the matter his / her personal attention. The Chief Officer may delegate the matter to another officer, but the Chief Officer remains responsible for any decisions taken by such officers in his / her name.
- 1.8 The term "function" should be construed broadly and includes action taken which is calculated to facilitate or is conducive or incidental to the discharge of the function.
- 1.9 Save in respect of any statutory roles that are not capable of delegation, any power conferred on a subordinate officer shall be exercised by the relevant service director.
- 1.10 The Monitoring Officer shall have power to amend this scheme to reflect reorganisations, changes in job titles and vacancies, where changes result in the re-distributing existing delegations and not the creation of new ones.
- 1.11 Any post specifically referred to in the scheme shall be deemed to include any successors post, or a post which includes within the job description, elements relevant to any particular delegation, which were also present in the earlier post and shall include anyone acting up or seconded. Any power contained within this scheme in anticipation of any reorganisation may be exercised in accordance with the

**Commented [HA2]:** 1.9, 1.10, 1.11 and 1.12 - the Legal Team recommended these paragraphs be added.

preceding scheme to the date of that reorganisation.

1.12 All matters of interpretation of this document will be determined by the Monitoring Officer.

**2. Delegation to the Chief Executive Officer**

- 2.1 Power to exercise any of the powers conferred by the Council Executive on any Chief Officer or other officer under this scheme.
- 2.2 Power to undertake any Council or Executive function required to be undertaken by an “authorised officer” and to authorise any officer or other person to undertake any such function.

### 3. Delegation to the Solicitor to the Council

- 3.1 Power to institute and defend and take any other steps in any legal proceedings on behalf of the Council and to instruct external legal advisers on behalf of the Council.

### 4. Delegation to all Chief Officers

- 4.1 Power to authorise any officer for whom he or she has managerial responsibility to undertake any Council or Executive function required to be taken by an “authorised officer”.
- 4.2 Power to undertake all Council or Executive functions and make all decisions which the Executive is empowered to make except the following:
- 4.2.1 Matters on which the Executive is required by law or the Council’s constitution to make recommendations to the Council
  - 4.2.2 Amendments to the budget or capital programme which are above the limit for officer virements set out in the Council’s Financial Regulations
  - 4.2.3 The setting of fees and charges
  - 4.2.4 The adoption, amendment and revocation of policies and strategies
  - 4.2.5 The disposal or acquisition of or other dealing with land valued in excess of £ 10,000
  - 4.2.6 Matters which are required to be determined by the Executive under the Council’s Contract Standing Orders or Financial Regulations or other policy or strategy
  - 4.2.7 The making, variation or revocation of any statutory Orders or the granting of any consent or approval thereto
  - 4.2.8 The approval of Front Line Service Plans
  - 4.2.9 Agreements to deliver services in partnership with other local authorities or external partners
  - 4.2.10 Approval of documents forming part of the Fareham Local Development Framework
  - 4.2.11 Approval of Environmental Improvement Schemes in excess of £10,000
  - 4.2.12 The awarding of grants
  - 4.2.13 The amendment of Council house tenancy agreements

- 4.2.14 The writing off of any debt in excess of the amount specified in the Council's Financial Regulations
- 4.2.15 Adoption or amendment of a concessionary travel scheme
- 4.2.16 Approval of any member level appointment or attendance at an external meeting or conference as an "approved duty" under the Members' Allowances Scheme where approval of the Executive is required
- 4.2.17 The allocation of funding on initiatives for the prevention and detection of crime and tackling criminal damage and disorder

4.3 ~~Following~~ consultation with the relevant Portfolio Holder or the Executive Leader, authority to take any decision which would otherwise be taken by the Executive, but which requires an urgent decision

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## PLANNING COMMITTEE

This delegation scheme is made under section 101(2) of the Local Government Act 1972 by the Planning Development Control Committee of Fareham Borough Council on 14 June 2006 and comes into force with immediate effect.

### 1. General

1.1 In this scheme Chief Officer means the Director of Planning and Regeneration, the Head of Development Management, or the Solicitor to the Council and Monitoring Officer.

1.2 Having the power or authority to take the action is a prerequisite for any officer to act but does not replace or override normal managerial arrangements for the performance and allocation of duties, and the need to consider what action to take in the light of the Council's stated priorities aims and objectives. In exercising any power, authority or function the Chief Officer (or any officer to whom he or she has delegated the power or authority or function) shall be under a duty to consider whether the decision conforms to the Council's approved policies and strategies and that in reaching the decision he or she has observed all relevant and appropriate approved practices and procedures and taken into account all responses to publicity and statutory consultations.

1.3 A Chief Officer has power to authorise any officer for whom she or he has managerial responsibility, to undertake, discharge or exercise any of the functions or powers listed below. Whilst the Chief Officer may delegate any such matter to another officer, the Chief Officer remains responsible for any decisions taken by such officers in his/her name. Such powers and/or functions include those required to be taken by "an authorised officer".

1.4 Any power, authority or function should be construed broadly and includes any action taken which is calculated to facilitate or is conducive or incidental to the exercise or discharge of the power, authority or function.

1.5 A reference to any Act or Regulations shall include any revocation, modification or replacement thereof

### 2. Delegation to the Head of Development Management

2.1 Decisions on all applications for

- Planning permission (including renewals and those submitted by other officers relating to Council owned land)
- Listed building consent

**Deleted:** <#>A local authority is a creature of statute and only has the power to act according to statutory provisions. In the same way, officers of the Council only have power to do those things which they are required by law to do or which the Council or the Planning Development Control Committee have validly delegated to them.¶

- Conservation area consent
- Display of advertisements
- Hazardous substance consent
- Approval of reserved matters
- Approval of matters covered by a condition

Except those where:

- (i) An Elected Member registers a request before the expiry of the 21 day neighbour notification period, for a planning application to be reported to the Planning Committee for decision. Requests to call applications onto the Planning Committee are to be made in writing to the Head of Development Management and must explain the material planning reasons for the call-in. The reasons for calling items onto the agenda will be set out in the Planning Officers' reports.
- (ii) Any application submitted by or on behalf of a Member or an Officer of the Council, or their respective spouses, partners or close relations.
- (iii) Five or more representations (from different households) raising material planning reasons are received during the 21 day neighbour notification period which are contrary to the intended decision of the Head of Development Management. Multiple representations from the same household are to be treated as one representation.

22 The statutory power to decline similar applications

23 Decisions on minor amendments to the permissions, consents or approvals listed in 2.1

24 Authority to enter into agreements or obligations which arise from planning applications decide under delegated powers and power to discharge or modify such agreements or obligations.

25 Any action required in relation to complaints about High Hedges under the Anti-Social Behaviour Act 2003 or Regulations made thereunder other than complaints involving Council owned land or where the complainant or hedge owner is a Councillor or an Officer.

26 Authority to take all enforcement action authorised under the Town and Country Planning Act 1990, the Planning Hazardous Substances Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Planning and Compensation Act 2004 including (but without prejudice to the generality of the foregoing) the issue, variation and withdrawal of enforcement notices and listed building enforcement notices, stop and temporary stop notices, planning contravention notices, breach of condition notices, completion notices, hazardous

substances contravention notices, building preservation notices, urgent works notices and the carrying out of works in default and the recovery of expenses in connection therewith

- 27 On receipt of a Hedgerow Removal Notice, authority to determine whether the hedge is "important" in accordance with the Hedgerow Regulations 1997 except in respect of hedgerows owned by the Council.
- 28 In the case of "important" hedges, to issue Hedgerow Retention Notices and Hedgerow Replanting Notices in accordance with the above Regulations except in respect of hedgerows owned by the Council.
- 29 Authority to determine telecommunication mast applications, power to make determinations and the granting or refusal of prior approval under the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order).
- 210 Authority to decide whether an Environmental Assessment or Environmental Statement is required for any planning application to be determined.
- 211 Authority to deal with all future applications for screening and scoping opinions under the Town and Country Planning (Environmental Impact) (England and Wales) Regulations 1999
- 212 Authority to issue a notice under Section 215 of the Town and Country Planning Act 1990 (proper maintenance of land).
- 213 Authority to determine a certificate of existing or proposed lawful use or development
- ~~214~~ Power to respond to consultations from neighbouring local authorities and Hampshire County Council upon planning applications and the Forestry Commission upon felling licence applications
- ~~215~~ Authority to institute, defend, conduct and settle all legal proceedings on behalf of the Council and to instruct external legal advisers in respect of any of the functions and powers which are delegated to them under this Scheme
- 216 Authority to grant or refuse consent under a TPO for felling, pruning, lopping or topping a protected tree other than applications submitted by or on behalf of:
- (i) Elected Members, their spouses or partners
  - (ii) Council employees, their spouses or partners
  - (iii) Hampshire County Council

- 2.17 Authority to determine planning applications, following due consideration of any further material planning considerations, and amendments to and/ or additional planning conditions and amendments to and/ or additional heads of terms in related planning obligations where necessary, to address any likely significant effects identified through appropriate assessments where:

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- i. The application has already been considered by the Planning Committee;
- ii. The Planning Committee has resolved to grant planning permission; and
- iii. An appropriate assessment under the Conservation of Habitats and Species Regulations 2017 has been carried out and concluded that the proposed development will not have an adverse effect on European designated sites subject to mitigation where identified.

### 3. Delegation to the Director of Planning and Regeneration

- 3.1 Authority to make provisional Tree Preservation Orders (TPOs) (including those in Conservation Areas), the making of such Orders to be reported to the next available meeting of the Planning Development Control Committee.
- 3.2 The confirmation of unopposed TPOs.

### 4. Delegation to all Chief Officers

- 4.1 Authority to authorise any officer of the Council or Contractor for whom he/she has responsibility to enter onto land for any of the purposes authorised under the Town and Country Planning Act 1990, the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990, the Planning (Hazardous Substances) Act 1990, Part 8 of the Anti-Social Behaviour Act 2003, the Planning and Compensation Act 2004 or any Regulations made thereunder.
- 4.2 Authority, following consultation with the Chairman of the Planning Development Control Committee (or in his/her absence the Vice Chairman of that Committee), to exercise any of the functions of the Council which are delegated to the Committee, where in the opinion of the Chief Officer, such matter is urgent and cannot await the next scheduled meeting to the Committee, subject to the decision or action taken being reported to the next scheduled meeting of the Committee.

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Delegation to the Head of Development Management¶

Moved up [1]: <#>Authority to institute, defend, conduct and settle all legal proceedings on behalf of the Council and to instruct external legal advisers in respect of any of the functions and powers which are delegated to them under this Scheme¶

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## LICENSING AND REGULATORY AFFAIRS COMMITTEE

This delegation scheme is made under section 101(2) of the Local Government Act 1972 by the Licensing and Regulatory Affairs Committee (“the Committee”) of Fareham Borough Council on 18 September 2007 and comes into force on 19 September 2007.

### 1. General

1.7 In this scheme Chief Officer means the Council's Chief Executive Officer and the Director of Leisure and Community.

1.8 Having the power or authority to take the action is a prerequisite for any officer to act, but does not replace or override normal managerial arrangements for the performance and allocation of duties, and the need to consider what action to take in the light of the Council's stated priorities aims and objectives. In exercising any power, authority or function the Chief Officer (or any officer to whom he or she has delegated the power or authority or function) shall be under a duty to consider whether the decision conforms to the Council's approved policies and strategies and that in reaching the decision he or she has observed all relevant and appropriate approved practices and procedures and taken into account all responses to publicity and statutory consultations.

1.9 A Chief Officer has power to authorise any officer for whom he or she has managerial responsibility, to undertake, discharge or exercise any of the functions or powers listed below. Whilst the Chief Officer may delegate any such matter to another officer, the Chief Officer remains responsible for any decisions taken by such officers in his/her name. Such powers and/or functions include those required to be taken by “an authorised officer”.

1.10 Any power, authority or function should be construed broadly and includes any action taken which is calculated to facilitate or is conducive or incidental to the exercise or discharge of the power, authority or function.

1.11 A reference to any Act or Regulations shall include any revocation, modification or replacement thereof.

### 2. Delegation to the Director of Leisure and Community

2.1 The Director of Leisure and Community is authorised to discharge any function of the Licensing and Regulatory Affairs Committee

- As a licensing and registration authority
- In relation to Health and Safety
- In relation to safety at sports grounds

**Deleted:** <#>A local authority is a creature of statute and only has the power to act according to statutory provisions. In the same way, officers of the Council only have power to do those things which they are required by law to do or which the Council or the Committee has validly delegated to them.¶

- In relation to fire safety
- In relation to the approval of premises (including vessels and markets)
- In relation to gambling
- In relation to smoke-free legislation
- Under Section 142 of the Highways Act 1980 (Power to licence planting retention and maintenance of trees etc in part of the highway).
- Under Section 149 Highways Act 1980 (Powers relating to the removal of things so deposited on highways as to be a nuisance)
- Under Section 32 of the Acquisition of Land Act 1981 (Power to extinguish certain public rights of way)
- Under Section 294 of the Housing Act 1981 (Power to extinguish public right of way over land acquired for clearance).

and any other function that is or becomes the responsibility of the Committee.

With the exception of those matters reserved to the Committee by law or by any Council policy.

#### **4. Delegation to the Chief Executive Officer of the Council**

- 4.1 The Chief Executive Officer is authorised to discharge any function of the Committee in relation to Election Services with the exception of those matters reserved to the Committee by law or by any Council policy.
- 4.2 The Chief Executive Officer is authorised to make decisions regarding discretionary payments on early termination of employment in accordance with the Council's approved policy statement and with The Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006.

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## PROPER OFFICER APPOINTMENTS

Ref No.	Source	Power Delegated	Proper Officer
1.	Local Government and Housing Act 1989 Section 4	To be the "Head of the Paid Service"	Chief Executive Officer
2.	Local Government and Housing Act 1989 Section 5	To be the "Monitoring Officer"	Director of Support Services
3.	Local Government Act 1972 Section 151 as amended by Local Government Finance Act 1988 Section 14  Local Government and Housing Act 1989 Section 139  Schedule 5 Local Government Act 1972 Section 101	To be the officer responsible for financial administration	Deputy Chief Executive Officer
4.	Local Government Act 1972 Section 229(5)	To certify a photocopy of a document in the custody of the Council to enable it to be used in legal proceedings instead of the original in any matter	Chief Executive Officer Solicitor to the Council
5.	Local Government (Misc Provisions) Act 1976 Section 41	To certify a copy of an order, report or minutes as a true copy and evidence in legal proceedings	Chief Executive Officer Solicitor to the Council
6.	Local Government Act 1972 Section 234(1)and(2)	To sign formal notices, orders or other documents which the Council are authorised or required to do by or under any enactment	Chief Executive Officer Solicitor to the Council

7.	Local Government Act 1972 Section 101	To attest the Common Seal of the Council for any purpose	Chief Executive Officer Solicitor to the Council Deputy Chief Executive Officer Monitoring Officer Director of Planning and Regeneration Director of Support Services Director of Leisure and Community
8.	Local Government Act 1972 Section 101	To act in all appropriate cases in the event of the "Proper Officer" and designated deputy in respect of a function being absent or otherwise unable to act	Chief Executive Officer
9.	Local Government Act 1972 Section 101	To be the "Proper Officers" in relation to any reference in any enactment passed before or during the 1971/72 Session of Parliament or in any instrument made before 26 October 1972	Chief Executive Officer Solicitor to the Council Directors and Chief Officers
10.	Local Government Act 1972 Section 100B (2)	To determine those reports or parts of reports which contain exempt information and are not available to the public.	Monitoring Officer Head of Democratic Services
11.	Local Government Act 1972 Section 100B (7)	To determine which reports or parts of reports contain exempt information and are not available for supply to newspapers.	Monitoring Officer Head of Democratic Services

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12.	Local Government Act 1972 Section 236(1) and (9)	To send copy of Byelaws to the County Council and other authorities.	Solicitor to the Council
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13.	Local Government Act 1972 Section 238	To certify printed copy of Byelaws made by Council	Solicitor to the Council
14.	Local Government Act 1972 Section 243 (2)	To keep the Roll of Freemen of the Borough	Chief Executive Officer
15.	Local Government Act 1972 Section 99 and Paras (4)(2)(b) and 3 of Schedule 12	To sign summons to meetings and to specify to whom and where notices should be sent	Chief Executive Officer
16.	Local Government Act 1972 Section.270	To be the Proper Officer for the purpose of taking declarations made by candidates in accordance with the Representation of the People Acts 1983 and 1985 in relation to the election expenses of Borough Council candidates	Chief Executive Officer Head of Democratic Services
17.	Representation of the People Act 1983. Section 8.	To be the Electoral Registration Officer for the Fareham County Constituency and that part of the Gosport Borough Constituency within the administrative area of Fareham Borough Council	Chief Executive Officer
18.	Representation of the People Act 1983. Section 52.	In the event of the absence or incapacity of the Chief Executive Officer or of a vacancy, to undertake any of the acts with respect to the Electoral Registration Officer in accordance with Section 52	Head of Democratic Services
19.	Representation of the People Act 1983 Section 35	To be the Returning Officer for Borough Council Elections	Chief Executive Officer
20.	Local Government Act 1972 8 Section 3	To witness and receive declarations of acceptance of office.	Chief Executive Officer or, in his or her absence, Head of Democratic Services.

21.	Local Government Act 1972 Section 84	To receive written notice of resignation by the Mayor, Deputy Mayor and councillors	Chief Executive Officer or, in his or her absence, Head of Democratic Services.
22.	Local Government Act 1972 Section 88(2)	To convene meetings of the Council to fill a vacancy in the office of Mayor (where such a casual vacancy occurs)	Chief Executive Officer or, in his or her absence, Head of Democratic Services.
23.	Local Government Act 1972 Section 96(1) and (2)	To receive notices of pecuniary interest by councillors and to keep records of disclosures of pecuniary interests	Monitoring Officer Solicitor to the Council
24.	Health and Safety at Work etc Act 1974	<p>(a) To exercise the powers of an Inspector specified in:</p> <p>(1) Sections 20, 21, 22, 25 and 39 of the 1974 Act</p> <p>(2) Any Health and Safety Regulations; and</p> <p>(3) The provisions of the Acts mentioned in Schedule 1 to the 1974 Act which are specified in the 3rd column of that schedule and of the Regulations, Orders or other instruments of a legislative character made or having effect under any provision so specified, as enforced from time to time;</p> <p>(b) To institute proceedings pursuant to Section 38 of the 1974 Act;</p> <p>but not to the extent that these functions are</p>	<p>Director Leisure and Community or in his absence Head of Environmental Health or a Principal Environmental Health Officer</p>

		discharged in the Council's capacity as an employer	
25.	Health and Safety at Work etc Act 1974 Section 19	To exercise the powers of an Inspector specified in: (1) Sections 20; 21; 22 and 25  (2) Any Health and Safety Regulations; and (3) The provisions of the Factories Act 1961 and the Offices, Shops and Railway Premises Act 1963 mentioned in Schedule 1 to the 1974 Act which are specified in the 3rd column of that Schedule and of the Regulations, Orders or other instruments of a legislative character made or having effect under any provisions so specified as in force from time to time  but not to the extent that these functions are discharged in the Council's capacity as an employer	Director of Leisure and Community; Head of Environmental Health; Principal Environmental Health Officers; Senior Environmental Health Officers; Environmental Health Officers; and Environmental Health Technical Officers (Section 20 only).
26.	Zoo Licensing Act 1981	Appointment as Inspector for the purposes of Sections 10, 11 and 12 of the Act and any amending statutes and regulations	Veterinary Surgeon
27.	Riding Establishments Acts 1964 and 1970	Appointment as Inspectors to carry out inspections of riding establishments on behalf of the Council	Veterinary Surgeons
28.	Animal Boarding Establishments Act 1963	Appointment as Inspectors to carry out	Veterinary Surgeons



		inspections of animal boarding establishments on behalf of the Council	
29.	Pet Animals Act 1951	Appointment as Inspectors to carry out inspections of pet shops on behalf of the Council	Veterinary Surgeons
30.	Town Police Clauses Act 1847 Local Government (Miscellaneous Provisions) Act 1976 Part II	Appointment as Authorised Officer for the purposes of the Acts and any Regulations made thereunder	Director of Leisure and Community
31.	Local Government Act 1972 Section 101	Designation as District Controller for civil emergency purposes	Chief Executive Officer
32.	Local Government Act 1972 Section 100B, 100C and 100F	To be the "Proper Officer" for the purposes of the Act	Chief Executive Officer, or, in his or her absence, Solicitor to the Council.
33.	Local Government Act 1972 Section 100D	To be "Proper Officers" for the purposes of Section 100D(1)(a) and 100D(5)(a) of the Local Government Act 1972	Chief Executive Officer, Directors and Chief Officers
34.	Local Government and Housing Act 1989	To be the "Proper Officer" and "Designated Officer" for the purposes of the Act	Chief Executive Officer, or, in his or her absence, Solicitor to the Council, Deputy Chief Executive Officer
35.	Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012	To be the Proper Officer for the purposes of publication of information under the Regulations	Chief Executive Officer Monitoring Officer Solicitor to the Council
36.	Local Government Act 1972 Section 115(2)	To be the person to whom all officers shall pay moneys received by them and due to the local authority	Deputy Chief Executive Officer

37.	Freedom of Information Act 2000	To be the Qualified Person for the purposes of Section 36 of the Act.	Monitoring Officer Chief Executive Officer
38.	Local Government Act 1972 Section 146	To make declarations and to issue certificates in connection with the holding or transfer of securities held by the Council or the payment of dividend or interest	Deputy Chief Executive Officer
39.	Local Government Act 1972 Section 191(2)	To receive notices from Ordnance Survey in relation to ascertaining or locating local authority boundaries	Head of Democratic Services
40.	Local Government Act 1972 Section 210(6) and (7)	To exercise any charity functions exercised by officers of the "old" local authority whenever there is no "holder of a corresponding office" in the "new" local authority	Chief Executive Officer
41.	Local Government Act 1972 Section 225	To receive and give receipt for any document required to be formally deposited with the Council	Solicitor to the Council Head of Democratic Services
42.	Para 5 of Schedule 2 of the Licensing Act 1964 as amended by Section 204(3) and Para 6 of Schedule 25 of the Local Government Act 1972	To be the "Proper Officer" to whom notice of application for justices' licence is to be given.	Director of Leisure and Community
43.	Public Health (Control of Disease) Act 1984, as amended, and Regulations made thereunder	To act for such of the functions relating to notification, investigation, prevention and control of notifiable diseases and food poisoning as require the services of a registered medical practitioner	Director of Leisure and Community Consultants in Communicable Disease Control as appointed from time to time
44.	Housing Act 1985 (as amended)	Appointment as "Proper Officer" for the purposes of the Act	Deputy Chief Executive Officer
45.	Rent Act 1977	Appointment as "Proper Officer" for the	Deputy Chief Executive Officer

46.	Local Authorities (Standing Orders) (England) Regulations 2001, Schedule I, Part II	To notify Executive members of any proposed appointment or dismissal of the Chief Executive Officer (Head of Paid Service) or Chief Officer.	Monitoring Officer or in the event of a conflict of interest, Solicitor to the Council
47.	Local Government and Housing Act 1989 Local Authorities (Standing Orders) (England) Regulations 2001	Appointment and dismissals to Deputy Chief Officer posts, subject to notification to the Executive	Chief Executive Officer Relevant Director or Chief Officer
48.	National Assistance Act 1948 and Section 1 of the National Assistance (Amendment) Act 1951;  Public Health Acts The Public Health (Ships) Regulations	Power to Act including application to courts for any necessary orders in relation to removal to suitable premises of persons in need of care and attention.  Control of disease	Deputy Chief Executive Officer; and  Such person as is for the time being on the Health Protection Agency Public Health on-call rota covering Hampshire and the Isle of Wight
49.	Regulation of Investigatory Powers Act 2000. Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Order 2000.	Authorisation to undertake covert surveillance	Chief Executive Officer Deputy Chief Executive Officer
50.		To monitor and review the operation of the Code of Corporate Governance and report annually to Audit and Governance Committee on compliance with Code and proposing any changes necessary to ensure its effectiveness	Monitoring Officer
51.	Homelessness Act 2002	Proper Officer for the purposes of the Act	Deputy Chief Executive Officer

