

HAVANT BOROUGH COUNCIL

At a meeting of the Council held on 27 January 2021

Present

Councillor P Bains (Mayor)

Councillors Inkster, Patel, Thain-Smith, Robinson, Bains, Bowerman, Briggs, Branson, Carpenter, Crellin, Davis, Francis, Guest, Hart, Howard, Hughes, Keast, Lloyd, Milne, Patrick, Pike, Raines (Deputy Mayor), Rennie, Satchwell, Sceal, Scott, Mrs Shimbart, Smith K, Thomas, Turner, Wade, Weeks and Wilson

20 Apologies for Absence, Confirmation of Attendance and Declarations of Interest

Apologies were received from Councillors David Jenner, Richard Kennet, Jo Lowe and Gary Robinson.

There were no declarations of interest from the members present.

21 Minutes

Proposed by Cllr Wilson and seconded by Cllr Hughes it was RESOLVED that the minutes of the previous meetings of the Council held on 9 September 2020 and 26 September 2020 be confirmed as correct records.

22 Mayor's Report

The Mayor did not wish to add anything to his published report and there were no questions from members in relation to the Mayor's report.

23 Public Questions under Standing Order 13.4(f)

No questions from the public had been received under the provisions of this Standing Order.

Mr Daniel Toohey, Head of Legal Services, left the meeting for the following item.

24 Appointment of Monitoring Officer

Proposed by the Leader and seconded by Cllr Sceal, it was RESOLVED that in accordance with Article 8.2 of the Council's Constitution, Mr Daniel Toohey, Head of Legal Services, be appointed as the Council's Monitoring Officer.

Mr Daniel Toohey, Head of Legal Services, re-joined the meeting.

25 Cabinet/Board/Committee Recommendations

Recommendation from the Governance, Audit & Finance Board held on 7 October 2020 - Code of Conduct Review

Following an introduction by Cllr Bowerman, the relevant Cabinet Lead, Cllr Briggs presented the item in his capacity as the Governance, Audit & Finance Board and proposed the Board's recommendation to Council.

The recommendation was duly seconded by Cllr Crellin.

Following a vote, it was RESOLVED that Council agreed:

- (i) the Code of Conduct recommended by the Governance, Audit & Finance Board;
- (ii) the supporting procedures as approved by the Governance, Audit & Finance Board; and
- (iii) Delegated to the Governance, Audit & Finance Board authority to make any minor amendments to the Code of Conduct and to correct inconsequential typographical or other errors.

Recommendation from the Cabinet meeting held on 13 January 2021 - Council Tax Support Scheme 2021/22

Proposed by Councillor Inkster and seconded by Councillor Turner, following a vote, it was RESOLVED that the 2020/21 Council Tax Support Scheme be retained for 2021/22, but with the following amendments:

- (i) the Allowances and Premiums used in determining entitlement for working age claims are changed as set out in paragraph 5.3 of this report;
- (ii) the Non-Dependant deductions used in determining entitlement for working age claims are changed as set out in paragraph 5.4 of this report; and
- (iii) that the necessary amendments are made to the Council Tax Support Scheme document and that it is then published in accordance with Local Government Finance Act 1992 Section 13A(2)

26 Adoption of a New Constitution for the Council

Council received a deputation from Mr Philip Munday on behalf of the St Faiths & Emsworth Labour Party.

Cllr Bowerman introduced the item as the relevant Cabinet Lead and addressed the matters raised by Mr Munday in his deputation.

Cllr Bowerman proposed the recommendation to adopt the new Constitution with an effective date of 1 March 2021.

This recommendation was duly seconded by Cllr Rennie.

Cllr Francis proposed the following amendment to the recommendation:

“The new Constitution be adopted with an effective date of 1 March 2021, with the following amendment to Standing Order 57:

Councillors will be entitled to attend the confidential/exempt part of meetings of Committees, Sub Committees and public meetings of the Cabinet unless a resolution is passed (after consultation with the Monitoring Officer) to exclude the PRESS, the PUBLIC and COUNCILLORS.

In addition, they have a right to remain and have access to documents if they demonstrate that they have a, " need to remain," as listed in S.O. 57.2. Omit S.O.57.3, S.O. 57.4, S.O. 57.5 and S.O.57.6.”

Cllr Francis’ amendment was duly seconded by Cllr Hart.

In debating the amendment it was highlighted that Standing Order 57 had been considered carefully, as some exempt matters were legally privileged or commercially confidential in nature. To protect members and the Council it was therefore important that a robust process existed to ensure that only those who had demonstrated a need to know were given access to such material or allowed to stay within the exempt part of a meeting where such material was discussed.

Whilst unable to support the amendment, several councillors sympathised with its sentiments. Council noted that the Constitution was a live document and that the consideration and recommendation to Council of any changes fell within the Terms of Reference of the Standards Committee

Following a vote, the amendment was declared LOST.

Council debated the substantive motion and in doing so commended the work of the Constitution Sub-Committee, Councillors, Bevan Brittan and the Head of Legal Services. Councillors supported the new Constitution, although highlighted the change in deadline for the submission of questions to Council, which some members felt should be reviewed by the Standards Committee along with the wording for Standing Order 57.

Following a vote, it was RESOLVED that the new Constitution be adopted, with an effective date of 1 March 2021.

27 Report of the Independent Remuneration Panel in respect of Councillor Allowances

Mr John Thompson MBE, Chairman of the Independent Remuneration Panel, introduced the panel's report and outlined the options available to Council.

Cllr Briggs, Chairman of the Governance, Audit & Finance Board presented the Board's report and recommendations.

The Leader opened the debate and thanked the Independent Remuneration Panel and the Governance, Audit & Finance Board for their work.

Given the current national situation he did not believe that it would be appropriate for Councillors to award themselves an increase in allowances and proposed the following motion:

- (i) Council adopt the Members' Allowance Scheme as attached as Appendix 2, as compiled by the Governance, Audit and Finance Board and supported by Cabinet during the setting of the budget, which includes the following changes to the Council's Special Responsibility Allowances:

Allowance	Current	Recommended
Basic Allowance	£5,430	£5,579
Modernisation Expense Allowance	£461	£461
Leader	£14,800	£17,901
Deputy Leader	£10,018	£10,293
Cabinet Member	£8,425	£8,656
Governance Audit & Finance Board Chairman	£6,831	£7,018
Scrutiny Board Chairman	£5,692	£5,848
Development Management Committee Chairman	£5,009	£5,146
Licensing Committee Chairman	£1,116	£1,147
Joint HR Committee Chairman	£3,643	£3,743
Group Leader	£911-£3,643	£936-£3,743

- (ii) the adopted Members' Allowance Scheme at (i) to come into effect from 1 April 2022; and
- (iii) The Council appoints and maintains an Independent Remuneration Panel for a period of four years to allow the panel to be consulted on proposed changes to the Members' Allowance Scheme during this period.

This motion was duly seconded by Cllr Crellin.

During the debate members were supportive of the motion, believing that agreeing an increase in allowances at the current time, when some residents were experiencing severe hardship, would not be appropriate.

Following a vote, it was RESOLVED that the motion proposed by the Leader and seconded by Cllr Crellin be AGREED.

28 Leader's Report

There was nothing further that the Leader wished to add to his published report.

29 Cabinet Lead Reports

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

30 Cabinet Leads and Chairmen's Question Time

In response to a question from Cllr Pike regarding the delivery of housing in the Borough, the Leader confirmed that there were specific reasons as to why the delivery of housing was difficult within the region and both he and the Chairman of the Solent LEP had written to Ministers about these issues. In respect of housing on the Council's own land, it was the Council's aspiration to provide homes for residents and that the Regeneration Strategy was currently being reviewed as to how this could be provided sooner rather than later.

In response to a question from Cllr Francis regarding the corporate strategy and transformation, the Leader explained that the events of the past year had caused the council to focus on protecting residents and administering the various grants available to businesses whilst also maintaining services. The corporate strategy had however continued to be looked at and it was important for the Council to maintain a direction as the pandemic passed.

With regard to the business of the Council, Cabinet meetings remained open for people to attend and the new Overview & Scrutiny Committee would he hope prove to be an effective vehicle for members to obtain information and challenge council policy.

In response to a question from Cllr Francis, Cllr Bowerman confirmed that she was happy to investigate with Cllr Rennie the potential for laptops to be loaned to councillors.

In response to a question from Cllr Weeks, Cllr Bowerman confirmed that procurement and exchequer services had been brought back in house from Capita and the negotiated settlement included costs associated with bring the service back in house which were primarily project costs to ensure a smooth transition of these key services. There are also costs associated with recruitment, however even with these costs, the reprovision of the exchequer service would remain within budget.

In response to a question from Cllr Pike, Cllr Satchwell agreed to investigate why the minutes of the 10 September 2020 Development Management Committee had yet to be published.

31 Questions Under Standing Order 23

Question from Cllr Davis to Cllr Turner

Can you please tell us what the situation is at the moment regarding the Breach in the sea wall at Southmoor Nature reserve? Is this Breach to be allowed to be permanent and if so at what point is the remaining wall to be re-enforced if at all. Will it be allowed to just get bigger and bigger?

Reply from Cllr Turner:

HBC Officers are monitoring the situation but not promoting any response or action. Our position is unchanged since our previous response. As this land is not owned by HBC, the Council will not be taking action as this is a matter for the landowner.

Questions from Cllr Davis to Cllr Bowerman

(i) Why does the Council need to recruit four extra solicitors at a time when we are told our Council Budget is in deficit and getting worse? (This year the Budget is in small profit only because of the extra covid payments)

Reply from Cllr Bowerman:

These are not extra posts but are existing vacancies presently being filled by locum staff. The recent recruitment exercise will fill these as permanent roles which represent a cost saving for the Council.

(ii) Why do we need a new post of Senior Democratic Services Team Leader.? This is another extra expense which we have not had before, in the face of a rising budget deficit to this council.

Reply from Cllr Bowerman:

The Senior Democratic Services Officer role will provide improved support for Scrutiny and member development in keeping with feedback from members. This new post is part of a full review of the Democratic Services structure which has been undertaken to ensure that it

is appropriately resourced. The former Democratic Services Assistant and Democratic Services Officer positions have been merged into career graded Democratic Services Officer posts to enable career progression and the overall budget for providing the new shared service doesn't represent an increase over that of the existing structure when fully staffed.

Question from Cllr Pike to Cllr Rennie

Could the Cabinet Lead please confirm how much the Council currently spends on maintaining play areas, and how much he believes would need to be budgeted so that the current level of play equipment is maintained without further reductions?

Reply from Cllr Rennie

Since 2019/20 we have managed an annual £70k capital budget for small scale play area refurbishment. This budget is utilised for the replacement of items of play equipment that are coming to, or are, at the end of their usable life and also looks at a bigger picture of how this investment can have the largest impact for children in terms of the play value, inclusivity and welcome that a play area provides. Given this and the standards for modern equipment, it's not always the case that like for like replacements are sourced.

The general maintenance of play areas is managed by Norse. This includes safety inspections and subsequent repairs to equipment, surfacing, gates, fencing etc and the removal of play items if deemed unrepairable.

We are reliant on external grant funding, CIL and community group fundraising to realise any larger refurbishment works. For example, the full refurbishment of Emsworth Recreation Ground, due to be completed this year, is funded by £45k CIL and £45k of charity fundraising by Veritys Gift and similarly in 2018, the full refurbishment of Hayling Park Play area, at £85k was funded by S106 and community fundraising by Play Parks for Hayling.

If any Member wishes to bring forward ideas for the refurbishment of a local playpark or has identified problems with equipment, I'd be very happy to host a meeting with officers to discuss in more detail.

In response to a supplementary question from Cllr Pike, Cllr Rennie believed that there was some scope to look at additional capital funding within the budget for the replacement of tired or missing play equipment.

32 Urgent Questions Under Standing Order 23

There were no urgent questions received under the provisions of this Standing Order.

33 Acceptance of Minutes

Proposed by Cllr Briggs and seconded by Cllr Branson it was

RESOLVED that the minutes of Committees held since the last meeting of Council be received.

The meeting commenced at 5.00 pm and concluded at 7.29 pm

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Mayor