

FAREHAM

BOROUGH COUNCIL

Minutes of the Council

Date: Thursday, 11 October 2018

Venue: Council Chamber - Civic Offices

PRESENT:

Mrs S M Bayford
(Mayor)

Mrs P M Bryant
(Deputy Mayor)

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



1. PRAYERS

The meeting opened with prayers led by Reverend Gavin Foster of St. John's Church, Locks Heath.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors K A Barton, J E Butts, J M Englefield, G Fazackerley and S D Martin.

3. MINUTES

RESOLVED that the Mayor be authorised to sign as a correct record the Minutes of the meeting of the Council held on 26 July 2018.

4. MAYOR'S ANNOUNCEMENTS

The Mayor asked that Members pause for a moment of reflection following the recent deaths of Mr Martin Heneghan and of former Mayoress, Mrs Christine Keeble. Members were invited to hold Councillors Mrs Carolyn Heneghan, Leslie Keeble and Mrs Tina Ellis in their thoughts at this sad time.

The Mayor announced that on Saturday 13 October at St Mary's Church Warsash, Soloist Maria-Brigid Ryan, Chris Milburn and Sign4Life will be hosting an Autumn Charity Concert from 7.30pm.

The Mayor also made the following announcements:-

On the 2nd December, Portchester Parish Hall will host a lunch with Councillor Mike Ford as Guest Speaker talking about his recent cycle ride from Land's End to John O'Groats. Tickets for this event are £11;

On the 10th December, Rhian Fashion house are hosting a Fashion show and Lunch at the Concorde Club, Eastleigh with half of the proceeds going to Abby's Heroes Charity. Tickets are £40 and more details can be found on the Council's Website;

The Mayor's next tea party will take place on the 1st November, where Alan Jenkins will give a talk on Pantomimes and on the 6th December, Carol Barnden will give a talk on Christmas Flowers. Both tea parties will start at 2.30pm in the Mayor's Parlour and tickets are available at £4 each.

The Mayor advised the meeting that she had received donations for her charities of £7,500 from HMS Collingwood and £3,000 from Fareham In Bloom.

5. EXECUTIVE LEADER'S ANNOUNCEMENTS

There were no Executive Leader announcements made at this meeting.

6. EXECUTIVE MEMBERS' ANNOUNCEMENTS

The Executive Member for Health and Public Protection announced that in respect of Air Quality, work is continuing to work towards improving Fareham's air and also complying with the Ministerial Direction issued in July last year. Consultants are still working to establish if Fareham will be in non-compliance with EU Nitrogen Dioxide levels (40 ug/m³) between now and 2021. At the moment the results are still emerging, although work is continuing to establish an achievable suite of measures to reduce any pollution, together with timescales for their implementation.

He stated there has been an impressive response to the Council's Let's Clear the Air Together publicity campaign and accompanying Air Quality Consultation, which asks for feedback on our draft measures to ensure air quality remains good within the Borough.

Launched on 4 September, nearly 1,100 people and organisations have so far commented on the 11 measures proposed. Interest has been so great, particularly on social media, that the original deadline has been extended by a week to 15 October.

Whilst supportive in principal of these measures, a common theme to emerge has been concern over whether they can be successfully implemented locally and if enough research has been carried out to ensure their effectiveness at reducing NO₂ levels.

Measures supported overall:

- Measure 1: Make local buses and taxis greener
- Measure 2: Encouraging more cycling and walking through research, identifying sites for bike storage and hire as well as extending cycle and pedestrian paths.
- Measure 4 (strongly supported): Review traffic lights in Fareham and Gosport
- Measure 5 (strongly supported): Promote more bus and ferry use, through better promotion and more season ticket promotions
- Measure 6: Increase the bus stops equipped with real time information (RTI)
- Measure 7: Create travel plans for popular destinations
- Measure 8: Encourage businesses to make their fleets greener through voluntary accreditation schemes
- Measure 9 (strongly supported): Install more electric vehicle charging points (EVCPs)
- Measure 10 (strongly supported): Research whether some bus routes could be improved

Measures not supported:

- Measure 3: Employing an air quality engagement officer to work with local businesses to reduce emissions

- Measure 11 (very strongly opposed): Set up a charging clean air zone

The Executive Member for Health and Public Protection stated that further updates will be provided in due course.

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

There were no deputations made at this meeting.

10. REPORTS OF THE EXECUTIVE

- (1) Minutes of meeting Monday, 3 September 2018 of Executive

RESOLVED that:

- (a) the minutes of the Executive held on Monday 03 September 2018 be received; and
 - (b) the recommendations of the Executive contained in minute 12(4): Review of Policy Development and Review Panels and Scrutiny Board Meetings be noted and considered later in this agenda under item 15.
- (2) Schedule of Individual Executive member and Officer Delegated Decisions

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

11. REPORTS OF OTHER COMMITTEES

- (1) Minutes of meeting Wednesday, 18 July 2018 of Planning Committee

RESOLVED that the minutes of the Planning Committee held on Wednesday 18 July 2018 be received.

- (2) Minutes of meeting Wednesday, 12 September 2018 of Planning Committee

RESOLVED that the minutes of the Planning Committee held on Wednesday 12 September 2018 be received.

- (3) Minutes of meeting Tuesday, 18 September 2018 of Licensing and Regulatory Affairs Committee

RESOLVED that the minutes of the Licensing and Regulatory Affairs Committee held on Tuesday 18 September 2018 be received.

- (4) Minutes of meeting Monday, 23 July 2018 of Audit and Governance Committee

RESOLVED that:

- (a) the minutes of the Audit and Governance Committee held on Monday 23 July 2018 be received; and
(b) the recommendations of the Audit and Governance Committee contained in minute 14: Procurement and Contract Procedure Rules be noted and considered later in this agenda under item 16.

- (5) Minutes of meeting Monday, 17 September 2018 of Audit and Governance Committee

RESOLVED that the minutes of the Audit and Governance Committee held on Monday 17 September 2018 be received.

12. QUESTIONS UNDER STANDING ORDER 17.2

Questions by Councillor J Forrest:

1. How many sites in the Borough designated as Open Space are not owned by Fareham Council?
2. What is the total area of such sites?
3. What percentage does that represent of the total area of Open Space?
4. What powers do Fareham Council have to protect their continued use as Open Space?

Responses given by the Executive Member for Planning and Development:

1. There are currently 140 sites that are designated as open space as shown on the adopted Development Sites and Policies Plan, Policies Map (2015) that are either completely or substantially outside of the Council's ownership. (For reference, there are 340 sites designated as open space on the adopted Policies Map 2015).
2. The combined total area of these sites is approximately 305.72ha.
3. The total area of all designated open space in the Borough is approximately 637.49ha. Therefore 305.27 of privately owned open space represents 47.9% of the total area of designated open space provision in the Borough.
4. National Planning Policy Framework and Local Plan Policy

Local Planning Authorities, such as Fareham Borough Council, have local plan policies which provide a significant amount of protection to the continued use of open space (CS 21 of the Adopted Core Strategy), in

light of current national policies and other material considerations when determining planning applications.

Paragraph 97 of the National Planning Policy Framework (2018) relating to open space, restricts development on existing open space, sport and recreational buildings and land, including playing fields unless one of three criteria are met. These are an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in term of quantity and quality in a suitable location; or the development is for alternative sports and recreation provision, the benefits of which clearly outweigh the loss of the current or former use.

In terms of Local Plan Policy, Policy CS21 in the Council's Adopted Core Strategy (2011) relates to Open Space. Policy CS21 predates the 2012 NPPF however, the policy, to paraphrase, is designed to restrict the loss of existing open space to development unless it can be shown that the piece of open space is of poor quality, under-used, or has low potential for open space and a better quality replacement site is provided which is equivalent in terms of accessibility and size.

Whilst the emerging Draft Local Plan sought to update policies in light of national planning policy at the time of publication, the basis for planning decisions for development on open space would interpret Policy CS21, in light of current NPPF, which has been subsequently updated in July this year (2018).

Helpful Background Information:

Definition of Open Space-

The National Planning Policy Definition of Open Space is "All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity." (NPPF. 2018. Glossary, Page 69.)

Examples-

An example of privately owned public open space- Wallington Water Meadows
Publicly owned public open space- Cams Alders Recreation Ground

Questions from Councillor Mrs K K Trott:

1. Does the Executive Leader agree that as 2018 is the Centenary of women in this country being able to vote, a suitable way to mark this would be to remove the prefixes Mrs, Miss and Ms from councillors' names when they appear on Council papers and when they are being addressed in meetings?
2. Does he agree that Fareham Council regards its male and female councillors as equals, as indicated by the fact that such honorifics are not used on councillors' name badges or in 'Fareham Today' and other publicity material?

3. Does he acknowledge that their continued use in meetings serves only to indicate the marital status of women councillors, but not of men?

Response given by the Executive Leader:

It is for individual female Members to decide how they wish to be addressed in meetings or on Council papers and all Councillors have always been treated in meetings as equals. I do not however believe the centenary of many women still being excluded from the right to vote is of any relevance to the custom and practice of Fareham Borough Council. In fact, it was 90 years ago that all women over 21 were allowed to vote regardless of whether or not they owned property. Therefore, the time to celebrate the centenary of universal suffrage will be in 2028.

13. MOTIONS UNDER STANDING ORDER 15

There were no Motions received at this meeting.

14. APPOINTMENTS TO COMMITTEES

As a report was due to be presented to Council later in the meeting which included recommendations for appointments to committees, this item was dealt with under Item 15.

15. REVIEW OF POLICY DEVELOPMENT AND REVIEW PANELS AND SCRUTINY BOARD MEETINGS

The Council considered a report by the Head of Democratic Services on the review of Policy Development and Review Panels and Scrutiny Board meetings.

The recommendations of the Executive were taken into account in determining this item, referred to in minute 10(1) above.

Councillor R H Price proposed an amendment in respect of recommendation (d) that two further provisional dates for meetings for each Scrutiny Panel be agreed in advance and added to the meeting schedule.

Having been duly seconded by Councillor Mrs K K Trott, the amendment was LOST with five Councillors voting in favour and 20 voting against.

During the debate on this item, Councillor J S Forrest proposed an amendment to recommendation (k), to remove the words "and amend the Constitution" and in their place to add the words "the constitution and bring amendments to the next Council meeting".

During the debate on this amendment, which was seconded by Councillor R H Price, JP, and following advice from the Solicitor to the Council, Councillor S D T Woodward suggested that recommendation (k) should be amended to read "agrees that subject to approval of the above, delegated authority be given to

the Council's Monitoring Officer to bring for information consequent amendments to the Constitution to the next Council meeting to:".

In considering this, the amendment was withdrawn and debate continued with it being RESOLVED that the Council:

- (a) agrees to dissolve the Policy Development and Review Panels;
- (b) agrees that a Scrutiny Panel for each of the 6 Executive Portfolios be created;
- (c) agrees that, subject to (a) and (b) above, the current Scrutiny Board is dissolved;
- (d) agrees that each Scrutiny Panel be scheduled to meet 4 times per municipal year, with additional meetings created by the Scrutiny Panel, if necessary;
- (e) agrees that, subject to (d) above, the revised schedule of meetings for the remainder of the municipal year 2018/19 be approved, as set out in Appendix A;
- (f) approves the schedule of meetings for the municipal year 2019/20, as set out in Appendix C and notes that the meetings of the Executive have been set by the Executive Leader;
- (g) agrees that the deputation scheme be amended to allow members of the public to apply to give a deputation on any subject, to the relevant Scrutiny Panel;
- (h) agrees that, subject to (a), (b) and (c) above, a revised allocation of seats for the remainder of the municipal year 2018/19 be approved, as set out in Appendix D;
- (i) agrees the revised nominations of the political groups to seats on committees, chairmen, vice chairmen, deputies and spokesmen, for the remainder of the municipal year 2018/19, as set out at Appendix E;
- (j) agrees the changes to the Member's Allowance Scheme, as set out from paragraph 57 of the report; and
- (k) agrees that subject to approval of the above, delegated authority be given to the Council's Monitoring Officer to bring for information consequent amendments to the Constitution to the next Council meeting to:
 - i. create the new functions of the Scrutiny Panels;
 - ii. amend the Call-In procedures to reflect the changes to Portfolio Scrutiny Panels;
 - iii. amend the Deputation Scheme;

- iv. amend the Members' Allowances Handbook; and
- v. make any other minor or ancillary changes arising required to give effect to this report.

16. PROCUREMENT AND CONTRACT PROCEDURE RULES

The Council considered a report by the Head of Democratic Service and Head of Finance and Audit in respect of Procurement and Contract Procedure Rules.

The recommendation of the Audit and Governance Committee was taken into account in determining this item, referred to in minute 11(4) above.

RESOLVED that the Council:

- (a) approves and adopts the Procurement and Contract Procedure Rules policy document, as attached at Appendix B; and
- (b) approves that the budget expenditure authorisation limits in Financial Regulation 4 are changed to match the limits for awarding and signing contract in the new Procurement and Contract Procedure Rules, as outlined in Appendix.

(The meeting started at 6.00 pm
and ended at 6.56 pm).