

HAVANT BOROUGH COUNCIL

At a meeting of the Council held on 26 January 2022

Present

Councillor Raines (Mayor)

Councillors Bowerman, Bains, Branson, Briggs, Crellin, Francis, Howard, Hughes, Keast, Inkster, Kennett, Linger, Patel, Payter, Robinson, Stone, Thain-Smith, Lloyd, Milne, Patrick (Deputy Mayor), Pike, Rennie, Satchwell, Seal, Turner, Weeks, Denton and Wilson

42 Apologies for Absence

Apologies were received from Councillors Prad Bains, David Guest, David Jenner, Tom Moutray, Ian Robinson, Isobel Scott, Elaine Shimbart and Peter Wade.

43 Declarations of Interests

There were no declarations of interest from the members present.

44 Minutes

Proposed by Councillor Branson and seconded by Councillor Wilson it was RESOLVED that the minutes of Council held on 03 November 2022 were confirmed as a correct record.

45 Mayor's Report

There were no questions for the Mayor on her published report.

46 Public Questions under Standing Order 27.5

There were 7 questions received from the public under the provision of this standing order.

2 questions received were read out and responded to as part of the substantive item, Withdrawal of the Joint Management and Shared Staff Arrangements with the remaining questions being responded to as part of this item.

Ms Hawdon addressed Council to ask her question, which was duly responded to by Councillor Bowerman, as relevant Cabinet Lead.

Ms Brooks addressed Council to ask her questions, which were duly responded to by Councillor Rennie as Leader of the Council and relevant Cabinet Lead.

A list of questions and answers are attached to the minutes as Appendix A for reference.

47 Cllr Allowance Scheme Independent Review

The Mayor welcomed Mr Peter Moore, Mr Andrew Kirk and Mr David Heck, members of the Independent Remuneration Panel to the meeting.

Mr Peter Moore, as Chairman of the Independent Remuneration Panel introduced the panel's report and outlined their findings, which were also considered by the Standards Committee at their meeting of 13 December 2021.

Members debated the findings in the panels' report and Councillor Rennie thanked the panel for their work and their engagement with Members.

Following a vote, in which there were 23 Members 'in favour', 1 Member 'against' and 5 Members 'abstaining', it was RESOLVED that the motion proposed by the Leader and seconded by Cllr Crellin be AGREED that:

- (a) the Councillors' Allowances Scheme be amended to include the following SRAs:
 - Chairman of the Standards Committee - £3871
 - Chairman of the Audit and Finance Committee - £5692
 - Chairman of the Overview and Scrutiny Committee - £5692
 - Chairman of the Planning Policy Committee - £5237
 - Assistant to a Cabinet Member - £2505
- (b) the additional or adjusted SRAs recommended in 2.1(a) above be backdated to the beginning of the municipal (financial) year 2021/22, and the reduction for Chairman of Standards Committee SRA to commence from the new municipal year
- (c) the increase in the Leader's Allowance due to come into effect from 1 April 2022 should not lead to an increase in the other SRAs (including the SRAs recommended at 2.1(a) above).
- (d) all SRAs including those recommended at 2.1(a) above be increased each year from 1 April 2022 in line with any NJC increase.
- (e) In relation to the basic allowance:
 - That there be no change to the members allowance scheme in relation to the Basic Allowance
 - To be clear, that the Basic Allowance still be increased in line with any NJC increase each year from 1 April 2020/21

Councillor Bains as relevant Cabinet Lead introduced the item and presented the recommendations contained in the report, which had been recommended to Council from Cabinet at their meeting on 15 December 2021.

Proposed by Councillor Bains and duly seconded by Councillor Denton, following debate and vote, it was RESOLVED that:

- 1) the 2021/22 Council Tax Support Scheme is retained for 2022/23 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 4.6 of this report.
 - ii) the Non-Dependant deductions used in determining entitlement for working age claims are changed as set out in paragraph 4.7 of this report.
- 2) 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).

49 Cabinet/Board/Committee Recommendations

Cabinet – 26 January 2022

Withdrawal of Joint Management and Shared Staff Arrangements

This matter was considered outside of this substantive item. The Mayor informed Council that this item directly affected Ms Gill Kneller, Chief Executive and Ms Kim Sawyer, Chief Operating Officer and duly invited both officers to leave the Council chamber whilst the matter was debated and decided.

Councillor Rennie, as Leader of the Council introduced the item and proposed the recommendations and reflected on the successful, positive partnership with East Hampshire District Council, but commented that this decision gave the Council the opportunity to focus on priorities for the benefit of the residents of the Borough.

The Mayor read out the questions from the member of the public related to this matter that was duly responded to by Councillor Rennie. Councillor Rennie further responded to questions from Councillors.

Seconded by Councillor Francis, following debate and a vote, it was RESOLVED that Council:

- a. note the initial discussions between the two Councils Leaders and their mutual view based on the reasoning set out in this report, that it is in the interests of both Councils to consider the withdrawal from shared management arrangements, with a degree of expediency.

- b. agree to withdraw from the Joint Management Team Agreement, subject to a business case being reported to the next meeting of the Council exploring the risks, issues, benefits and costs of the withdrawal and further exploring those in light of a proposed reduction of the 24 months exit period.
- c. In the interests of ensuring that both Councils ensure appropriate governance, to request that the Chief Executive
 - i. puts in place appropriate measures for both Councils to adhere to the conflict-of-interest policy as this matter is considered, and in that respect to ensure appropriate acting up arrangements or deputies are appointed to represent the interests of both Councils.
 - ii. to report to each meeting of the Council on progress against the proposals to exit the Joint Management Team Agreement with a view to reporting separate management structures to each Council meeting by May 2022, ensuring stability in the management teams at the earliest opportunity.
- d. request that Kim Sawyer is confirmed as the acting Chief Executive and Head of Paid Service for Havant Borough Council until such time as the Council may secure an interim Chief Executive.
- e. That Council receive legal advice on:
 - i. appropriate procedures to recruit an interim Chief Executive
 - ii. the process to secure a permanent Chief Executive and to make appropriate arrangements to begin a recruitment process, subject to confirming the advice received
- f. request that as part of the budget report to be brought to the next full Council, it includes a timetable and project plan in respect of the actions above

The Mayor invited Ms Gill Kneller, Chief Executive and Ms Kim Sawyer, Chief Operating Officer to re-join the meeting.

Councillor Rennie thanked the Chief Executive for her hard work and support she has provided Council in her time as both Chief Executive and prior to that as a Director and commended her dedication to the Borough.

The Mayor called a short adjournment and resumed with the meeting agenda as published.

Licensing Committee – 14 September 2021

Hackney Carriage Fee Tariff

Councillor Turner as Chair of the Licensing Committee introduced the item and proposed the Committee's recommendations to Council.

The Recommendation was seconded by Councillor Patrick.

Following a vote, it was RESOLVED that Council APPROVED:

- (1) The following increases in the Hackney Carriage Fares be advertised:
 - i) an increase in the 'flag drop' from £2.40 to £3.00;
 - ii) an increase in the rolling mile charge from £1.70 to £1.80;
 - iii) an increase in the fare charged from 18:00 hours on Christmas Eve to 24:00 hours on Christmas Day and from 18:00 hours New Year's Eve to 24:00 hrs on New Year's Day from time and half to double time; and
 - iv) an increase in the soil charge from £50.00 to £75:00
- (2) Any objections to the above proposals following the advertisement be considered by the Licensing Committee; and
- (3) If there are no objections then the increase be implemented 28 days from the date the proposed fare increases were first advertised.

Standards Committee – 13 December 2021

Changes to the Constitution

Councillor Wilson as Chair of the Standards Committee introduced the item, thanked key members for their work on this matter and proposed the Committee's recommendations to Council.

The recommendation was seconded by Councillor Patrick.

Following a vote, it was RESOLVED that:

- (A) The following paragraph be added to Access to Information Standing Order 57.1 in Part 3 Section B of the Constitution

"The Council will operate a presumption of access to confidential or exempt parts of Council, Committee, Sub-Committee or Cabinet meetings, and related documents, for all Councillors. The examples given below of where a "a need to know" will apply are

not exhaustive and there is an expectation that exclusion of a councillor from a meeting, or access to a document, will be exceptional.”

(B) (Paragraph 2.2.5 of Part 2 Section E1 be amended to provide as follows:

“Where, within four weeks of its receipt by the Council, or within seven days of being notified of an intended officer decision to determine a Planning Application:

- (a) The local ward Councillor (or in the absence of the local ward Councillor, the Chairman or Vice Chairman of the Planning Committee) requests in writing to the Head of Planning, giving good material planning reasons, that the application be determined by the Planning Committee, and/or
- (b) Where five or more individual letters, each raising material planning objections, have been received by the Council, and the referral is supported by a ward Councillor and is agreed by the Chairman of the Planning Committee, the Head of Planning and the Cabinet member with portfolio responsibility for Planning, that the application be determined by the Planning Committee.”
- (c) Paragraph 2.2.7 of Part 2 Section E1 be amended to read as follows:
“Where the application is to vary or remove a condition that was imposed by the Planning Committee, on an application under section 73 of the Town and Country Planning Act 1990, or to make any other amendment to an approved scheme, which the Head of Planning in consultation with the Chairman of Planning Committee is of the opinion will have a significant impact on the relevant planning permission to which the amendment or condition may attach so as to change the character and basis of that planning permission.”

50 Leader's Report

The Leader had nothing to add to his published report.

51 Cabinet Lead Reports

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

52 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 and the reports were NOTED.

53 Questions Under Standing Order 27.4.1

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

54 Urgent Questions Under Standing Order 27.4.2

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

55 Appointments

Proposed by Councillor Rennie and seconded by Cllr Bowerman it was RESOLVED that Council:

- (i) Reviews the representation of the different political groups on each of the Committee, Boards and Panels set out in Appendix A and determines:
 - (a) the allocation of seats on each of those bodies to each of the political groups into which the Council is divided and
 - (b) the membership of those bodies in accordance with the wishes of those groups; and
- (ii) Approves:
 - a) the appointment of Councillors to those Committees, Boards and panels as set out in Appendix B: Parts A & B and;
 - b) that all appointments at (ii) remain in place until the next Annual meeting of the Council.)

56 Special Urgency Decisions

Members NOTED the special urgency decision.

57 Acceptance of Minutes

Proposed by Councillor Wilson and seconded by Councillor Keast it was RESOLVED that the minutes of Committees held since the last meeting of Council be received.

The meeting commenced at 6.00 pm and concluded at 7.49 pm