

FAREHAM

BOROUGH COUNCIL

Minutes of the Council

Date: Thursday, 12 December 2013

Venue: Council Chamber - Civic Offices

PRESENT:

Mrs S M Bayford
(Mayor)

D J Norris
(Deputy Mayor)

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



1. PRAYERS

The meeting opened with prayers led by the Mayor's Chaplain, Reverend Paul Bedford of the United Reformed Church in Fareham.

The Mayor invited all Members of the Council and members of the public present to observe a minute's silence, as a mark of respect and in memory of former Mayor, Mike Nobes who died on 20 October 2013 and former Mayor, Leader of the Council and Alderman Ernest Crouch, who died on 13 November 2013.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J V Bryant and N R Gregory.

3. MINUTES

RESOLVED that the Mayor be authorised to sign as a correct record the minutes of the meeting of the Council held on 10 October 2013.

4. MAYOR'S ANNOUNCEMENTS

The Mayor passed on her personal condolences to Councillor Whittle following the very sad loss of his wife Deborah who passed away after an illness on 5 November 2013.

The Mayor stated that the work of the charity committee had seen some very well attended events recently such as the tea party held on the 5 December to which around 68 people turned out to see a Christmas floristry display.

The Mayor confirmed that the next tea party would be on 6 February 2014 with a talk on "Filming in Fareham" by John Collier and that the next charity event would be the quiz night at Palmerston Bowling Club on 1 February 2014 for which tickets can be purchased from Councillor Keeble.

5. EXECUTIVE LEADER'S ANNOUNCEMENTS

Green Deal and ECO Partnership Board

The Executive Leader advised that the Council had been asked to appoint a representative to the newly formed Green Deal and ECO (Energy Company Obligation) Partnership Board which will report to HIOWLA (Hampshire and Isle of Wight Local Authorities).

Having been duly proposed and seconded, it was AGREED that Councillor B Bayford be appointed as the representative to the Green Deal and ECO Partnership Board.

Residents' Survey Results 2013

The Executive Leader announced that preliminary results from the 2013 Residents' Survey show that Fareham residents have given resounding thumbs up to the development of Welborne. He stated that nearly three-quarters of residents agreed that planning for a new community at Welborne was the right approach to meeting Fareham's future housing needs and to help stop piecemeal development taking place in the countryside that separates the different communities in the Borough.

The Executive Leader commented that there were some geographical differences in the results, with wards such as Warsash (88%) and Titchfield Common (89%) expressing particularly strong support for Welborne. There was also considerable support in wards close to the Welborne site, with 45% in Fareham East and 50% in Fareham North in favour of the development.

Looking to other results, the Executive Leader was pleased to report that this year's results also show that the already high levels of resident satisfaction have steadily risen since the 2009 and 2011 surveys with 89% of residents thinking the Council provides value for money (7% more than in 2009); 97% being happy with their local area (2% more than in 2009) and 91% of residents being happy with the way the Council runs things.

The Executive Leader confirmed that a report with the further results would be presented at the next meeting of the Executive.

6. EXECUTIVE MEMBERS' ANNOUNCEMENTS

The Executive Member for Public Protection provided an update on two recent prosecutions:

In October, Fareham Borough Council successfully prosecuted a builder for 6 offences of the Building Regulations in relation to dangerous electrical work carried out at a property in Locks Heath.

The builder was fined £3,000 for the breaches and was ordered to pay £1,500 in costs to Fareham Borough Council and £5,637 in compensation to the current owner of the property.

The Executive Member for Public Protection commented that the offences represented serious and dangerous breaches of the Building Regulations and the level of fines, costs and compensation reflected this. He stated that it also highlights the important role that the Council's Building Control Service provides in ensuring correct and safe standards of work is undertaken and that enforcement action can be taken where these standards are breached.

The Executive Member for Public Protection advised Members that in November, Fareham Borough Council successfully prosecuted The Cormorant Public House Portchester, for five offences under the Food Hygiene Regulations.

The company were fined £12,000 and ordered to pay full costs to the Council (£1,794).

The Executive Member for Public Protection commented that this highlights the important work undertaken by officers of the Council to ensure that food standards are maintained in premises throughout the borough and reflects the action that can be taken where premises fail to meet the required standards.

The Executive Member for Public Protection stated that both prosecutions highlight the important work in ensuring safe standards are maintained within the borough whether it is in respect of a building or food safety. He also highlighted the contribution that was made by the Southampton and Fareham Legal Services Partnership in achieving the successful prosecutions.

Emergency Planning Exercise

The Executive Member for Public Protection provided a brief on the recent Emergency Planning Exercise held on 3 December 2013. The exercise scenario was that following two weeks of heavy rainfall, the River Wallington's levels were at an all-time high. The Executive Member for Public Protection attended the exercise to observe and was impressed with what he witnessed.

He confirmed that this was the first test for the Emergency Control team since the real incident in Wallington last year and that the lessons learned from the incident were incorporated into the test scenario, including using the new layout of the Emergency Control Centre on floor 8 of the Civic Offices.

The Executive Member for Public Protection stated that officers from Hampshire County Council's Emergency Planning Unit were present at the exercise and they concluded that it was a good response to the incident which demonstrated that Fareham Borough Council has well equipped facilities and well trained staff who are more than capable at responding to a major incident and meeting their statutory obligations of the Civil Contingencies Act 2004.

7. DECLARATIONS OF INTEREST

The Executive Leader declared a Non-Pecuniary Interest for item 14(3) – Motions under Standing Order 15 as he is the Hampshire County Council Executive Member for Economy, Transport and Environment.

He remained present throughout the meeting but did not take part in the debate and abstained from the vote on the matter.

8. PRESENTATION OF PETITIONS

A petition of approximately 56 signatures was presented by Councillor Mrs S Pankhurst entitled "We, the residents of Priestfields, Titchfield Common, are concerned the road design of the newly completed Fragorum Fields development allows motorists to drive towards the upper limit of the 30mph zone. We feel this is appropriate for a small residential area. We deem our roads unsafe and would like to see a 20mph limit with clear signage and road markings introduced."

A petition of approximately 16 signatures was presented by Councillor P J Davies entitled "We the undersigned agree that cavity wall installation should

be considered at Arras House because the flats are extremely cold with many residents having problems with damp which in itself is a hazard to health. The hope is that this will be taken into consideration when deciding whether this can be looked into as a possible solution”.

The Mayor advised that both petitions would be dealt with in accordance with Fareham Borough Council’s petition scheme.

9. DEPUTATIONS

There were no deputations given at this meeting.

10. REPORTS OF THE EXECUTIVE

The minutes of the meeting of the Executive held on 7 October 2013, 4 November 2013 and 2 December 2013 were presented to the Council, together with a schedule of decisions made by individual Executive Members.

(1) Minutes of meeting Monday, 7 October 2013 of Executive

The minutes of the meeting of the Executive held on 7 October 2013 were presented to the Council.

RESOLVED that:-

- (a) the minutes of the Executive meeting held on 7 October 2013 be received; and
- (b) the recommendation of the Executive contained in minute 12(1): Annual Review of the Council’s Finance Strategy, to approve the updated Pay Policy be agreed.

(2) Minutes of meeting Monday, 4 November 2013 of Executive

The minutes of the meeting of the Executive held on 4 November 2013 were presented to the Council.

RESOLVED that the minutes of the Executive meeting held on 4 November 2013 be received.

(3) Minutes of meeting Monday, 2 December 2013 of Executive

The minutes of the meeting of the Executive held on 2 December 2013 were presented to the Council.

RESOLVED that:-

- (c) the minutes of the Executive meeting held on 2 December 2013 be received; and

- (d) the recommendation of the Executive contained in minute 10(1): Council Tax Support Scheme 2014/15, to approve the final scheme be noted as this item would be dealt with under item 16 of the Council agenda; and
 - (e) the recommendation of the Executive contained in minute 10(4): Updates to the Constitution, to agree the updated Standing Orders with Respect to Meetings be noted as this item would be dealt with under item 18 of the Council agenda.
- (4) Schedule of Individual Executive Decisions

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

11. REPORT OF THE SCRUTINY BOARD

The minutes of the meeting of the Scrutiny Board held on 21 November 2013 were presented to the meeting.

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

RESOLVED that the minutes of the Scrutiny Board meeting held on 21 November 2013 be received.

12. REPORTS OF OTHER COMMITTEES

The minutes of the following Committee meetings were presented to Council.

- (1) Minutes of meeting Wednesday, 9 October 2013 of Planning Committee

RESOLVED that the minutes of the meeting of the Planning Committee held on 9 October 2013 be received.

- (2) Minutes of meeting Wednesday, 20 November 2013 of Planning Committee

RESOLVED that the minutes of the meeting of the Planning Committee held on 20 November 2013 be received.

- (3) Minutes of meeting Tuesday, 5 November 2013 of Strategic Planning and Environment Policy Development and Review Panel

RESOLVED that the minutes of the meeting of the Strategic Planning and Environment Policy Development and Review Panel held on 5 November 2013 be received.

- (4) Minutes of meeting Wednesday, 6 November 2013 of Leisure and Community Policy Development and Review Panel

RESOLVED that the minutes of the meeting of the Leisure and Community Policy Development and Review Panel held on 6 November 2013 be received.

- (5) Minutes of meeting Thursday, 24 October 2013 of Streetscene Policy Development and Review Panel

RESOLVED that the minutes of the meeting of the Streetscene Policy Development and Review Panel held on 24 October 2013 be received.

- (6) Minutes of meeting Tuesday, 12 November 2013 of Public Protection Policy Development and Review Panel

RESOLVED that the minutes of the meeting of the Public Protection Policy Development and Review Panel held on 12 November 2013 be received.

- (7) Minutes of meeting Thursday, 14 November 2013 of Health and Housing Policy Development and Review Panel

RESOLVED that the minutes of the meeting of the Health and Housing Policy Development and Review Panel held on 14 November 2013 be received.

- (8) Minutes of meeting Tuesday, 19 November 2013 of Licensing and Regulatory Affairs Committee

RESOLVED that the minutes of the meeting of the Licensing and Regulatory Affairs Committee held on 19 November 2013 be received.

- (9) Minutes of meeting Monday, 25 November 2013 of Audit and Governance Committee

The minutes of the meeting of the Audit and Governance Committee held on 25 November 2013 were presented to the Council.

RESOLVED that:-

- (a) the minutes of the meeting of the Audit and Governance Committee held on 25 November 2013 be received;
- (b) the recommendation of the Audit and Governance Committee contained in minute 6: Latest Financial Regulations Update to approve the changes to Regulation 19 be agreed;
- (c) the recommendations of the Audit and Governance Committee contained in minute 7: Corporate Anti-Fraud and Corruption Policy to note the Committee's comments regarding intolerance towards acts of fraud and corruption against the Council and to adopt the revised Anti-Fraud and Corruption Policy be agreed; and
- (d) the recommendations of the Audit and Governance Committee contained in minute 9: Contract Procedure Rules to approve the changes the Contract Procedure Rules be agreed.

13. QUESTIONS UNDER STANDING ORDER 17.2

There were two sets of questions submitted for this meeting:

Questions from Councillor P J Davies to the Executive Leader:

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

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

Response by the Executive Leader:

1. The Housing Benefit expenditure in the 3 years referred to was
 - a. 2011/12 - £17,075,987 (actual)
 - b. 2012/13 - £18,675,739 (actual)
 - c. 2013/14 - £20,034,000 (estimate)
2. The alignment of the rules ensures that housing benefit across both sectors is based upon the reasonable accommodation needs of the claimant and their household. Tenants can choose whether to occupy appropriately sized accommodation where available, or pay the shortfall themselves. There are however still some notable differences between the calculation of housing benefit for those in the social sector and the private sector.
 - The size criteria applies to all claimants in the private sector not just those of working age.
 - The benefit rates for the private sector are determined by the Valuation Office Agency and are a reflection of market rents in the locality. The rates are set annually and are restricted to a maximum weekly value for each size category – a 'shared accommodation' rate for single claimants under 35 years and rates for one, two, three and four bedrooms. Regardless of family size, there is no benefit payable above the four bedroom rate. For the social sector, if the tenant is considered to be under-occupying their accommodation, HB rates are simply reduced by 14% for under-occupation by one bedroom or 25% for under-occupation by two bedrooms or more. There is no 'shared accommodation' rate - a single person is entitled to one bedroom regardless of their age.
3. The effect of the reduction in the spare room subsidy for the under 60s on the total Housing Benefit bill is 3.5%.
4. I would agree that it is unfair to pay more Housing Benefit to a claimant for extra rooms while living in the social rented sector than it would be paid if living in the private rented sector. It is reasonable therefore that claimants who under-occupy their homes in the social rented sector make some contribution towards, or move from, their more generously-sized accommodation.

Questions from Councillor P J Davies to the Executive Member for Leisure and Community:

5. Would the Executive Member agree that Westbury Manor Gardens is an oasis of bucolic and sylvan charm?

6. Can the Executive Member explain why Westbury Manor Gardens closes at 5pm even in summer?

Response by the Executive Member for Leisure and Community:

5. Yes, I would agree that Westbury Manor Gardens does offer a wonderful sanctuary in the middle of our busy town centre.
6. Being an enclosed area, unfortunately it is susceptible to instances of anti-social behaviour. Therefore, to prevent such behaviour and protect the gardens, arrangements have been made with our cleaning contractors to lock the garden gates at around 6pm when they come to the town centre to close the Trinity Street public conveniences. Also Westbury Manor Museum closes around this time which means there is no informal supervision of the gardens. While it would be desirable to keep the gardens open for longer during the summer, the current arrangements provide an effective method of ensuring the gardens remain an oasis of beauty and charm for visitors to enjoy for the majority of the day.

14. MOTIONS UNDER STANDING ORDER 15

- (1) Motion received 26 November 2013 by the Executive Leader:

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

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

Upon being proposed and duly seconded, the Motion was declared CARRIED (26 Members voting in favour and 1 Member voting against).

- (2) Motion received 2 December 2013 by the Executive Leader:

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

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

Following a debate on the item, it was agreed to amend the wording of the Motion in order to clarify that the Council would recommend to the Executive to change the name of the new sheltered housing scheme on the site of the former Collingwood House as “Ernest Crouch Court”.

It was noted that a report would be presented to the Executive to explore how the Collingwood name would continue to have a presence within the scheme.

Upon being proposed and duly seconded, the Motion was declared CARRIED unanimously.

(3) Motion received 3 December 2013 by Councillor P J Davies:

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

The Executive Leader declared a Non-Pecuniary Interest for this Motion as he is the Hampshire County Council Executive Member for Economy, Transport and Environment.

He remained present throughout the meeting but did not take part in the debate and abstained from the vote on the matter.

Upon being proposed and duly seconded, the Motion was declared CARRIED (25 Members voting in favour, 1 Member voting against and 1 abstention).

15. APPOINTMENTS TO COMMITTEES

There were no changes to appointments to committees made at this meeting.

16. COUNCIL TAX SUPPORT SCHEME 2014/15

RESOLVED that:

- (a) the Council approves the Council Tax Support scheme 2014-15, as recommended by the Executive at their meeting of 2 December 2013; and
- (b) delegated authority is given to the Director of Finance and Resources to make any necessary minor amendments and to publish the final scheme prior to 1 April 2014.

17. THE HAMPSHIRE PARTNERSHIP

RESOLVED:

- (a) that the Council agrees to Fareham Borough Council being part of the new Hampshire Partnership; and
- (b) that the Deputy Executive Leader represents the Council at these meetings with the Executive Leader deputising as necessary.

18. UPDATES TO THE CONSTITUTION

RESOLVED that the revised version of the Standing Orders with Respect to Meetings, as appended to the report, be adopted subject to the following amendments:

- i. the removal of the second paragraph at Standing Order 15.7; and
- ii. the removal of the words “of any member of the Council” at Standing Order 57.1.

19. SCHEDULE OF COUNCIL AND COMMITTEE MEETINGS: 2014-15

RESOLVED that the Council:

- (a) confirms its intention to hold the annual meeting of the Council in 2014 on 29 May following the introduction of legislation to vary the date of the local government elections and that accordingly Standing Order 1.1 with respect to meetings be suspended for 2014;
- (b) suspends for 2014-15 the requirements of the Constitution and of Standing Orders with respect to meetings in relation to the minimum number of meetings that must be held during the municipal year; and
- (c) approves the proposed schedule of Council and other meetings for the municipal year 2013-14, as set out at Appendix A to the report.

(The meeting started at 6.00 pm
and ended at 8.04 pm).