

HAVANT BOROUGH COUNCIL
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Havant
BOROUGH COUNCIL

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ANNUAL COUNCIL / MAYOR MAKING AGENDA

Membership: All Elected Members of Havant Borough Council
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Meeting: Annual Council / Mayor Making

Date: Wednesday 11 May 2016

Time: 11.00 am

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

3 May 2016

Contact Officer: Penny Milne 023 9244 6234
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1 To Elect a Member of the Council to be Mayor of the Borough

To elect a Member of the Council to be Mayor of the Borough. The newly elected Mayor will make a declaration of acceptance of office, take the chair and be free to address the Council.

2 Vote of Thanks to Last Year's Mayor and Reply

3 Appointment of Deputy Mayor

To appoint a Member of the Council to be Deputy Mayor, who will then make a declaration of acceptance of office.

4 Discharges and Appointments of Trustees

To make discharges and appointments of Trustees of the Mayor of

the Borough of Havant Appeal fund Charitable Trust following the election of Mayor.

5 Apologies for Absence

To receive and record any apologies for absence.

6 Declarations of Interests

To receive and record any declarations of interest.

7 Minutes

1 - 8

The minutes of the meeting of the Council held on 13 April 2016 be taken as read and signed as a true record.

8 Committee Appointments

9 - 16

Recommended that the Council:

(i) Reviews the representation of the different political groups on the Council and the allocation of seats to each of those political groups into which the Council is divided as set out in Appendix A (Appendix A to be circulated following the elections);

(ii) Notes the appointments made to the Cabinet by the Leader of the Council as set out in Part A of Appendix B (Appendix B to be circulated following the elections);

(iii) Receives notification from the Leader of the Council that unless and until the Leader of the Council otherwise directs, the Cabinet, being the body which will undertake the relevant functions and powers set out in Part 3 (Responsibility for functions) of the Constitution of Havant Borough Council, will undertake all those functions and powers by acting together, save that, where Cabinet functions have been delegated to individual members of the Cabinet in accordance with the Scheme of Delegations to Portfolio Holders set out in Part 3B of the Constitution and/or to officers in accordance with the Scheme of Delegations to Officers set out in Part 3D of the Constitution, those delegations will continue to have effect.

(iv) Approves as set out in Parts B and C of Appendix B:

- 1 the appointment and functions of the various Committees and Boards;
- 2 the appointment of Councillors to those Committees and Boards in accordance with the wishes of the political groups; and;
- 3 the appointment of Chairs and Vice-Chairs (as appropriate) to those Committees and Boards; and

- (v) Approves the sundry appointments set out in Part D of Appendix B.

9 Appointment of Chief Finance Officer

RECOMMENDED to full Council that, in accordance with Section 151 of the Local Government Act 1972, Mr Stuart McGregor be appointed as the Council's Chief Finance Officer.

GENERAL INFORMATION

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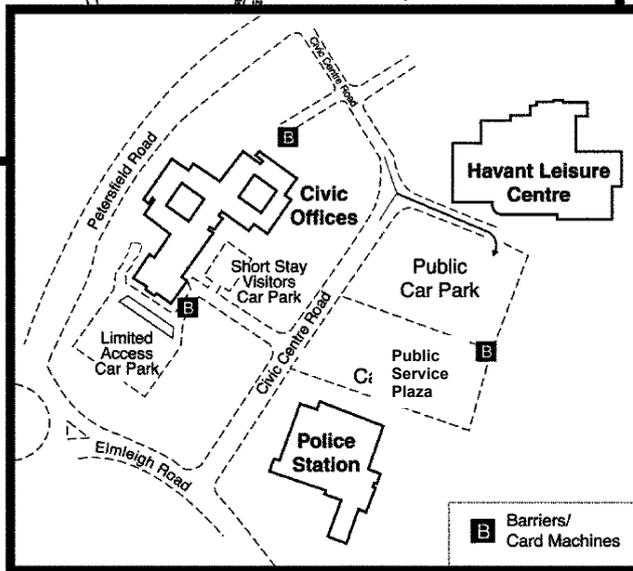
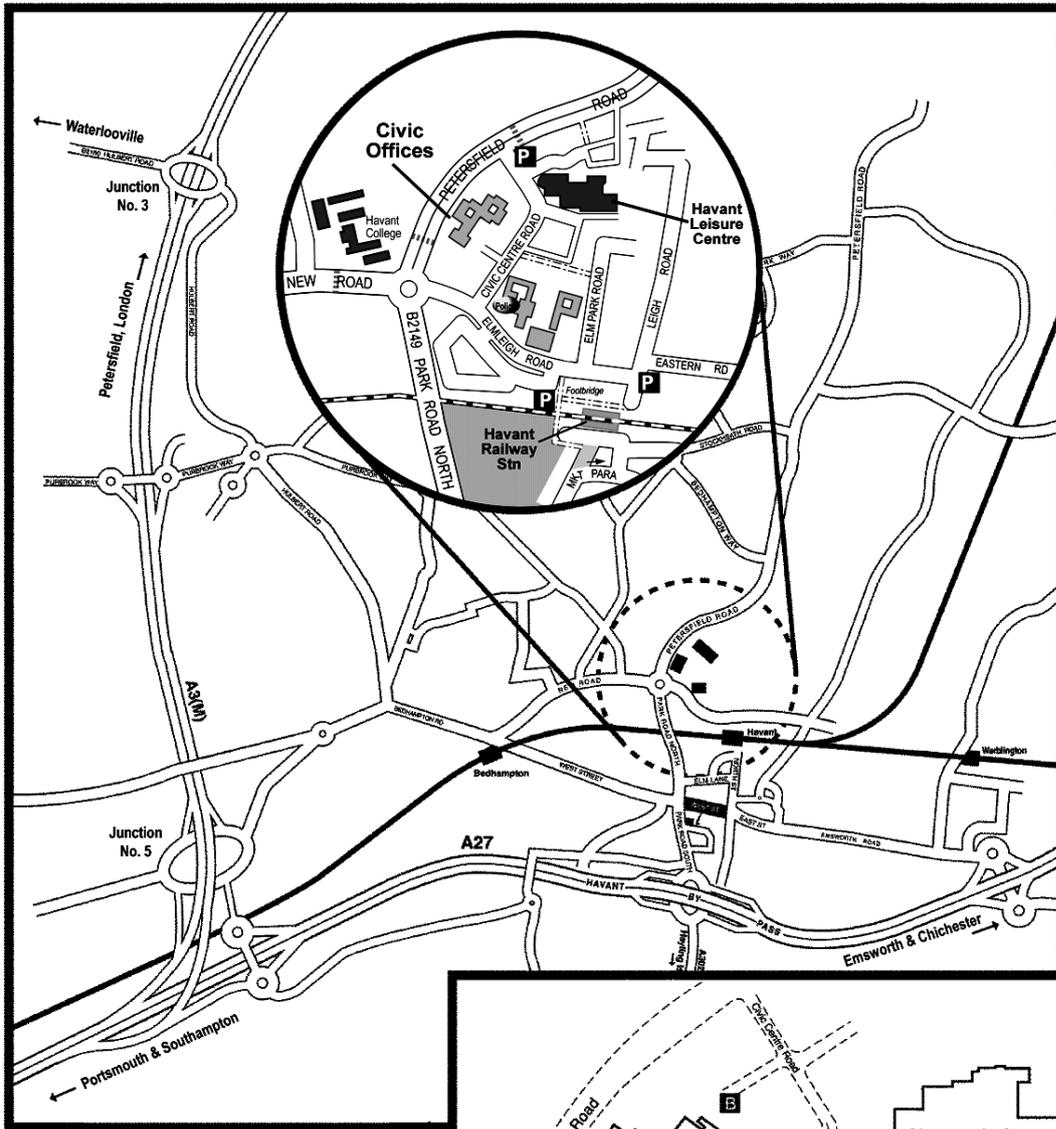
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HAVANT BOROUGH COUNCIL

At a meeting of the Council held on 13 April 2016

Present

Councillor Turner (Mayor)

Councillors Mrs Blackett, Briggs, Branson, Brown, Buckley, Cheshire, Cousins, Francis, Gibb-Gray, Guest, Hart, Heard, Keast, Kerrin, Lenaghan, Mackey, Perry, Pierce Jones, Ponsonby (Deputy Mayor), Sceal, Shimbart, Mrs Shimbart, Smith D, Howard, Wade, Weeks, Wilson, Bains, Cresswell, Patrick, Pike, Satchwell and Quantrill

83 Apologies for Absence

Apologies for absence were received from Councillors Fairhurst, Hughes, Rees and K Smith.

84 Declarations of Interests

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

85 Minutes

The minutes of the meeting of the Council held on 17 February 2016 were agreed as a correct record.

86 Matters Arising

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

87 Mayor's Report

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

88 Public Questions under Standing Order 13.4(f)

There were no public questions.

89 Appointment of s151 Officer

Proposed by Councillor Cheshire and seconded by Councillor G Shimbart it was:

RESOLVED that Mr Simon Little be appointed as the Council's Chief Finance Officer in accordance with section 151 of the Local Government Act 1972.

90 Appointments

The Council noted the following appointments made by the Leader of the Council:

- (1) Councillor Narinder Bains replaced Councillor Mike Fairhurst as Cabinet Lead for Marketing and Development, with effect from 3 March 2016; and
- (2) Councillor Lance Quantrill appointed to the Licensing Committee and the Environment and Neighbourhood Quality Scrutiny Panel with effect from 4 March 2016.

91 Appointment of Honorary Aldermen

Councillor Wilson presented a report and recommendation to Council setting out proposed changes to the criteria for conferring the title of Honorary Alderman.

Proposed by Councillor Wilson and seconded by Councillor Francis, it was

RESOLVED that the criteria for appointing Honorary Aldermen, agreed by the Council on 13 December 2006, be amended and approved as follows:

- (1) any former Councillor considered for appointment to the Aldermanic Bench must have served for a minimum of eight years;
- (2) subject to (1) above, any former Councillor nominated must have given outstanding service to the Council over and above a Councillor's normal duties; (which normal duties are defined in the Council's Constitution at Article 2.3 (a)). In particular they must have:
 - (a) been a Chairman for at least two years of a principal member-level body, that being of the Cabinet, the Overview and Scrutiny Board, the Regulatory Committees, and other such Committees established from time to time; or
 - (b) a member of the Cabinet for at least three years; or
 - (c) Mayor of the Borough; and/or
 - (d) given other outstanding service to the Borough.

92 Leader's Report

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

93 Cabinet Lead Reports

Councillor Guest provided a verbal update to Council on the following key current issues within his Economy, Planning and Built Environment Portfolio:

- New Next outlet in the Solent Road retail park to be opened on 28 April and the new Marks and Spencer store expected to open at the end of June;
- Marketing of the former Marconi site in Waterlooville to begin with a focus on attracting a leisure use for the site;
- New retail outlets in Havant Town Centre recently opened with a new restaurant in North Street attracting a high level of custom; and
- Further details with regard to the re-development of the North East quadrant of Market Parade to be reported back to Council following submission of detailed planning application in due course.

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

94 Cabinet Leads and Chairmen's Question Time

The Cabinet Leads answered questions from members in relation to their reports to Council. There were no questions for the Committee Chairmen.

95 Reports From the Scrutiny Board

The Council considered the following recommendation arising from the meeting of the Scrutiny Board held on 29 March 2016.

95a Councillor's Allowances

Councillor Branson presented a recommendation from the Scrutiny Board setting out proposed amendments to the Councillors Allowances scheme.

Proposed by Councillor Branson and seconded by Councillor Wade it was:

RESOLVED that the Councillors' Allowances be amended and adopted as follows:

“Havant Borough Council - Councillor Allowances 2016-2020

Position	Allowance
Basic Allowance (x38) (Incorporating a modernisation allowance of £461)	£5891
Leader (x1)	£14,800
Deputy Leader (x1)	£8,800
Cabinet Member (x4)	£8,140

Scrutiny Board Chairman (x1)	£5,920
Development Management Committee Chairman (x1)	£3,577
Licensing Committee Chairman (x1)	£2,960
Governance and Audit Committee Chairman (x1)	£1,480
Joint HR Committee Chairman (alternate years, rotating with EHDC) (x1)	£1,973
Scrutiny Leads (x5)	£2,500
Group Leader* (x2)	£600 - £2,400

A Councillor may only receive 1 SRA at a time

No more than 50% of the number of Councillors can receive an SRA

Joint HR Committee Chairman and Vice Chairman rotates annually with EHDC.

*Leaders of any political group, other than the ruling group, comprising two or more members to receive a Special Responsibility Allowance based upon the following formula:

Band A	2-5 members	£600
Band B	6-10 members	£1,200
Band C	11-15 members	£1,800
Band D	16+ members	£2,400

Prior to the next programmed independent review, annual consideration of minor allowance changes will take into account any pay changes applied to staff salaries.

Additional Allowances

Mileage: To be maintained in line with the HMRC rate, currently 45p per mile. Passenger and cycle rates set at 5p per passenger and 20p per mile respectively. Claims to be made within six months of the date of travel. Claims may only be made to cover travelling costs incurred whilst carrying out approved council duties as a councillor. This does not include ward business or political activities, such as attending group meetings.

Taxi/Rail: There is a presumption in the scheme that, where practicable, councillors will pre-book rail journeys for council business via the council. Where this is not practicable, then a valid receipt/train ticket must be presented, along with reason for that journey.

Child care: up to £8.75 per hour.

Dependent relative care: up to the hourly rate for approved care providers within Hampshire County Council (currently £14.20 in 2015).

Claims for carers allowances must be accompanied with a receipt stating the date, hours worked and cost. Claims may only be made to cover the carer costs incurred whilst carrying out approved council duties as a councillor, such as attending council meetings.

Subsistence (meal) allowances: The council does not make subsistence allowances available for approved duties within the district. Maximum claims for meals to be maintained in line with the rates that can be claimed by officers, currently (2015):

- Breakfast = £5.73
- Lunch = £7.92
- Meal = £9.80

There is a presumption in the subsistence scheme that, where practicable, councillors will pre-book meals and accommodation through the council. Where this is not practicable, then the above subsistence rates are the maximum reimbursements, up to a maximum of £43 per day, including incidental subsistence costs.

This scheme was adopted by Havant Borough Council, after considering recommendations from the Independent Remuneration Panel on 17 February 2016 and amended by the Council on 13 April 2016.

Under current legislation a new scheme must be adopted every four years, following a review from an Independent Remuneration Panel. The next scheme must be in place by April 2020.”

96 Notices of Motion

The Council received the following Motion from Councillor John Perry submitted under standing order 14:

“Due to the negative impact that EU directives such as the agency working time directive and EU procurement rules have on the ability and cost of Havant Borough Council to fulfil its obligations, this council agrees that Britain would be better off outside the European Union.”

Councillor Perry presented his Motion to the Council.

Significant concern was expressed by members present about the appropriateness of the Motion, given that the mandate for elected Councillors to represent the views of local residents in this instance had been removed by the Government’s decision to call a referendum on the matter, thereby giving individual voters a direct right to express their own opinion. This view was supported by the majority of members present.

The Mayor adjourned the meeting from 5.50pm to 6.05pm to take advice from the Monitoring Officer.

Following the adjournment, and proposed by Councillor Briggs and seconded by Councillor Gibb-Gray under procedural standing order 19.1 (Motions without Notice at Council with no further discussion), it was:

RESOLVED that this item be withdrawn from the agenda.

97 Questions Under Standing Order 23.4(a)

Notice of the following questions was given in accordance with standing order 23.4 and responses were provided as set out below:

1. Councillor Cousins to Councillor Guest:

With the development of various sites by Portsmouth City Council can Cllr Guest please give an update with the situation regarding the Riders allotment site?

Councillor Guest provided an update on negotiations with Portsmouth City Council with a view to potentially surrendering the lease of the land in questions whilst seeking to realise some value for the Council.

2. Councillor Cousins to Councillor Weeks:

With reference to the list of grants recently circulated to all Councillors with the Related Party Disclosures declaration, can the portfolio holder explain the criteria for which these grants are given? Would the portfolio holder agree these criteria should be advertised, at least to Councillors, so that they may be aware and advise any likely organisations in their wards who may be eligible to apply?

Councillor Weeks responded that she had requested an explanatory briefing note from the officers that she would be happy to circulate to all members of the Council.

3. Councillor Ponsonby to Councillor Weeks:

In view of the likelihood that the regular Cops and Coffee drop-in shop will not be returning to the Leigh Park Shopping Centre, despite its acknowledged success and imitation in other areas, will the Portfolio holder be writing to the new Chief Constable (whose commitment is to community policing) to ask her to find a way of reinstating it?

Councillor Weeks responded that she had contacted the Police and Crime Commissioner who had confirmed that his estates officers would be looking at alternative accommodation and Councillor Weeks undertook to keep Councillors informed on progress.

4. Councillor Ponsonby to Councillor Weeks:

There is concern that rents for some shops in Greywell Shopping precinct have been raised by 50%, which is going to affect their viability. Could the portfolio holder contact the owners, Sinclair Clark, to discuss the situation?

Councillor Weeks responded that she had contacted Nigel Watson of Matthews and Goodman who had rejected the claim and would be happy for members of the Council to contact him directly to discuss their concerns.

5. Councillor Ponsonby to Councillor Briggs:

Is there any progress in taking action against the owners of advertising trailers and lorries who are taking up parking spaces on streets and in laybys, thus preventing residents and others being able to park there? I almost wrote a letter of congratulation to traffic management when one that had been in an Emsworth layby at last disappeared, only to have another one come back a day or two later.

Councillor Briggs confirmed that he was proactively looking at various options for resolving this issue.

98 Urgent Questions under standing order 23.4(b)

There were no urgent questions.

99 Acceptance of Minutes

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

Leader's Announcements

At the conclusion of the meeting, the Leader welcomed Councillor Lance Quantrill, recently elected member for Bondfields ward, to the Council.

The Leader also expressed, on behalf of the Council, his appreciation to Councillors Gibb-Gray, Heard and Pierce-Jones, who had all decided not to stand for re-election in May, for their varied and outstanding contribution to the work of the Council in recent years and the Leader took the opportunity to wish them well for the future.

The meeting commenced at 5.00 pm and concluded at 6.32 pm

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Mayor Making – Annual Council

11 May 2016

APPENDIX B - PART A

Cabinet (6)

Position	Councillor
Leader of the Council and Cabinet Lead for Corporate Strategy, Finance and Devolution	M Cheshire
Deputy Leader of the Council and Cabinet Lead for Operations and Environmental Services, NORSE	A Briggs
Cabinet Lead for Governance & Organisational Development	M Wilson
Cabinet Lead for Marketing & Business Development, Five Councils	N Bains
Cabinet Lead for Economy, Planning & Development, Prosperity Havant	D Guest
Cabinet Lead for Communities and Housing	L Turner

Functions: the relevant powers and duties set out in Article 6 of Part 2 and Part 3 of the Constitution of Havant Borough Council.

APPENDIX B - PART B

Scrutiny Board (11)

Group	Name
<u>Conservative</u> (9)	P Buckley (C) T Pike G Shimbart M Fairhurst E Rees D Smith D Patrick G Hughes C Mackey
<u>Labour</u> (1)	B Francis
<u>Lib Dem</u> (-)	F Ponsonby (co-opted)
<u>UKIP</u> (1)	M Carpenter

Functions: the relevant powers and duties set out in Article 7 of Part 2 and Part 3 of the Constitution of Havant Borough Council.

Development Management Committee (7)

Group	Appointments
<u>Conservative</u> (6)	Chairman to be appointed at each meeting from among the Committee membership on a rotating basis, to be nominated at the previous meeting. D Keast C Howard L Quantrill D Patrick C Satchwell P Buckley
<u>Labour</u> (-)	(-)
<u>Lib Dem</u> (-)	(-)
<u>UKIP</u> (1)	J Perry

Functions: the relevant powers and duties set out in Article 8 of Part 2 and Part 3 of the Constitution of Havant Borough Council.

Licensing Committee (15)

Group	Appointments
<u>Conservative</u> (13)	D Smith - (C) G Hughes - (V/C) M Fairhurst G Shimbart C Howard P Wade D Keast M Sceal R Cresswell G Blackett T Pike J Thomas L Bowerman
<u>Labour</u> (1)	T Hart
<u>Lib Dem</u> (-)	
<u>UKIP</u> (1)	G Kerrin

Licensing Sub-Committee Chairmen (5)

Appointments
M Fairhurst G Hughes T Pike G Shimbart C Howard (5 Cons)

Functions: the relevant powers and duties set out in Article 8 of Part 2 and Part 3 of the Constitution of Havant Borough Council.

Joint Human Resources Committee (6 of 12)

Group	Appointments
<u>Conservative</u> (5)	J Branson (C) D Patrick P Wade M Fairhurst D Lloyd
<u>Labour</u> (-)	(-)
<u>Lib Dem</u> (-)	(-)
<u>UKIP</u> (1)	J Perry

Functions: the relevant powers and duties set out in Article 10 of Part 2 and Part 3 of the Constitution of Havant Borough Council. Six Councillors to be appointed by each Authority representing East Hampshire District Council respectively. Chairman in 2016 to be appointed from the HBC membership, Vice Chairman to be appointed from the EHDC membership.

Governance and Audit Committee (7)

Group	Appointments
<u>Conservative</u> (5)	K Smith (C) C Mackey T Pike E Rees G Shimbart
<u>Labour</u> (1)	T Hart
<u>Lib Dem</u> (-)	(-)
<u>UKIP</u> (1)	J Davis

Functions: the relevant powers and duties set out in Article 9 of Part 2 and Part 3 of the Constitution of Havant Borough Council.

Joint West of Waterlooville Major Development Area Planning Committee (4 including Chairman of the Development Management Committee)

Group	Appointments – Must be members of the Development Management Committee
<u>Conservative</u> (4)	D Keast C Howard L Quantrill P Buckley (V/C)
<u>Labour</u> (-)	(-)
<u>Lib Dem</u> (-)	(-)
<u>UKIP</u> (-)	(-)

Functions: the relevant powers and duties set out in Article 10 of Part 2 of the Constitution of Havant Borough Council and in the Constitution and Terms of Reference of the West of Waterlooville Major Development Area Planning Committee set out in Part 3, Section C of the Constitution.

APPENDIX B - PART C

Standing Deputies

<u>Body</u>	<u>Conservative</u>	<u>Labour</u>	<u>UKIP</u>
Scrutiny Board	All Panel Members		
Development Management	D Guest G Hughes L Bowerman	(-)	J Davis
Licensing	(1) Cons Vacancy	B Francis	M Carpenter
Governance and Audit	G Shimbart	B Francis	G Kerrin
Joint West of Waterlooville Major Development Area Planning Committee	(1) Cons Vacancy	(-)	(-)

APPENDIX B - PART D

Sundry Appointments

Langstone Harbour Board

Group	Appointments
<u>Conservative</u> (6)	J Branson R Cresswell G Shimbart K Smith T Pike A Lenaghan
<u>Deputies</u> (2)	G Hughes L Bowerman

Chichester Harbour Conservancy

Appointed Councillors
K Smith J Branson
J Thomas (Deputy) R Cresswell (Deputy)

Police and Crime Panel

Councillor
G Shimbart
L Turner (Deputy)