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COUNCIL AGENDA

Membership: Councillor Mrs Shimbart (Mayor)

Councillors Bains, Mrs Blackett, Bowerman, Briggs, Branson, Buckley, Carpenter, Cheshire, Cresswell, Davis, Fairhurst, Francis, Guest, Hart, Howard, Hughes, Keast, Kennett, Kerrin, Lenaghan, Lloyd, Patrick, Perry, Pike, Ponsonby, Rees, Quantrill, Satchwell, Seal, Shimbart, Smith D, Smith K, Thomas, Turner, Wade, Weeks and Wilson

Meeting: Council

Date: Wednesday 28 March 2018

Time: 5.00 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

20 March 2018

Contact Officer: Penny Milne (023) 92446234
Email: 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 Declarations of Interests

To receive any declarations of interests from Members.

3 Minutes

1 - 12

To confirm the minutes of the last meeting held on 21 February 2018.

4 Charter for Elected Member Development

The Mayor to receive a formal presentation of the Charter Award from Councillor Richard Burrett, Deputy Leader of West Sussex County Council and a Member of South East Employers Executive Committee.

5 Park Community School and Tuppenny Barn Organics

The Council to receive a joint presentation from Steven Cross, Head Chef at Park Community School and Maggie Haynes of Tuppenny Barn Organics, on their work to promote healthy eating among young people in the Borough.

6 Mayor's Report

To be circulated separately.

7 Public Questions under Standing Order 13.4(f)

To receive questions from, and provide answers to, the public, provided they have been submitted in accordance with the requirements of Standing Order 13.4(f).

8 Committee Recommendations

To consider the following recommendation to Council arising from the meeting of the Governance and Audit Committee held on 14 March 2018:

[https://havantintranet.moderngov.co.uk/ieListDocuments.aspx?Cid=338&Mid=10394&\\$LO\\$=1](https://havantintranet.moderngov.co.uk/ieListDocuments.aspx?Cid=338&Mid=10394&LO=1)

(A) Corporate Surveillance Policy and Procedure

RECOMMENDED to Council that the amended Corporate Surveillance Policy be adopted, subject to the following amendment on page 4 of the report to the Governance and Audit Committee on 14 March 2018:

'Tom Horwood, Executive Director' be updated to read 'Gill Kneller, Executive Director'.

(B) Amendments to the Constitution

RECOMMENDED that the Council amends Standing Orders 1.11 and 6.14 of the Constitution as follows:

Standing Order 1.11

Every member of the Council must within twenty eight days from the start of each municipal year sign a declaration on a form supplied by the Democratic Services Team, that she or he has read **and understood** the Council's latest version of the Constitution.

Standing Order 6.14

Every member of the Council must within twenty eight days from being appointed to a Committee, Sub-Committee or Board sign a declaration on a form supplied by the Democratic Services Team, that he or she has read **and understood** the terms of reference for each committee, sub-committee or board he or she has been appointed to. A failure to comply with this standing order will be considered as a breach of the adopted Councillor's Code of Conduct.

* amendments shown in bold

9 Leader's Report

To be circulated separately.

10 Cabinet Lead Reports

To be circulated separately.

11 Cabinet Leads and Chairmen's Question Time

- (i) the Leader and Cabinet Leads to answer questions on matters within their respective reports.
- (ii) Chairmen to answer questions on their minutes since the last Council meeting

12 Questions Under Standing Order 23

To receive questions from Councillors in accordance with the requirements of Standing Order 23.4(a).

13 Urgent Questions Under Standing Order 23

To receive urgent questions from Councillors submitted in accordance with the requirements of Standing Order 23.4(b).

14 Notices of Motion

To consider any Motions received in accordance with Standing Order 14.

15 Acceptance of Minutes

The Council to receive the following minutes of Committees held

13 - 32

since the last meeting of the Council:

Development Management Committee – 22 February 2018

Cabinet – 14 March 2018

Governance and Audit Committee – 14 March 2018

PART 2 (Confidential items - closed to the public)

None.

GENERAL INFORMATION

IF YOU WOULD LIKE A VERSION OF THIS AGENDA, OR ANY OF ITS REPORTS, IN LARGE PRINT, BRAILLE, AUDIO OR IN ANOTHER LANGUAGE PLEASE CONTACT DEMOCRATIC SERVICES ON 023 9244 6231

Internet

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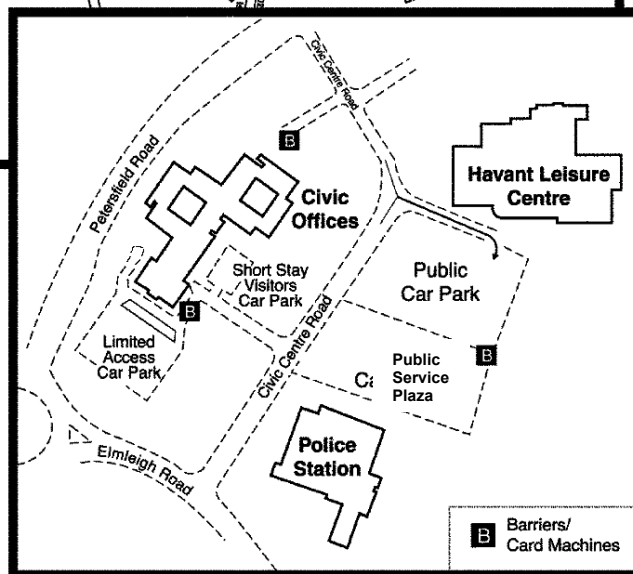
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Havant

BOROUGH COUNCIL

PROTOCOL AT COUNCIL MEETING – AT A GLANCE

Sit or Stand?

Stand to address the Council/Mayor at all times

Rules of Debate

- always address each other as “Councillor ...”
- a motion or amendment has to be proposed and seconded
- once an amendment has been proposed and seconded, it becomes the subject of the debate until it is either accepted or rejected by a vote
- a seconder can choose to make their speech at a later time
- only one Councillor to stand at any one time
- speeches will not exceed 5 minutes (the Council can resolve to allow additional time, which will not exceed a further 3 minutes)
- a Councillor proposing the adoption of a Committee/Board minute has sufficient time to propose and unlimited time to reply to debate
- a Councillor can only speak again on an amendment, to move a further amendment, on a point of order or personal explanation.

Questions and Motions

- Motions must be submitted in writing (or by email) to the Democratic Services Team Leader 6 working days prior to the Council meeting
- Councillors may ask questions, without notice, of the Leader and Cabinet Leads in respect of the Cabinet Lead reports submitted to Council
- Councillors may ask questions of the Leader, Cabinet Leads and Committee Chairmen, on any matter affect the Borough or its residents, providing that:
 - 48 hours written notice is given; or
 - 2 hours written notice in relation to urgent matters

Voting

- Voting may be by a show of hands or by a ballot at the discretion of the Mayor
- Two Councillors may request, before a vote is taken, that the names of those voting be recorded in the minutes
- A recorded vote will always be taken in respect of approval of the Annual Budget
- Councillors may not vote unless they are in the meeting for the full debate on any particular item
- A Councillor may request that his/her vote be recorded in the minutes

HAVANT BOROUGH COUNCIL

At a meeting of the Council held on 21 February 2018

Present

Councillor Wade (Deputy Mayor)

Councillors Bains, Mrs Blackett, Bowerman, Briggs, Branson, Buckley, Carpenter, Cheshire, Cresswell, Davis, Fairhurst, Francis, Guest, Howard, Hughes, Keast, Kennett, Lenaghan, Lloyd, Perry, Pike, Ponsonby, Rees, Quantrill, Satchwell, Sceal, Shimbart, Smith D, Smith K, Thomas, Turner, Weeks and Wilson

Chairman's Announcements

Councillor Wade reported that the Mayor was unwell and, as Deputy Mayor, he would be chairing this meeting in the Mayor's absence. Councillor Wade also took the opportunity on behalf of the Council to wish Councillor Mrs Shimbart a speedy recovery.

The Deputy Mayor reminded all those present that filming or recording by any person of any part of the meeting would need to fully comply with the Council's Protocol for recording meetings in order to protect the rights of those attending. In signalling his intention to make an audio recording of the meeting, Councillor Perry confirmed his compliance with the Protocol, copies of which had been made available at the meeting.

149 Apologies for Absence

Apologies were received from Councillors Hart, Kerrin, Patrick and Satchwell.

150 Declarations of Interests

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

151 Minutes

Proposed by Councillor Satchwell and seconded by Councillor Keast, it was

RESOLVED that the minutes of the meeting of the Council held on 13 December 2017 be approved as a correct record, subject to an amendment to Minute 144(A) to change all references to "2035" to read "2036".

152 Provisional Appointment of the Mayor for 2018/19

Proposed by Councillor Sceal and seconded by Councillor Branson, it was

RESOLVED that Councillor Peter Wade be provisionally appointed as Mayor for 2018/19.

153 Provisional Appointment of the Deputy Mayor for 2018/19

Proposed by Councillor Satchwell and seconded by Councillor Bowerman, it was

RESOLVED that Councillor Diana Patrick be provisionally appointed as Deputy Mayor for 2018/19.

154 Mayor's Report

There were no questions in relation to the Mayor's published report.

155 Public Questions under Standing Order 13.4(f)

There were no public questions.

156 Leader's Budget Speech

The Leader, Councillor Michael Cheshire MBE, presented his budget speech to Council.

As Leader of the Opposition, Councillor John Perry, gave his reply.

Both speeches have been published in full on the Council's website and can be viewed alongside the minutes of this meeting.

157 Revenue and Capital Budget 2018/19 and Medium Term Financial Strategy to 2022/23

As Cabinet Lead for Finance, Councillor Briggs presented the Revenue and Capital Budget for 2018/19, including the proposed Council Tax rate for the forthcoming year, and the Medium Term Financial Strategy to 2022/23.

Councillor Briggs proposed the recommendations (a) to (f) as set out in the agenda, with a correction to the Hampshire County Council Basic Charge Band C in recommendation 9(e) to read "£990.10" in place of "£900.10"

The motion was seconded by Councillor Cheshire.

As an amendment to the Motion, it was proposed by Councillor Perry and seconded by Councillor Carpenter that recommendation 9(a)(1) be amended to reflect a 0% increase in Council Tax and that the budget be recalculated accordingly.

Having taken a vote on the amendment the Deputy Mayor declared the amendment not carried.

At the conclusion of the debate, the Deputy Mayor put the original motion to Council. Having been proposed by Councillor Briggs and seconded by Councillor Cheshire, it was

RESOLVED that:

- (a) that the following be approved, as recommended by the Cabinet on 07 February 2018, that Council

- (1) approves the proposed Revenue & Capital Budgets for 2018/19, including a Council Tax rate of £198.54 at Band D, representing a 2.99% increase on the current charge;
 - (2) notes the Cabinet decision of 7 February 2018 to apply during 18/19 an increase of up to 2.8% to those fees and charges that are not otherwise constrained by statute, to be determined by the Chief Finance Officer in consultation with the Leader;
 - (3) agrees the Treasury Management Strategy and Prudential Indicators; and
 - (4) reduces the Councillor Community Grants to £0 in 2018/19 and that this be subject to further review by the Scrutiny Board.
- (b) That it be noted that (on 31st January, 2018) the Chief Finance Officer calculated the Council Tax Base 2018/19 for the whole Council area as 40,704.00 [Item T in the formula in Section 31B(1) of the Local Government Finance Act 1992, as amended, (the "Act")] and that this Council Tax base be split between the regions of the Environment Agency as follows:

Southern – 40,704.00

- (c) That the following amounts be calculated by the Council for the year 2018/19 in accordance with Sections 31 and 34 to 36 of the Act.
- (i) £ 65,465,324 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act;
 - (ii) £ 57,384,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
 - (iii) £8,081,324 being the amount by which the aggregate at c(i) above exceeds the aggregate at c(ii) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year (Item R in the formula in section 31A(4) of the Act);
 - (iv) £198.54 being the amount at c(iii) above (Item R), divided by Item T (b above), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year;

- (d) Valuation Bands

| A | B | C | D |
|---------|---------|---------|---------|
| £132.36 | £154.42 | £176.48 | £198.54 |

| | | | |
|---------|---------|---------|---------|
| E | F | G | H |
| £242.66 | £286.78 | £330.90 | £397.08 |

being the amounts given by multiplying the amount at c(iv) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- (e) That it be noted that for the year 2018/19 the Hampshire County Council (see (g) below) and Police and Crime Commissioner for Hampshire and Hampshire Fire and Rescue Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:

Valuation Bands – Hampshire County Council Basic Charge

| | | | |
|-----------|-----------|-----------|-----------|
| A | B | C | D |
| £742.57 | £866.34 | £990.10 | £1,113.86 |
| E | F | G | H |
| £1,361.38 | £1,608.91 | £1,856.43 | £2,227.72 |

Valuation Bands – Hampshire County Council Adult Social Care Premium

| | | | |
|---------|---------|---------|--------|
| A | B | C | D |
| £58.07 | £67.74 | £77.42 | £87.10 |
| E | F | G | H |
| £106.46 | £125.81 | £145.17 | £174.2 |

Valuation Bands – Police and Crime Commissioner for Hampshire

| | | | |
|---------|---------|---------|---------|
| A | B | C | D |
| £118.31 | £138.02 | £157.74 | £177.46 |
| E | F | G | H |
| £216.90 | £256.33 | £295.77 | £354.92 |

Valuation Bands – Hampshire Fire and Rescue Authority

| | | | |
|--------|--------|--------|--------|
| A | B | C | D |
| £43.83 | £51.13 | £58.44 | £65.74 |
| E | F | G | H |

£80.35 £94.96 £109.57 £131.48

- (f) That having calculated the aggregate in each case of the amounts at (d) and (e) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby, but subject to Hampshire County Council and Hampshire Fire & Rescue Authority confirming the precept at (f) above on 22nd February 2018 and 28th February 2018 respectively, sets the following amounts as the amounts of Council Tax for the year 2018/19 for each of the categories of dwellings shown below:

Valuation Bands

| | | | |
|-----------|-----------|-----------|-----------|
| A | B | C | D |
| £1,095.14 | £1,277.65 | £1,460.18 | £1,642.70 |
| E | F | G | H |
| £2,007.75 | £2,372.79 | £2,737.84 | £3,285.40 |

- (g) If the Precepting Bodies decide a different precept than stated, the Council will be provided with a revised calculation as soon as possible.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 the voting on this item was recorded as follows:

For the Motion

Councillor N Bains
Councillor G Blackett
Councillor L Bowerman
Councillor J Branson
Councillor T Briggs
Councillor P Buckley
Councillor M Cheshire
Councillor R Cresswell
Councillor M Fairhurst
Councillor B Francis
Councillor D Guest
Councillor C Howard
Councillor G Hughes
Councillor D Keast
Councillor R Kennett
Councillor A Lenaghan
Councillor D Lloyd
Councillor T Pike
Councillor F Ponsonby
Councillor L Quantrill
Councillor E Rees

Councillor C Satchwell
Councillor M Sceal
Councillor D Smith
Councillor K Smith
Councillor J Thomas
Councillor L Turner
Councillor P Wade
Councillor Y Weeks
Councillor M Wilson

Against the Motion

Councillor M Carpenter
Councillor J Davis
Councillor J Perry

Abstentions

None

Absent

Councillor T Hart
Councillor G Kerrin
Councillor D Patrick
Councillor E Shimbart
Councillor G Shimbart*

*Councillor G Shimbart had been present for part of the meeting but not present when the vote on this item was taken

158 Cabinet/Board Recommendations

Community Infrastructure Levy: Spending

Councillor Cheshire presented a recommendation arising from the Cabinet meeting held on 7 February 2018 on the spending of CIL funds.

Proposed by Councillor Cheshire and seconded by Councillor K Smith, it was

RESOLVED that

- (1) **The Council invest the available CIL Pot of £1,918,284 in the following capital infrastructure projects:**

| Title (Bid ref) | Amount | Cumulative amount |
|---|---------------|--------------------------|
| Langstone FCERM Scheme CIL Pot Building Proposal: 2017-2021 (1) * | £0 | £0 |
| Havant Shared Pedestrian and Cycle Bridge (8) ** | (£125,000) | (£125,000) |

| | | |
|---|----------|----------|
| Warblington Footbridge (9) | £150,000 | £275,000 |
| Bushy Lease Strategic Sustainable Access Route (10) | £373,000 | £648,000 |
| Hambledon Road/Milton Road Safety Improvements (20) *** | £117,000 | £765,000 |
| Rusty Cutter – Teardrop Link Road Capacity Enhancement (12) | £150,000 | £915,000 |

Table A: Current recommended spends and cumulative effect on 123 CIL Pot if all spending options are supported

See additional information in the following paragraphs of the report to Cabinet

* Paragraph 4.14 (i) of the report

** Paragraph 4.14(ii) regarding separate consideration of Footbridge options

*** Paragraph 4.14 (iii) of the report

(2) That the balance of the CIL Pot be retained and expenditure further considered on Langstone FCERM Scheme in the 2018 CIL Funding Decision once the Draft Havant Borough Local Plan 2036 has been published and the outcome of the consultation is known; and

(3) The Council invest the available Neighbourhood Portion of £212,374 across the borough as set out below:

| Title (Bid ref) | Amount | Cumulative amount |
|---|---------------|--------------------------|
| Hayling East–West Cycle Route: Upgrade Footpath 521 to Shared Use (J) | £16,000 | £16,000 |
| Solent Way Upgrade Project (C) | £46,000 | £62,000 |
| Waterlooville Pavilion Feasibility Study (G) | £4,000 | £66,000 |
| Drainage Hobby Close Field (L) | £49,500 | £115,500 |
| The Spring Arts Centre Minor Works (Air Conditioning) (M) | £15,000 | £130,500 |
| Pallant Centre Universal Access Project (Lift) (B) | £21,000 | £151,500 |
| Replace Outdated and Uneconomic Lighting in Mountford Wing and Assembly Room of Emsworth Community Centre (F) | £15,000 | £166,500 |
| Waterlooville Community Centre Improvements/Expansion/'Changing Place' Facility (A) | £10,520 | £177,020 |

Table B: Current recommended spends and the cumulative effect on Neighbourhood Portion if all spending options are supported

159 Leader's Report

There were no matters the Leader wished to report in addition to his published report.

160 Cabinet Lead Reports

There were no matters the Cabinet Leads wished to add to their published reports.

Councillor Guest gave a verbal update on the Local Plan consultations, partnership working with East Hampshire DC and regeneration projects across the Borough.

161 Cabinet Leads and Chairmen's Question Time

At the invitation of the Mayor, the Cabinet Leads took questions from Councillors in connection with their published reports. Where Cabinet Leads were unable to give an immediate response, and undertaking was given that responses would be provided as soon as possible after the meeting.

There were no questions to the Committee Chairmen in connection with their published minutes.

162 Questions Under Standing Order 23

(1) From Councillor Perry to Councillor Bains

Considering the liquidation of Carillion, and that Capita's share price is now one fifth of what it was two years ago, and with it halving in the last month, could the portfolio holder please advise if the HBC outsourcing contract with Capita:

- a. includes a no-novation clause
- b. if there is not a no-novation clause, what contractual agreements are there in the event of Capita going into administration or liquidation.

Response:

The Contract includes a clause which states that 'generally' Capita cannot assign any of its rights, obligations, liabilities without the prior written consent of the Councils.

(2) From Councillor Perry to Councillor Briggs

Now that China has ceased taking plastic recycling material, could the portfolio holder please advise where Havant Borough's recycled plastic material goes through to its end disposition.

Response:

For a few years now, we have ensured all our plastic recycling remains in the UK or Europe for reprocessing. The two Hampshire Material Recovery Facilities (MRFs) only accept plastic bottles from Hampshire residents as part of the accepted Dry Mixed Recyclables input specification.

From the two Hampshire MRFs we produce a mixed plastic bottle product that is sent to Veolia's Plastic Recovery Facility (PRF) in Rainham for further processing. Here the plastic bottles are sorted into their constituent forms and polymer types eg. HDPE, PET etc. using specialist camera technologies. The Veolia Hampshire plastic bottles are then sent for final reprocessing back into high quality plastic pellets.

We're also actively moving up the plastics recycling supply chain and earlier this year officially opened our Dagenham Plastics Facility enabling us to keep plastic recycling in the UK that may take Hampshire milk bottles (HDPE) in the future.

(3) From Councillor Davis to Councillor Briggs

Could the portfolio holder please clarify two points on the Analysis of Reserve Balances 18/19 to 22/23 on page 29.

- a. Does the portfolio holder believe that reducing reserves from £14.0 million to £5.8 million of the five-year budget period is prudent accounting and budgeting?
- b. Reserve balances are credit balances in the ledger so that they may be released into the I&E as a credit. Could the £5,094,000 debit balance, and particularly the sign be explained?

Response:

Yes - the reserves statement currently assumes that all capital bids will be approved when the business cases come forward next year and that they will be fully funded from our own reserves. However, some of the capital bids will be part funded from grants but as these have not yet been confirmed and are still subject to the full business case being brought forward we take a prudent approach to reporting the impact on our reserves.

The 18/19 opening balance on the Usable Capital Receipts Reserve is estimate at £1.632m currently. The value of approved, unapproved and new bids for capital projects over the period of the MTFS is estimated to be £6.726m, only £1.632m is currently available from this fund to pay for the proposed capital programme therefore leaving an estimated unfunded balance of £5.094m. As previously stated new projects are subject to a full business case being brought forward for approval and some are awaiting confirmation of grant funding before progressing. We also account prudently for income and do not recognise within our reserves statement capital income until it is realised. As an example the largest capital project within the MTFS is for Langstone Flood and Coastal Erosion project estimated costs are £3.9m with £1.3m currently expected to be funded from grants.

(4) From Councillor Davis to Councillor Briggs

Given the reported incidences of fly-tipping in the national press -

Q1. Could you report how many incidences of fly tipping this council/NORSE has had to deal with this year 2017-18 and how much has it cost to deal with it?

Q2. Do you think a fine of £200 is a sufficient deterrence to fly-tippers, when dropping one piece of litter like a sweet paper in the street can result in a fine of £80?

Response:

Fly tipping data is held by calendar year; the number of fly tips between Jan and Dec 2017 was 907. The majority of fly tips in Havant borough are small domestic tips as opposed to large commercial tips. Norse do not separate out the costs of responding to fly tips as this forms part of the daily operations of the service.

Hampshire County Council is responsible for the Household Waste Recycling Centres and consequently set the charges for waste disposal. HCC introduced the new charges were introduced to generate income to offset the operational costs and to minimise the need to shut some of these sites. The data below demonstrates that there has not been an increase in fly tips in the borough: Jan – Dec 2017 - 907 Jan – Dec 2016 – 1124 Jan – Dec 2015 – 1266.

(5) From Councillor Davis to Councillor Pike

Q1. Can you tell the Council what has happened to the money that was awarded to Havant Borough Council for the Feasibility study to regenerate the Leigh Park Centre?

Q2. Can you bring the Council up to date with what has been done so far and what else needs to be done?

Response:

A1. Of the £340,000 that was awarded in the Estate Regeneration Fund £5000 has been spent on a consultant to produce a scoping and governance report to agree the terms of reference for the project board and gain formal agreement from the landowning partners to progress with the feasibility for a Community Hub building. Therefor there remains £335,000 available to take the work forward

A2. This is the Council's only externally funded regeneration project and it is critical that the money is invested in understanding what could be viable in central Leigh park that would rationalise the various community facilities in the area, provide new housing to change the market and engage with partners and importantly the local community. Since the award the Head of Planning has been working with the project board organisations and the Ministry of Housing Communities and Local Government to learn about from similar schemes in Cheltenham and the Hub in Somerstown Portsmouth. key learning points have been that regeneration projects are complex, take considerable time, need significant resources from all partners and community leadership. The draft Local Plan has identified the Leigh park centre area as a Key Development site. The identification of the project in Local Plan is important for establishing the opportunity to the development industry, the Project board partners and the local community. The latest position is that Hampshire County architects are being commissioned to produce initial viability tested block design options that can then be used to engage with the community in April/May and continue the consultation process.

(6) From Councillor Davis to Councillor Turner

May I offer my appreciation to Councillor Turner for organising and setting this Lottery up for Havant. I believe it was well received by those who attended the launch and generated much enthusiasm.

Q1. Could you tell the Council what is the monetary benefit to Havant Council, seeing as the Council is facilitating it and the company " Gatherwell " is receiving 20% of all ticket sales?

Q2. Why are the numbers not drawn in public for all to see, rather than using an existing lottery numbers already drawn and announced "Somewhere in the world"?

Q3. Will " Gatherwell " be supplying a yearly Financial Statement?

Response:

The aim of the Havant Lottery was never intended as an income generation tool for the Council but more about how the Council could support voluntary sector organisations. The council is witnessing many locally based charities and groups struggling to find funding, especially in the current financial climate.

Gatherwell are receiving 20% of ticket sales to cover their running costs plus they pay the VAT. 50% of all ticket sales go towards good causes which is far higher than national lotteries including Lotto, Health & Postcode lotteries plus 10% goes into a small grants pot.

This is the safest, tried and tested method and cannot be open to tampering as our ticket sales cut off point is prior to the Australian Lottery draw. It was important that the method of drawing numbers was a completely transparent one and this is also the most costs effective way of doing it and has already been tried and tested by other local authorities including Portsmouth, Hart, Gloucester, Melton, Corby, Torbay and West Somerset.

Yes of course! Gatherwell will be providing regular updates and all of the financial information required. Both the Lotteries Council and the Gambling Commission have rigorous procedures to adhere to.

163 Urgent Questions Under Standing Order 23

There were no urgent questions.

164 Notices of Motion

The Council considered the following Motion, proposed by Councillor Perry and seconded by Councillor Carpenter. Councillor Perry was given an opportunity to present his Motion to Council that:

“This Council recognises the flawed and ill-thought out policy of the Cabinet in pursuing the Vinci outsourcing contract and recommends that, should there be any costs incurred by the Council because of the Vinci contract termination, that the Cabinet members personally meet these costs up to a maximum of £10,000 each.”

Having taken a vote on the Motion, the Mayor declared it not carried.

165 Acceptance of Minutes

The minutes of the meetings of Committees held since the last meeting of the Council were received.

The meeting commenced at 5.00 pm and concluded at 7.10 pm



Minute Volume

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HAVANT BOROUGH COUNCIL

At a meeting of the Development Management Committee held on 22 February 2018

Present

Councillor Keast (Chairman)

Councillors Buckley, Hughes, Keast, Perry, Satchwell, Lloyd and Guest (Standing Deputy)

105 Apologies for Absence

Apologies for absence were received from Cllr Patrick.

106 Minutes

RESOLVED that the Minutes for the last meeting of the Development Management Committee held on the 1 February 2018 were approved as a correct record and signed by the Chairman.

107 Matters Arising

There were none.

108 Site Viewing Working Party Minutes

RESOLVED that the Minutes of the Site Viewing Working Party held on 15 February be approved as a correct record.

109 Declarations of Interest

There were no declarations of interest from Members present relating to matters on the agenda.

110 Chairman's Report

The Chairman advised that a Development Consultation Forum would be taking place regarding the Campdown Site on Wednesday 28th February. All members were encouraged to attend where possible.

111 Matters to be Considered for Site Viewing and Deferment

No items were considered for Site Viewing or Deferment.

112 Deputations

The following deputation requests were noted by the Committee:

- 1) Professor Sue Ditmar – APP/17/01071 – Northney Tea Room and Education Centre.
- 2) Mrs Fiona Sizer – APP/17/01071 – Northney Tea Room and Education Centre
- 3) Mr S Pike – APP/17/01071 – Northney Tea Room and Education Centre
- 4) Mr M Critchley – APP/17/01071 – Northney Tea Room and Education Centre
- 5) Cllr Leah Turner – APP/17/01071 – Northney Tea Room and Education Centre.

113 APP/17/01071 - Northney Farm Tea Room and Education Centre, St Peters Road, Hayling Island, PO11 0RX

The Committee considered the written report, supplementary information and recommendation from the Head of Planning Services to grant permission.

The Committee was addressed by the following Deputies:

- 1) Professor Sue Ditmar, who objected to the Officer's recommendation for the following reasons:
 - a. *See written deputation appended to the end of these minutes.*
- 2) Mrs Fiona Sizer, who objected to the Officer's recommendation for the following reasons:
 - b. If approved the proposal would have a significant and direct detrimental effect on the enjoyment of her property due to an increase in noise, especially during the summer months
 - c. There were few mitigating features to help control excess noise.
 - d. The initial proposal for the tea rooms was to be used as benefit to the local community, however the tea rooms operated solely as an eatery without any wider community benefit.
 - e. The traffic infrastructure provisions were insufficient and were a danger to any person walking on the adjacent road.

In response to questions raised by the committee, the depute advised that:

- They had contacted Havant Borough Council's Environmental Health Team regarding the noise complaints.
- On one occasion the depute had counted a total cover of 111 customers using the tea rooms at one time.

- 3) Mr S Pike, who supported the Officer's recommendation for the following reasons:
- f. The expansion of the tea room would result in its diversification, enhancing available facilities and would be an important addition to the village.
 - g. The expansion of the tea room would be beneficial to local tourism.
 - h. The expansion would allow for extended seasonal hours, meaning that staff would be retained during winter months where previously the tea rooms would have more limited business. This would be of benefit to employment in the area and the economic regeneration of Northney.
- 4) Mr M Critchley who supported the Officer's recommendation for the following reasons:
- i. Havant Borough Council does not have policies regulating Farm Land, however enhancing green spaces was included in the Corporate Strategy, which the proposal was seeking to do.
 - j. The use of the overflow car park cited in the officer's report would be limited to the 28 days, which was allowed under Permitted Development Rights.
 - k. CS5 of the Council's Corporate Strategy supported tourism within the Borough, which the proposal sought to achieve through providing small scale community and recreational events.
 - l. The proposal would make use of otherwise redundant farm buildings, therefore making best use of the land and space available.

In response to questions raised by committee, deputies gave detail on the functions that were hosted at the tea rooms.

- 5) Cllr Leah Turner who supported the Officer's recommendation for the following reasons:
- m. Whilst Northney remained a rural area, the tea rooms provided much needed economic and employment benefits to the local area and any extension to the tea rooms would be a positive contribution.
 - n. The business was a valuable asset for local tourism.
 - o. The functions that were hosted by the tea Rooms contributed to local charities and heritage.
 - p. An extension would allow for longer business hours.
 - q. Acoustic fencing and padding would mitigate noise concerns of local residents, in addition to more customers being seated internally, resulting in a further reduction in noise levels.

In response to questions from the Committee, Officers advised that:

- Condition 13 contained in the Officer's recommendation addressed concerns of noise mitigation and acoustic fencing.
- The permitted use of the tea rooms was for the consideration of the Planning Enforcement team.

The Committee considered the application together with the views raised by the deputees. The Committee agreed that the most significant aspect of the application would be the potential increase in noise and the detrimental impact that this may have on immediate neighbouring properties. Councillors requested that neighbours be informally consulted on the height, position and design of any acoustic fencing prior to its installation. However, it was further commented that overall the application would have a significant positive impact on social and economic prosperity of the local area and was acceptable in planning terms. It was therefore

RESOLVED that the Head of Planning Services be authorised to grant permission for application APP/17/01071 subject to the following conditions:

1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Tree Survey: Received Dated 16.10.17

Proposed Site Plan with Parking: Drawing Number 17077-103 B

Proposed Site Plan: Drawing No 17077-112 C

Location and Block Plan: Drawing No 17077-101 A

Proposed Floor Plan: Drawing No 17077-412 B

Proposed Roof Plan: Drawing No 17077-413

Proposed East and South Elevation Plan: Drawing No 17077- 512 B

Proposed North and West Elevation Plan: Drawing 17077- 513

Acoustic Statement: Dated 02.01.2018

Parking Statement: Dated 02.01.2018

Heritage Report: Dated 29.09.2017

Reason: - To ensure provision of a satisfactory development.

3. Other than as permitted under condition 4 below the tearoom hereby permitted shall not be open to the public before 10.00 hours or remain open after 17.00 hours on Monday to Sunday.

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and the National Planning Policy Framework.

4 The tearoom may open to the public between the hours of 10.00 and 23:00 hours on Monday to Saturday on a maximum of three days in any week.

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 and the National Planning Policy Framework.

5 No sound amplifying equipment shall be installed in the premises, which when

operated is audible outside the premises, without the consent of the Local Planning Authority in writing.

Reason: To protect the amenities of the area and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 and National Planning Policy Framework.

6 The range of food sold at the premises shall be in accordance with the previously approved written details in the Design and Access Statement paragraph 4.3 under application 09/74191/000 and there shall be no change in the range of food sold unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with the terms of the application and to protect the amenities of occupiers of adjoining properties and having due regard to policy DM10 of the Havant Borough Core Strategy and National Planning Policy Framework.

7 The amount of covers served at the team room shall not exceed 80 in total with

a maximum of 48 served internally and 32 externally.

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 and National Planning Policy Framework.

8. Prior to the extended tea room and kitchen facilities being first brought into use the existing extract at the building shall be fitted with a silencing module as set out in the Acoustic Statement hereby approved.

Reason: In the interests of the amenities of the area and having due regard to policy DM10 of Havant Borough Local Plan (Core Strategy) 2011.

9 The tearoom hereby permitted shall be limited to the area shown on drawing number 17077-112 C with any outside seating proposed restricted to an area to be defined on a plan to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the scale of the tearoom use is compatible with this rural location in the interests of the character and appearance of the area and sustainability having due regard to policy AL2 of the Havant Borough Allocations Plan.

10. The amended car parking arrangements shown on drawing number 17077-03 B shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

11 The external materials used shall match, in type, colour and texture, those of the existing building so far as practicable.

Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

12 Notwithstanding the hereby permitted development no percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) shall be undertaken during the bird overwintering period (i.e. October to March inclusive).

Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011 and National Planning Policy Framework 2012.

13 No development hereby permitted shall commence unless and until a specification of an acoustic fence together with a plan has been submitted to and approved in writing by the Local Planning Authority. The fence shall be provided to the south and part east of the external seating area. The development hereby permitted shall not be brought into use until the implementation of the fence has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

14. Prior to the extended tea room being brought into use a site management plan shall be submitted to and approved in writing by the Local Planning Authority setting out measures for the management of noise from the car parking area.

Reason: In the interests of the amenities of the locality and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011.

15. Prior to the extended tea room being brought into use details of the location of staff parking shall be submitted to and approved in writing by the Local Planning Authority. The staff parking areas shall thereafter be retained for staff parking.

Reason: In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

16. Any use of the tearoom after 18.00 hours shall be restricted to use within the building only, and no activities or catering shall take place outside the building.

Reason: to protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Core Strategy and National Planning Policy Framework.

114 Appointment of Chairman

RESOLVED that Cllr D Patrick be appointed as Chairman for the next meeting of the Development Management Committee.

The meeting commenced at 5.00 pm and concluded at 6.10 pm

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Chairman

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Response to Tearoom Recommendation

We live next door to the tea-room complex. We fear that the value of our grade II listed home has reduced due to noise from the tearoom. We do appreciate the effort that has been made to come up with a sensible solution to this problem, but we still feel that there are problems outstanding. We wish to make the following 5 points:

1. We welcome the commitment, under Recommendation 14, to build a wall which will hopefully shield us from some of the noise. Since we are directly affected, we feel that we should be consulted on the wall's location, length, height, width and materials used.

2. We are troubled by recommendation 5: that sound amplifying equipment can occasionally be used with permission from the Local Planning Authority. We do not accept the need for any amplified music at any time. Note also that the barn which directly adjoins our own barn, was approved as an exhibition and education centre only and should not be used for noisy social events.

3. Under recommendation 9, we are alarmed to see that the boundaries and location of the outside seating area are still not decided and that no date is given. We fear that in the future this patio area may be extended if it is not clearly defined now.

4. We are very alarmed by the increase from 24 outdoor seats shown in the proposed site plan Appx B, to 32 seats in recommendation 7. We fear that so many outdoor visitors sited directly next to our garden will greatly exacerbate the noise problem.

5. The recommended 48 indoor seats plus 32 outdoor seats add up to a total of 80 places. We believe this number of visitors will lead to overcrowding of our end of the village. Assuming that 80 people use 40 cars, this would be twice the present parking capacity. We believe this issue still needs attention.

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HAVANT BOROUGH COUNCIL

At a meeting of the Cabinet held on 14 March 2018

Present

Councillor Cheshire (Chairman)

Councillors Bowerman, Guest, Turner and Wilson

65 Apologies for Absence

Apologies were received from Councillors Bains, Briggs and Pike.

66 Minutes

The minutes of the meeting of the Cabinet held on 7 February 2018 were approved as a correct record.

67 Declarations of Interests

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

68 Chairman's Report

As this was his last Cabinet as Leader, Councillor Cheshire took the opportunity to thank the officers for their advice and support to Cabinet during his term of office.

69 Cabinet Lead Delegated Decisions, Minutes from Meetings etc.

RESOLVED that the following decision taken under the scheme of delegations to Cabinet Leads be noted:

- (1) Electric Vehicle Infrastructure

70 Review of Grass Cutting and Weed Clearance in the Borough

Councillor Branson, as Scrutiny Lead, was invited to present to Cabinet the findings and recommendations of the Operations, Environmental Services and Norse Scrutiny and Policy Development Panel arising from its review of grass cutting and weed clearance in the Borough.

Councillor Branson outlined the work undertaken by the Panel in seeking to understand the issues experienced in the summer of 2017, due largely to poor weather leading to unprecedented weed growth, and a delay in identifying the scale of the issue. The Panel had been satisfied that the measures that had since been introduced to prevent similar problems occurring in future were sufficiently robust.

RESOLVED that

- (1) The new monitoring arrangements, as set out in Appendix B to the report, to improve monitoring of the grass cutting and weed clearance programme, be endorsed;
- (2) Officers be requested to provide regular reports to Councillors on the progress of the grass cutting and weed clearance programme;
- (3) Officers be requested to investigate ways of encouraging Councillors to report any instances of poor or lack of grass cutting / weed clearance to Customer Services, and in turn encourage residents to do the same; and
- (4) Officers be requested to publish an article in *Serving You* advising residents to contact Customer Services in any instances of poor or lack of grass cutting or weed clearance.

71 Review of Havant Locality Board - Community Trigger

Councillor Patrick, as Scrutiny Lead, was invited to present to Cabinet the findings and recommendations of the Communities and Housing Scrutiny and Policy Development Panel arising from its review of the Havant Locality Board and its effectiveness in relation to the Community Trigger.

Councillor Patrick outlined the scope of the review and the methodology adopted by the Panel in reaching its conclusions.

Cabinet noted that clarification had been given by the Leader that community safety and antisocial behaviour fell within the remit of Councillor Wilson, as Cabinet Lead for Environment and Neighbourhood Services, and that Councillor Wilson had been briefed accordingly.

RESOLVED that

- (1) officers be requested to maximise publicity for the Community Trigger on the Council's website and the website for the Safer Havant Partnership;
- (2) officers be requested to provide a training course on the Community Trigger to all existing Councillors and to include this course as part of the Councillors' Induction programme; and
- (3) it be noted that responsibility for Community Safety and Anti-Social Behaviour falls within the remit of the Cabinet Lead for Environment and Neighbourhood Services.

72 Assets of Community Value

Councillor Patrick was invited to the meeting to present the findings and recommendations of the Communities and Housing Scrutiny and Policy Development Panel, arising from its review of the Council's Assets of Community Value policy and procedures.

In endorsing the recommendations, Cabinet members requested that guidance on the Council's website include a clear description of the criteria by which all applications were assessed.

RESOLVED that

- (1) Officers be requested to update the Council's website to contain clear information for the public detailing exactly what an Asset of Community Value (ACV) is, how they can apply, what can and cannot be used as a reason for the application and the requirement for groups submitting applications;
- (2) Officers be requested to send Councillors information on ACVs to enable clear direction to be given to residents;
- (3) Officers be requested to include details on how the Council considers ACV applications in the updated Local Plan;
- (4) Officers be requested to review the resources used by the Council to facilitate the ACV process;
- (5) The Monitoring Officer be requested to amend the Constitution to reflect the Cabinet's delegation of authority to determine nominations for the listing of ACVs to the Cabinet Lead for Communities and Housing (Minute 83/3/2013); and
- (6) Authority be delegated to the Head of Housing and Community Engagement to select up to three Councillors to sit on the Assets of Community Value Panel on a meeting by meeting basis, provided these Councillors are not members of the Cabinet or where the asset concerned is not within their Ward.

73 Havant Borough Council Advertising Policy

In the absence of Cllr Bains as Cabinet Lead for this item, Councillor Guest presented the report and commended the draft Advertising Policy to Cabinet for approval.

RESOLVED that the advertising policy be endorsed for use with external parties or partners.

74 Exclusion of the Press and Public

RESOLVED that the press and public be excluded from the meeting during consideration of the next item because:

- (a) 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 of the descriptions specified in paragraph 3 of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 shown against the heading in question; and
- (b) In all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Cabinet adjourned from 2.22pm to 2.29pm

75 Building Control IT System

(This item was taken in camera)

Councillor Guest presented an exempt report to Cabinet seeking the release of funds set aside within budgets for the procurement and mobilisation of a new IT system for Building Control, to be operational by January 2019.

An assurance was given that the new IT system, once implemented, would be fully compatible with the Council's other IT systems, and integration seamless, and that this requirement would be factored into the procurement process.

RESOLVED as set out in the Restricted Minute.

The meeting commenced at 2.00 pm and concluded at 2.39 pm

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Chairman

HAVANT BOROUGH COUNCIL

At a meeting of the Governance & Audit Committee held on 14 March 2018

Present

Councillor Smith K (Chairman)

Councillors Davis, Rees and Sceal

9 Apologies

Apologies for absence were received from Councillors D Smith and Lenaghan.

10 Minutes

RESOLVED that the minutes of the Governance and Audit Committee held on 10 January 2018 be approved as a correct record.

11 Declarations of Interest

There were no declarations of interest.

12 Chairman's Report

There were no matters that the Chairman wished to report.

13 External Audit - Audit Plan 2017/18

The Committee considered the Audit Plan 2017/18 as presented by Ernst and Young LLP. Andrew Brittain and Jason Jones of Ernst and Young LLP joined the meeting for the debate on this item and answered members' questions in connection with the report.

The Audit Plan 2017/18 set out the external auditor's proposed approach and scope for the 2017/18 audit. The Plan also highlighted the key risks identified and outlined the planned audit strategy in response to these risks.

RESOLVED that;

- a) The Audit Plan 2017/18 be noted; and
- b) The Committee confirm its understanding of, and agreement to, the materiality and reporting levels as set out on page 23 of the agenda pack.

14 External Audit - Certification of Claims and Returns Annual Report 2016/17

The Committee considered the Certification of Claims and Returns Annual Report 2016/17 as presented by Ernst and Young LLP. Andrew Brittain and Jason Jones of Ernst and Young LLP joined the meeting for the debate on this item and answered member's questions in connection with the report.

The report summarised the results of the external auditor's work on Havant Borough Council's 2016-17 claims and returns. The errors reported had not resulted in adjustments to the Council's 2016-17 claim.

The Chief Finance Officer passed on her thanks to Revenues and Benefits Officers, for their hard work in ensuring minimal errors.

RESOLVED that the Certification of Claims and Returns Annual Report 2016/17 be noted.

15 Internal Audit Progress Report 2017-18 (February 2018)

The Committee considered the report presented by Amanda Chalmers and Antony Harvey of the Southern Internal Audit Partnership, who joined the meeting for the debate on this item and answered member's questions in connection with the report.

The paper provided an update on the progress of internal audit activity completed in accordance with the approved audit plan, and summarised the status of 'live' reports.

The Committee were informed that the internal auditors remained confident that all outstanding work would be completed within agreed timescales.

RESOLVED that the Internal Audit Progress Report 2017-18 (February 2018) be noted.

16 Internal Audit Plan 2018-19

The Committee considered the Internal Audit Plan and the Fraud and Corruption Risk Plan 2018-19, as presented by Antony Harvey and Amanda Chalmers of the Southern Internal Audit Partnership.

The Internal Audit Plan provides the mechanism through which the Chief Internal Auditor can ensure the most appropriate use of internal audit resources to provide a clear statement of assurance on risk management, internal control and governance arrangements. The Plan reflected the Council's Corporate Strategy, ensuring focus is given to the associated risks to commissioning services.

The Fraud and Corruption Risk Plan set out the proactive and reactive initiatives to detect fraud, and demonstrate assurance that fraud has not taken place. The Plan also summarised the scheduled activities to be undertaken in relation to this.

RESOLVED that the Internal Audit Plan and the Fraud and Corruption Risk Plan 2018-19 be approved.

17 Internal Audit Charter 2018-19

The Committee considered the Internal Audit Charter 2018-19, as presented by Antony Harvey and Amanda Chalmers of the Southern Internal Audit Partnership.

The Internal Audit Charter formally defined the purpose, authority and responsibilities for internal audit activity.

RESOLVED that the Internal Audit Charter 2018-19 be approved.

18 Changes to Corporate Surveillance Policy and Procedure

The Committee considered a report from the Deputy Monitoring Officer detailing updates to the Corporate Surveillance Policy and Procedure.

The updates included clearer indication of the Council's responsibilities in relation to CHIS informants and consideration of the usage of social media for the gathering of evidence. These areas had been highlighted in a review of the Council's policy, undertaken by the Office of Surveillance Commissioners.

In addition, the Committee were advised that the designated Senior Responsible Officer needed to be updated to reflect staff changes.

RECOMMENDED to Council that the amended Corporate Surveillance Policy be adopted by the Council, subject to the following amendment on Page 4 of the Policy document:

- a) 'Tom Horwood, Executive Director' be updated to read 'Gill Kneller, Executive Director'.

19 Amendments to the Constitution

The Committee considered a report from the Democratic Services Assistant recommending changes to the Constitution.

RECOMMENDED that the Council amends Standing Orders 1.11 and 6.14 of the Constitution as follows:

Standing Order 1.11

*Every member of the Council must within twenty eight days from the start of each municipal year sign a declaration on a form supplied by the Democratic Services Team, that she or he has read **and understood** the Council's latest version of the Constitution.*

Standing Order 6.14

*Every member of the Council must within twenty eight days from being appointed to a Committee, Sub-Committee or Board sign a declaration on a form supplied by the Democratic Services Team, that he or she has read **and understood** the terms of reference for each committee, sub-committee or board he or she has been appointed to. A failure to comply with this standing order will be considered as a breach of the adopted Councillor's Code of Conduct.*

* amendments shown in bold

20 Monitoring Officer's Update

The Deputy Monitoring Officer informed the Committee that there were no outstanding Code of Conduct complaints.

The meeting commenced at 5.00 pm and concluded at 6.25 pm