

HAVANT BOROUGH COUNCIL  
PUBLIC SERVICE PLAZA  
CIVIC CENTRE ROAD  
HAVANT  
HAMPSHIRE P09 2AX

Telephone: 023 9247 4174  
Fax: 023 9248 0263  
Website: [www.havant.gov.uk](http://www.havant.gov.uk)



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BOROUGH COUNCIL

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## CABINET AGENDA

**Membership:** Councillor Cheshire (Chairman)

Councillors Wilson, Briggs, Guest, Weeks and Bains

**Meeting:** Cabinet

**Date:** Wednesday 16 March 2016

**Time:** 2.00 pm

**Venue:** Hurstwood Room, Public Service Plaza, Civic Centre Road,  
Havant, Hampshire PO9 2AX

The business to be transacted is set out below:

Nick Leach  
Monitoring Officer

8 March 2016

Contact Officer: Penny Milne 02392446234  
Email: [penny.milne@havant.gov.uk](mailto:penny.milne@havant.gov.uk)

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### **PART 1 (Items open for public attendance)**

**1 Apologies for Absence**

To receive and record any apologies for absence.

**2 Minutes**

**1 - 6**

To confirm the minutes of the last meeting held on 3 February 2016.

**3 Matters Arising**

To consider any matters arising from the minutes of the last meeting.

**4 Declarations of Interests**

**5 Chairman's Report**

**6 Recommendations from the Scrutiny Board**

To consider the following recommendations from the Scrutiny Board:

**6a Safeguarding**

**7 - 14**

**PART 2 (Confidential items - closed to the public)**

None.

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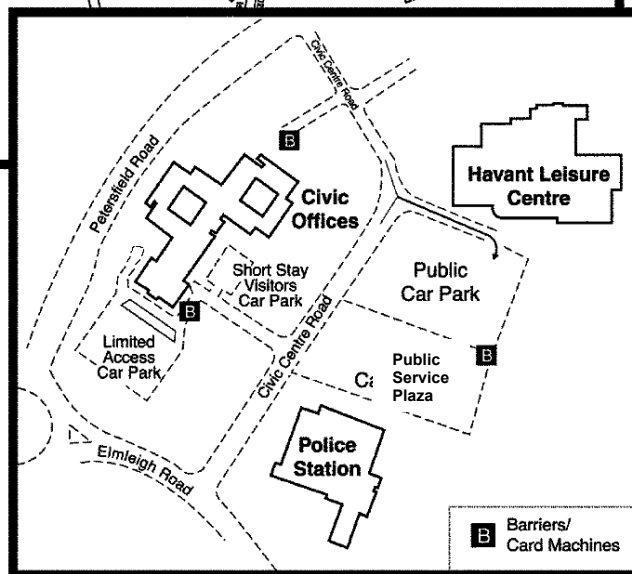
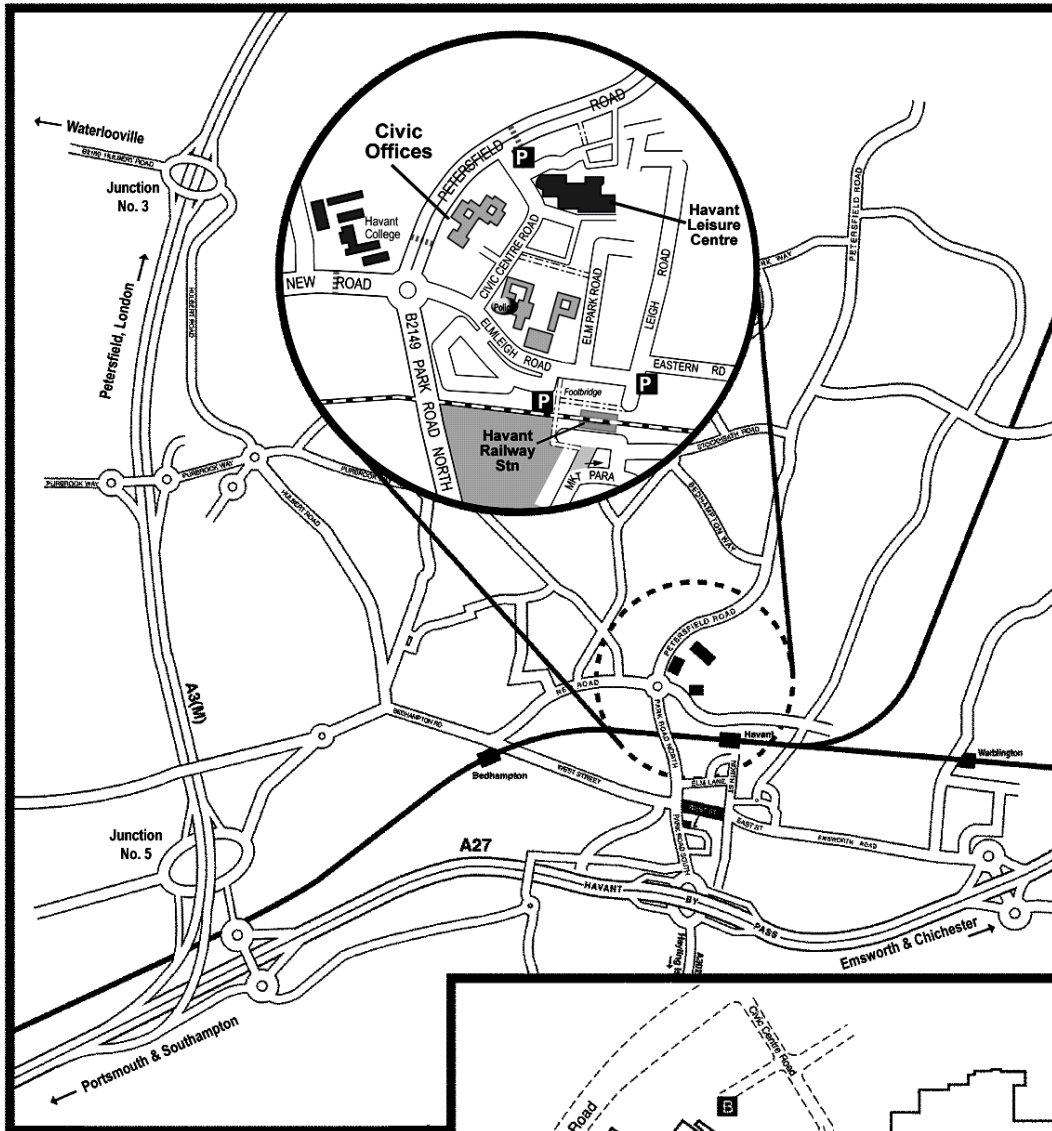
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## HAVANT BOROUGH COUNCIL

At a meeting of the Cabinet held on 3 February 2016

Present

Councillor Cheshire (Chairman)

Councillors Wilson, Briggs, Fairhurst, Guest and Weeks

### **209 Apologies for Absence**

There were no apologies for absence.

### **210 Minutes**

The minutes of the Cabinet meetings held on 18 November 2015 and 20 January 2016 were approved as a correct record.

### **211 Matters Arising**

There were no matters arising from the minutes of the last meetings.

### **212 Declarations of Interests**

There were no declarations of interests from any of the members present.

### **213 Chairman's Report**

There were no matters the Chairman wished to report.

### **214 Cabinet Lead Delegated Decisions, Minutes from Meetings etc.**

RESOLVED that the following minutes and delegated decisions be noted:

- (1) Minutes of the meeting of the Portchester Crematorium Joint Management Committee held on 14 December 2015;
- (2) Annual Monitoring Report;
- (3) Government consultation on CIL;
- (4) Representation on Outside Bodies – Leigh Park Community Association Management Committee;
- (5) Proposed TRO in Rest-a-Wyle Avenue and Kings Road.

With regard to (4) above, Cabinet was advised that, since the delegated decision had been taken, the Association has been dissolved and that this appointment was no longer required.

### **215 Recommendations from the Scrutiny Board**

#### **215a Councillor Lone Working Procedure**

The Cabinet considered a report and recommendations from the Scrutiny Board setting out guidance for Councillors on managing risks when working alone.

RESOLVED that the draft Councillor Lone Working Procedure be circulated to all members and be included in the Councillor Induction Pack.

## **216 Draft Revenue and Capital Budget 2016/17**

The Leader presented the draft Budget strategy for 2016/17 for onward recommendation to full Council. The Leader invited Councillor Jackie Branson as Chairman of the Scrutiny Board to join the meeting and present the findings and recommendations of the Budget Scrutiny Panel arising from its recent scrutiny review of the budget proposals.

The Budget Scrutiny Panel had requested responses from the Deputy Leader in relation to a number of questions set out in their report and an assurance was given that full written responses would be circulated to the Panel members following the meeting.

**(A)** RECOMMENDED to Full Council:

- (1) The proposed Revenue & Capital budgets for 2016/17. The proposed revenue budget will maintain the Council tax Band D charge at the current rate of £192.78;
- (2) The Treasury Management Strategy & Prudential Indicators, movements in specific reserves and the General Fund, and the Prices for Services; and

**(B)** RESOLVED that, on the basis that the current contract for CCTV shall not expire until 1 June 2016, Cabinet invites Scrutiny to consider the alternative options available, for both provision and funding, and report back to Cabinet by 1 April 2016.

## **217 Capital Funding for New Parking Meters**

Councillor Briggs presented a report seeking approval for the release of Capital funding to allow for the procurement of new parking meters across the Borough.

RESOLVED that the full amount of funding £201,168 is released to allow the procurement of parking meters as set out in Option 4 set out in the report.

## **218 Parking Supplementary Planning Document**

Councillor Guest presented a report setting out the outcome of the Supplementary Planning Document (SPD) consultation which, on adoption, would replace the current Residential Parking and Cycle Provision SPD which was adopted on 22 March 2010 and the Non-Residential Parking Standards in the Local Plan (Core Strategy).

Cabinet members debated the proposals, however significant concern was expressed that the standards for parking provision set out in the report could not be considered as adequate and Cabinet was therefore minded not to recommend the draft SPD to Council for approval.

RESOLVED that the Parking Supplementary Planning Document be not recommended to Council for approval.

### **219 Havant Energy Strategy**

Councillor Guest presented a report setting out a draft Energy Strategy for onward recommendation to Council for approval.

RECOMMENDED to full Council that

- (1) the Energy Strategy for Havant set out in Appendix 1 to the report be approved and;
- (2) the Next Steps highlighted in section 4.4 of the report be agreed.

### **220 Exclusion of the Press and Public**

RESOLVED that the press and the public be excluded from the meeting during the consideration of the following items as:-

- (i) it was likely, in view of the nature of the business to be transacted, or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information as specified in paragraph 3 of Part I of Schedule 12A (as amended) to the Local Government Act 1972; and
- (ii) in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The reports to be considered were exempt under Paragraph 3 – Information relating to the financial affairs or business affairs of any particular person (including the Authority holding that information).

### **221 Environmental Health Delivery Model**

*(This item was taken in camera)*

Councillor Briggs presented an exempt report setting out the proposed delivery model for Environmental Health where East Hampshire District Council and Havant Borough Council form a joint Venture to deliver Environmental Health functions for both Councils.

RESOLVED that

- (1) Havant Borough Council works towards a Joint Venture with East Hampshire District Council to deliver the Environmental Health function for both Councils;
- (2) the current service restructure creates a shared leadership team with a shared Service Manager and shared Team Leaders. Below Team Leader staff will remain direct employees of each Council to reflect demand within that Council's boundaries;
- (3) Havant Borough Council uses the £14,422 savings released from the proposed Team Leader structure to offset the cost of investing in staff; and
- (4) Havant Borough Council increases the Environmental Health salary budget by £11,060 in order to address identified service deficiencies.

## **222 5 Councils' Corporate Services procurement - Contract Award Report**

*(This item was taken in camera)*

Councillor Fairhurst presented an exempt report setting out the outcome of the Corporate Services Tendering exercise and recommending award of the contracts. The report also outlined the proposed joint arrangements for the management of the contracts. Cabinet was asked to approve the finalisation of a new Inter-Authority Agreement for the life of the new contract and to recommend to full Council the constitutional changes necessary to introduce a new Joint Committee and Joint Overview and Scrutiny Committee.

Councillor Jackie Branson as Chairman of the Scrutiny Board was invited to join the meeting and present the findings and recommendations of the Scrutiny Panel arising from its recent scrutiny review of the 5 Councils proposals, which sought an assurance that the Panel would continue to be consulted on the proposals prior to entering into the contract.

**(A) RESOLVED** that Cabinet:



- (1) Agrees the award of Lot 1 and Lot 2 services on the following basis:
- (i) Designates Capita as the preferred bidder for Lot 1 of the 5 Councils new joint corporate services contract commencing 1 October 2017 and delegates authority to the Chief Executive to implement the services as set out in paragraph 4.3.1, including the option of an earlier start date for some or all of the services, if this offers best value to the Council;
  - (ii) Designates Vinci as the preferred bidder for Lot 2 of the 5 Councils new joint corporate services contract commencing 1 October 2017 and delegates authority to the Chief Executive to implement the services as set out in paragraph 4.4.1 including the option of an earlier start date for some or all of the services, if this offers best value to the Council;
  - (iii) Authorises the Chief Executive in consultation with the Cabinet Lead for Marketing & Development, to agree final terms and complete the new corporate services contract documents and authorises the Monitoring Officer to enter into the contracts and any other necessary agreements;
  - (iv) Agrees to enter into an Inter-Authority Agreement with the four partner councils substantially in the form attached (Appendix 1 to the Cabinet report) and delegates to the Chief Executive authority to finalise the terms of the agreement and to enter into the agreement;
  - (v) Agrees to the establishment of a joint client team, based on the principles established (Appendix 2 to the Cabinet report), and to delegate authority to the Chief Executive, in consultation with the Cabinet Lead for Marketing & Development, to seek any minor changes to the Inter-Authority Agreement as necessary and the Monitoring Officer be delegated to sign the agreement on behalf of the Council; and
  - (vi) Agrees that the 5 Districts Procurement Scrutiny Panel is consulted before commencement dates for the contracts for Lots 1 and 2 are agreed with the successful bidders.
- (B) RECOMMENDED** to full Council that the following be approved:
- (1) To establish a Joint Committee in accordance with the details outlined in Appendix 3 to the Cabinet report and to delegate authority to the Chief Executive, in consultation with the Cabinet Lead for Corporate Services, to make any minor changes to the Joint Committee terms of reference as necessary and the Monitoring Officer be delegated to sign the agreement on behalf of the Council; and

- (2) To establish a Joint Overview and Scrutiny Committee with details outlined in appendix 4 to the Cabinet report and to delegate authority to the Chief Executive, in consultation with the Cabinet Lead, in consultation with the 5 Councils Procurement Scrutiny Panel, to make any minor changes to the Joint Committee terms of reference as necessary and the Monitoring Officer be delegated to sign the agreement on behalf of the Council.

**223 5 Councils' Corporate Services Procurement - Inter-Authority Agreement**

(This item was taken in camera)

RESOLVED as set out in the restricted minute.

**The meeting commenced at 2.00 pm and concluded at 3.20 pm**

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**Chairman**

**NON EXEMPT**

**HAVANT BOROUGH COUNCIL**

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**CABINET**

**16 March 2016**

## **SAFEGUARDING**

### **Recommendations of the Scrutiny Board**

**Cabinet Lead: Councillor Yvonne Weeks**

**Key Decision: No**

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#### **1.0 Purpose of Report**

- 1.1 At its meeting held on 23 January 2016, the Scrutiny Board considered a report (Appendix A) from the Community Scrutiny and Policy Development Panel, setting out its findings and recommendations on the Safeguarding Policy.

#### **2.0 Recommendations**

1. the Safeguarding Children, Young People and Vulnerable Adults Policy be amended to reflect the requirements of the Modern Slavery Act 2015.
2. the Safeguarding Children, Young People and Vulnerable Adults Policy be amended to reflect the impact of the Prevent Agenda.
3. all councillors shall undertake the e-learning “Basic Safeguarding Awareness “ Course to ensure that all councillors are aware of their role in this area.
4. a councillor training session be arranged to ensure that all councillors are aware of the safeguarding policy and their role in this area.
5. the Council’s policies be amended to include the statutory responsibilities relating to missing, exploited and trafficked children
6. the Council’s letting policies be amended to include the statutory responsibility introduced by the PREVENT Agenda.
7. the on line safeguarding report form be made more accessible to staff and councillors

- 8 the Council consider amending the training for taxi and private hire drivers to include Child Sexual Exploitation awareness
- 9 the feasibility of all councillors undertaking a DBS check be investigated
- 10 a progress report be submitted to the Board within six months.

### **3.0 Subject of Report**

3.1 The Board considered that in addition to the recommendations contained in the report:

- (a) the Council's letting policies should be amended to include the statutory responsibilities introduced by the Prevent Agenda;
- (b) the Council's policies be amended to include the statutory responsibilities relating to missing, exploited and trafficked children;
- (c) the Council amend the training for taxi and private hire drivers/operators to include Child Exploitation awareness; and
- (d) the feasibility of undertaking DBS checks for all councillors be investigated

#### **Background Papers:**

The Safeguarding Children, Young People and Vulnerable Adults Policy

#### **Agreed and signed off by:**

Legal Services: 2 March 2016

Financial Services: 3 March 2016

Executive Head for Economy and Communities: 2 March 2016

**Contact:** Councillor Lenaghan  
**Job Title:** Scrutiny Lead for Communities

**SAFEGUARDING**

**Report by the Community Scrutiny and Policy  
Development Panel**

**FOR RECOMMENDATION**

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**1.0 Purpose of Report**

**1.1** The Panel has undertaken a review of the Safeguarding Children, Young People and Vulnerable Adults Policy and the Council's safeguarding arrangements to ensure that they are fit for purpose.

**2.0 Recommendations**

**2.1** The Safeguarding Children, Young People and Vulnerable Adults Policy be amended to reflect the requirements of the Modern Slavery Act 2015.

**2.2** The Safeguarding Children, Young People and Vulnerable Adults Policy be amended to reflect the impact of the Prevent Agenda.

**2.3** All councillors be required to undertake the e-learning "Basic Safeguarding Awareness " Course to ensure that all councillors are aware of their role in this area.

**2.4** A councillor training session be arranged to ensure that all councillors are aware of the safeguarding policy and their role in this area.

**2.5** The on line safeguarding report form be more accessible to staff and councillors

**2.6** A progress report be submitted to the Board within six months.

**3.0 Summary**

**3.1** The Panel concluded that overall the Council took its safeguarding arrangements very seriously and was undertaking steps to update the policy to reflect the Prevent Agenda and the Modern Slavery Act 2015.

3.2 However, a number of improvements have been identified which focus on maintaining the profile of this area to ensure staff and councillors are fully aware of the role they play in safeguarding arrangements

#### **4.0 Membership of the Panel**

4.1 Councillors Lenaghan (Scrutiny Lead), Howard (Deputy Lead), Francis, Kerrin, Patrick and D Smith

#### **5.0 Panel's Brief**

5.1 The Communities Scrutiny and Policy Development Panel was requested to review the Safeguarding Children, Young People and Vulnerable Adults Policy ("Safeguarding Policy") and the Council's safeguarding arrangements.

5.2 The introduction of the Modern Slavery Act 2015 and growing concerns about the radicalisation of vulnerable people had demonstrated the need to review the current Safeguarding policy and arrangements to ensure they are fit for purpose.

#### **6.0 Scope of the Review**

6.1 The review aimed to:

- the implication of ensure that the current Safeguarding Policy complies with the Modern Slavery Act 2015
- To ensure that the Safeguarding Policy is designed to prevent the radicalisation of vulnerable young people
- Investigate the safeguarding training provided to staff and councillors

#### **7.0 Method of the Review**

7.1 The principle method used to undertake the review was interviews with a range of Council officers to develop an understanding of the issues and new legislation and to develop.

7.2 The Panel also received a presentation from Inspector Dave Humphries on the Modern Slave Partnership.

7.3 To gain an understanding of the current training provided to staff and councillors. Members of the Panel undertook the mandatory staff training course.

#### **8.0 Witnesses**

8.1 Witnesses who gave evidence to the Panel were:

- Tim Slater, Executive Head (Communities)
- Claire Hughes, Service Manager, Communities
- Tim Pointer, Neighbourhood and Development Team Leader
- Sara Bryan, Acting Solicitor to the Council
- Inspector Dave Humphries, Hampshire Constabulary

## **9.0 Key Findings**

### **Areas of Good Practice**

#### **The Role of the Council in Safeguarding**

- 9.1 Evidence was provided to show that the Council understood its role in safeguarding children and that it was taken seriously: a Joint Policy with East Hampshire District Council has been adopted (“Safeguarding Children, Young People and Vulnerable Adults Policy”).
- 9.2 Hampshire County Council was the strategic lead on safeguarding. They took an inter-agency approach with different local authorities and partners working together to identify and protect children and vulnerable young adults.
- 9.3 This Council seeks to ensure that all organisations it works with have a safeguarding policy in place. An organisation, which receives Council funding is required to have a safeguarding policy: funding could be withheld if such a policy is not in place or complied with.
- 9.4 It was not the role of HBC to investigate concerns, however the Council had a responsibility to take action when instances of harm or abuse was suspected.
- 9.5 The Panel was advised that there would always be sufficient resources to undertake an investigation

#### **Impact of the Modern Slavery Act 2015**

- 9.6 The Modern Slavery Act 2015, which received Royal Assent on 26 March 2015, is intended to provide law enforcement agencies with stronger legal tools to stamp out modern slavery, ensuring that the perpetrators receive suitably severe punishment, while enhancing the protection of, and support for, victims. The new Act consolidates and updates the existing criminal legislation on human trafficking, slavery, forced labour and domestic. In addition, the legislation creates the post of Anti-Slavery Commissioner and places a duty on specified public authorities including local authorities to report potential victims of trafficking to the National Crime Agency relating to slavery.
- 9.7 There is a need to ensure that the Council’s current policy complied with the new legislation. It is understood that the Policy is being amended to reflect the requirements of this Act.

#### **Recommendation 1**

The Safeguarding Children, Young People and Vulnerable Adults Policy be amended to reflect the requirements of the Modern Slavery Act 2015.

## **Impact of the “Prevent Agenda”**

- 9.8 Members were advised that the ‘Prevent’ agenda was a method of reducing terrorism by preventing or intervening in radicalisation of individuals.
- 9.9 The Panel received a presentation that included various case studies that documented far right view points and individual testimonies on the effect far right radicalism had had on their respective lives. The testimonials also included details of how the Prevent Agenda had intervened and bettered their lives.
- 9.10 Central government is offering local authorities £10,000 per annum to fund the Prevent agenda. The Panel has been advised that the use of this funding would be to pool it with 11 district councils in Hampshire.

### **Recommendation 2**

The Safeguarding Children, Young People and Vulnerable Adults Policy be amended to reflect the impact of the Prevent Agenda.

## **Training**

- 9.11 The Panel discussed training with the Officers at length and are very supportive of the increased opportunities available to staff and Councillors. It is hoped that over time, all staff and councillors should be aware of how to identify vulnerable people and report concerns.
- 9.12 A new e-learning portal has been developed for use by staff and councillors. All staff are required to pass an online training course on safeguarding. Additional training is provided by staff in high risk areas: 60 staff have already received advanced training.
- 9.13 The portal is also available for use by councillors and the Members of the Panel tested the staff course on safeguarding and found it to be suitable for use by Councillors.

### **Recommendation 3**

We recommend that all councillors be required to undertake the e-learning “Basic Safeguarding Awareness “ course to ensure that all councillors are aware of their role in this area.

### **Recommendation 4**

A councillor training session be arranged to ensure that all councillors are aware of the safeguarding policy and their role in this area.



## **Disclosure and Barring Service (DBS) checks**

- 9.14 The Panel considered whether the Disclosure and Barring Service (DBS) should carry out checks on Councillors. However, it was advised that the Council could be penalised if it undertook too many checks.

## **Reporting Arrangements**

- 9.15 Taking the role seriously was further demonstrated by good reporting mechanisms in place. Councillors could raise their concerns with the officers, who could then pass these concerns onto the correct statutory body. Although a safeguarding reporting form was also available online, the Panel considers that this should be more easily accessible.

### **Recommendation 5**

The on line safeguarding report form be more accessible to staff and councillors

## **10.0 Implications**

### **10.1 Resources:**

The recommendations can be implemented within the existing budgetary provision.

### **10.2 Legal:**

The Council is required to change its policy so that it complies with the new legislative requirements

### **10.3 Strategy:**

Safeguarding vulnerable people is vital if the Council is to improve the health and prosperity of its communities.

### **10.4 Risks:**

The Procedure will allow Councillors to assess and mitigate the risks involved in safeguarding children

### **10.5 Communications:**

Training will ensure that all staff and Councillors are aware of the of their roles in safeguarding vulnerable people.

#### 10.6 **For the Community:**

Every Councillor could play a part in safeguarding by the nature of their role and involvement in the community.

An updated policy will:

- help to protect and improve the Health & Wellbeing of vulnerable people in the community
- promote community safety
- help ensure organisations working with the Council are not engaged in extremist activities and seek to protect vulnerable people in the community

#### 10.7 **Consultation:**

As set out in the report

#### 10.8 **The Integrated Impact Assessment (IIA):**

An updated Policy is intended to ensure that the needs of children and vulnerable adults are appropriately recognised promoting equality of opportunity for all.

#### **Background Papers:**

The Safeguarding Children, Young People and Vulnerable Adults Policy

#### **Agreed and signed off by:**

Legal Services: 12 February 2016

Financial Services: 12 February 2016

Executive Head for Economy and Communities: 10 February 2016

**Contact:** Councillor Lenaghan  
**Job Title:** Scrutiny Lead for Communities