

FAREHAM

BOROUGH COUNCIL

AGENDA

HEALTH AND PUBLIC PROTECTION

SCRUTINY PANEL

Date: Tuesday, 18 January 2022

Time: 6.00 pm

Venue: Council Chamber - Civic Offices

Members:

Councillor Miss J Bull (Chairman)

Councillor Ms S Pankhurst (Vice-Chairman)

Councillors Mrs P M Bryant
Mrs T L Ellis
J M Englefield
Miss T G Harper
G Kelly

Deputies: P J Davies
L Keeble
Mrs K K Trott



1. Apologies for Absence

2. Minutes (Pages 5 - 8)

To confirm as a correct record the minutes of the meeting of the Health and Public Protection Scrutiny Panel held on 18 August 2021.

3. Chairman's Announcements

4. Declarations of Interest and Disclosures or Advice or Directions

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

5. Deputations

To receive any deputations of which notice has been lodged.

6. Executive Business (Pages 9 - 10)

To consider any items of business dealt with by the Executive since the last meeting of the Panel, that falls under the remit of the Health and Public Protection Portfolio. This will include any decisions taken by individual Members during the same time period.

(1) Draft Agreement with English Heritage regarding charging at the Council's Portchester Castle car parks (Pages 11 - 12)

7. Executive Member Update

To receive a verbal update from the Executive Member on matters relating to the Health and Public Protection portfolio, e.g the Police and Crime Panel and Local Strategic Health issues.

8. Availability of Burial Plots in the Council's Cemeteries (Pages 13 - 14)

To receive a presentation by the Head of Streetscene which outlines availability of burial plots in the Council's cemeteries.

9. Health and Public Protection Scrutiny Panel Priorities

To provide an opportunity for Members to consider the scrutiny priorities for the Health and Public Protection Panel.



P GRIMWOOD

Chief Executive Officer

Civic Offices

www.fareham.gov.uk

06 January 2022

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FAREHAM

BOROUGH COUNCIL

Minutes of the Health and Public Protection Scrutiny Panel

(to be confirmed at the next meeting)

Date: Wednesday, 18 August 2021

Venue: Council Chamber - Civic Offices

PRESENT:

Councillor Miss J Bull (Chairman)

Councillor Ms S Pankhurst (Vice-Chairman)

Councillors: Mrs P M Bryant, Mrs T L Ellis, J M Englefield, Miss T G Harper
and Mrs K K Trott

Also Present: G Fazackarley, Mrs J Kelly and R H Price, JP



1. APOLOGIES FOR ABSENCE

There were no apologies for absence given at this meeting, however it was noted that Councillor J K Kelly was unable to sit on the Panel due to a pecuniary interest.

2. MINUTES

An amendment to paragraph 7 on page 4 of the minutes was agreed to clarify that Sovereign Healthcare represent three Primary Care Networks.

RESOLVED that, subject to the amendment above, the minutes of the Health and Public Protection Scrutiny Panel meeting held on 13 July 2021 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that this meeting of the Health and Public Protection Scrutiny Panel had been convened to consider the Individual Executive Member Decision made by the Executive Member for Health and Public Protection on Wednesday 28 July 2021. That decision agreed to adopt the updated Off-Street Parking Places (Amendment 4) Order which was appended to the report.

The Chairman informed the Panel that the decision had not yet been implemented because it had been called-in by 3 non-Executive Members, as per the Council's Constitutional arrangements.

The Chairman explained that after the report on the item had been presented, she would invite Councillors Price, Fazackarley and Mrs Kelly as the representatives of the call-in, to present the reasons they had given for calling-in the decision. The Executive Member for Health and Public Protection would then be invited to join the meeting to explain how the decision on adoption of the Traffic Regulation Order was reached. The Chairman also explained that she had asked the Council's Solicitor to intervene at any point in the meeting where she felt that discussion was straying into matters outside the terms of the call-in notice.

The Chairman reminded members that the Scrutiny Panel is tasked with considering the reasons given for the call-in and could only determine if the decision had been handled appropriately. She went on to explain that the options open to the Scrutiny Panel were either:

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

4. DECLARATIONS OF INTEREST AND DISCLOSURES OR ADVICE OR DIRECTIONS

There were no declarations of interest made at this meeting.

5. DEPUTATIONS

The Panel received the deputations as listed in the table below. It was confirmed that all Deputies had been advised prior to the meeting that deputations must be on the grounds relating to the reasons for call-in only and that the Chairman may intervene if necessary.

| Name | Item | Type of Deputation |
|-----------------|---|--------------------|
| Bronwyn Kirk | Item 6 – Executive Member Decision No 2291 – Portchester car parks Traffic Regulation Order | In person |
| Janet Cooke | -ditto- | Written |
| Gareth Jones | -ditto- | Written |
| Graham Allibone | -ditto- | Written |
| Kate Tame | -ditto- | In person |
| John Halsey | -ditto- | Written |
| Keith Barton | -ditto- | Written |
| Neil Young | -ditto- | Written |
| John Elkington | -ditto- | In person |
| Percy O'Dell | -ditto- | In person |
| Sally Young | -ditto- | In person |
| Gerry Kelly | -ditto- | In person |

The Deputies were thanked accordingly for providing their deputations.

6. CALL IN OF INDIVIDUAL EXECUTIVE MEMBER DECISION NO: 2291 - PORTCHESTER CAR PARKS TRAFFIC REGULATION ORDER - CONSIDERATION OF CONSULTATION RESPONSES

The Panel received the deputations referred to in Minute 5 above in respect of this item.

The Panel considered a report by the Head of Democratic Services which outlined the reasons given for the call-in of the Executive Member decision regarding the Portchester Castle car parks Traffic Regulation Order. An amendment at paragraph 1 of the report was noted in that the Executive Member for Health and Public Protection resolved to adopt the Updated Off-Street Parking Places (Amendment 4) Order on the 28 July and not on 18 July

as stated. A number of Appendices were attached to the report to further assist the Panel in its review of the decision. Appendices A and B provided a copy of the call-in notice which cited the grounds for the call-in.

Councillor R H Price, JP, summarised the reasons put forward for the call-in and answered points for clarification from the Panel.

Councillor G Fazackarley addressed the Panel to make a statement of support for the call-in.

At the request of the Chairman, the Solicitor clarified the legal position with regards to the consultation requirements in making a Traffic Regulation Order and confirmed that, in this case, the requirements had been complied with.

At the invitation of the Chairman, the Executive Member for Health and Public Protection joined the meeting and was called upon to advise the Panel of the process undertaken in making the decision and how the decision was reached. The Executive Member answered questions put to him by the Panel and then, in accordance with the Council's constitution, left the meeting and was not present for the remainder of the meeting.

The Chairman confirmed that having considered all the reasons given for the call in, the Panel now had to consider its options as set out in the report. That being either:

- (a) to accept the decision made by the Executive Member for Health and Public Protection, in which case the decision could be implemented; or
- (b) to request that the Executive Member for Health and Public Protection reconsider the decision, giving reasons for such a request.

A motion was proposed by Councillor Mrs P M Bryant and seconded by Councillor Ms S Pankhurst to accept the decision made by the Executive Member for Health and Public Protection and to allow the decision to be implemented. Councillor J Englefield requested a recorded vote and the vote was therefore carried out by roll call. On being put to the vote, the motion was declared CARRIED (Councillors Ms S Pankhurst, Mrs P M Bryant and Mrs T L Ellis voting in favour, Councillors J Englefield and Mrs K K Trott voting against and Councillor Miss T Harper abstaining.)

RESOLVED that the Health and Public Protection Scrutiny Panel accepts the decision made by the Executive Member for Health and Public Protection and agrees that the decision to adopt the updated Off-street Parking Places (Amendment 4) Order be implemented.

(The meeting started at 6.02 pm
and ended at 8.15 pm).

FAREHAM

BOROUGH COUNCIL

Report to Health and Public Protection Scrutiny Panel

Date **18 January 2022**

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

Subject: **EXECUTIVE BUSINESS**

SUMMARY

One of the key functions of the Scrutiny Panels is to hold the Executive Portfolio Holder and Senior Officers to account in the delivery of the service and the Improvement Actions identified in the Council's Corporate Priorities and Corporate Vision.

Members are therefore invited to consider the items of business that fall under the remit of the Health and Public Protection portfolio and have been dealt with by the Executive since the last meeting of the Panel. This also includes any decisions taken by individual Executive Members.

The relevant notices for decisions taken are attached for consideration.

RECOMMENDATION

It is recommended that Members consider the items of Business discharged by the Executive since the last meeting of the Panel and make any comments or raise any questions for clarification.

FAREHAM

BOROUGH COUNCIL

2021/22
Decision No.
2294

Record of Decision by Executive

Thursday, 26 August 2021

| | |
|----------------------------|---|
| Portfolio | Health and Public Protection |
| Subject: | Draft agreement with English Heritage regarding charging at the Council's Portchester Castle car parks |
| Report of: | Director of Leisure and Community |
| Corporate Priority: | Dynamic, prudent and progressive Council |

Purpose:

This report sets out the main terms of a proposed legal agreement with English Heritage (EH) which, if approved and subsequently signed by the Council and EH, would allow the introduction of charging in the two car parks at Portchester Castle.

At the meeting of the Executive on 07 September 2020, the introduction of £1 hourly charging for up to 6 hours, between the hours of 10am and 6pm in the Borough's nine coastal car parks was approved.

The Council faces significant financial challenges, made worse by COVID-19, and the additional parking income generated will help to ensure that the Council is able to continue to provide a good level of parking enforcement and maintenance as well as invest in parking infrastructure.

Two of the nine coastal car parks that the Council owns are located on the site of Portchester Castle. A Guardianship Agreement is in place at the castle, which provides English Heritage some powers over the activities within the castle grounds.

Extensive negotiations with English Heritage (EH) have been undertaken regarding the introduction of charging in the two Portchester Castle car parks. An agreement has now been reached and is presented at confidential Appendix B for approval.

Despite unforeseeable delays in production and delivery of the solar powered pay and display machines, charging started on 01 August in four of the highest use car parks, using temporary payment machines. It is anticipated that charging will begin in the next few weeks in the remaining car parks, alongside the two at Portchester if the agreement with EH is approved.

Season ticket sales for all coastal car parks commenced on 26 July 2021 with over 160 sales in the first 3 days.

Options Considered:

Updated confidential Appendices A and B to the report were tabled for consideration at the meeting, containing updated information to the draft agreement proposals with English Heritage.

Deputations were received from Mr Neil Young and Mrs Sally Young, representing St Mary's church.

At the invitation of the Executive Leader, Councillor R H Price, JP addressed the Executive on this item. As Councillor Price wished to comment on information contained in the confidential Appendices, it was proposed and agreed that the meeting move into private session.

At the conclusion of the discussion on the confidential Appendices, the meeting moved back into open session.

Decision:

RESOLVED that the Executive:

- (a) approves the agreement with English Heritage, as detailed in the updated confidential Appendix B to the report, to allow hourly charging and season ticket use in the two Portchester Castle car parks; and
- (b) delegates authority to the Director of Leisure and Community, following consultation with the Executive Member for Health and Public Protection, to agree any minor amendments to the agreement.

Reason:

The introduction of hourly charging and season ticket use in the two Portchester Castle car parks would generate much needed revenue to help ensure the continued provision of a good level of enforcement and maintenance as well as investment in parking infrastructure.

Confirmed as a true record:

Councillor SDT Woodward (Executive Leader)

Thursday, 26 August 2021

FAREHAM

BOROUGH COUNCIL

Presentation to Health and Public Protection Scrutiny Panel

Date: 18 January 2022

Presentation by: Head of Streetscene

Subject: Availability of burial plots in the Council's Cemeteries

SUMMARY

To receive a presentation by the Head of Streetscene which outlines availability of burial plots in the Council's cemeteries.

RECOMMENDATION

It is recommended that Members consider the presentation and make any comments or raise any questions for clarification.

