

# Hampshire

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At a Meeting of Hampshire County Council held at The Castle,  
Winchester on 25 November 2010.

## **Chairman:**

*p* Councillor Carol Leversha

## **Vice-Chairman:**

*p* Councillor Anna McNair Scott

	Councillor:		Councillor:
<i>a</i>	Frederick Allgood J.P.	<i>a</i>	Sam James
<i>p</i>	Mrs Charlotte Bailey	<i>p</i>	Andrew Joy
<i>p</i>	Ian Beagley	<i>p</i>	David Keast
<i>p</i>	Ray Bolton	<i>p</i>	Mark Kemp-Gee
<i>p</i>	Alan Broadhurst	<i>p</i>	Mel Kendal
<i>p</i>	John Bryant	<i>p</i>	Roger Kimber
<i>p</i>	Ann Buckley	<i>p</i>	Tim Knight
<i>p</i>	Rita Burgess	<i>p</i>	Rupert Kyrle
<i>p</i>	Adam Carew	<i>p</i>	Keith Mans
<i>a</i>	Christopher Carter	<i>p</i>	Peter Kent Mason
<i>p</i>	Keith Chapman	<i>p</i>	Alexis McEvoy
<i>p</i>	Peter Chegwyn	<i>p</i>	Robin McIntosh
<i>p</i>	Vaughan Clarke	<i>p</i>	Roz Muschamp
<i>p</i>	Adrian Collett	<i>p</i>	Pam Mutton
<i>p</i>	Brian Collin	<i>p</i>	Eric Neal
<i>p</i>	Mark Cooper	<i>p</i>	Frank Pearce
<i>p</i>	Sam Darragh	<i>p</i>	Roy Perry
<i>p</i>	Brian Dash	<i>p</i>	Jackie Porter
<i>p</i>	Colin Davidovitz	<i>p</i>	Roger Price, JP
<i>p</i>	Phryn Dickens	<i>p</i>	Jenny Radley
<i>p</i>	Alan Dowden	<i>p</i>	Stephen Reid
<i>p</i>	David Drew	<i>p</i>	Alan Rice, TD
<i>p</i>	Peter Edgar	<i>p</i>	Steve Rippon-Swaine
<i>p</i>	Dr. Ray Ellis	<i>p</i>	Angela Roling
<i>p</i>	Adrian Evans	<i>a</i>	David Simpson
<i>p</i>	Keith Evans	<i>p</i>	Margaret Snaith-Tempia
<i>p</i>	Liz Fairhurst	<i>p</i>	Elaine Still
<i>p</i>	Jane Frankum	<i>p</i>	Bruce Tennent
<i>p</i>	Mike Geddes	<i>p</i>	Tom Thacker
<i>p</i>	Andrew Gibson	<i>p</i>	Christopher Thomas
<i>p</i>	Jonathan Glen	<i>p</i>	Ken Thornber, C.B.E.
<i>p</i>	Brian Gurden	<i>p</i>	Marilyn Tucker
<i>p</i>	David Harrison	<i>p</i>	John Wall
<i>p</i>	Edward Heron	<i>p</i>	Alan Weeks
<i>p</i>	Felicity Hindson	<i>p</i>	John K. West
<i>p</i>	Geoff Hockley	<i>p</i>	Patricia West
<i>p</i>	Keith House	<i>p</i>	Sharyn Wheale
<i>p</i>	Ronald Hussey	<i>p</i>	Seán D. T. Woodward

**151. APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors Allgood, Carter, James and Simpson and from Honorary Aldermen Capt. Boyle and Cole.

**152. DECLARATIONS OF INTEREST.**

All Members who believed they had a personal or prejudicial interest in any matter to be considered at the meeting were asked to declare that interest and, having regard to the circumstances described in paragraphs 9, 10, 11 and 12 of the County Council's Code of Conduct, to consider whether to leave the meeting whilst the matter is discussed, save for exercising any right to speak in accordance with paragraph 12 of the Code. The declaration should be made at the time of the relevant debate.

**153. MINUTES.**

The minutes of the meeting of the County Council held on 16 September 2010 were confirmed as a correct record subject to an addition to Minute 141, concerning the removal of county names from the Royal Mail's address database, to record the problems encountered by Hampshire households who have another county in their address, for example, "Camberley, Surrey" and that the appropriate action be taken.

The Minutes were signed by the Chairman as a correct record. There were no matters arising.

**154. DEPUTATIONS.**

The following deputations were received from:

- (a) Mr Keith Elcoate requesting a cycle route between Marchwood and Eling Hill alongside Bury Road. The Leader of the Council was presented with a number of letters in support of the cycle route. The request would be considered by the Executive Member for Environment; and
- (b) Mr Angus Geddes requesting that Veolia and all its subsidiaries be excluded from future contracts with the County Council.

**155. CHAIRMAN'S COMMUNICATIONS.**

The Chairman presented her report (Item 5 in the Minute Book) and welcomed Honorary Aldermen Patricia Banks, Michael Woodhall and the newest Honorary Alderman, Susan Glasspool, to the meeting. The Chairman then expanded on the wide range of duties undertaken to represent and promote the County Council and its strong community

leadership role and thanked her Vice-Chairman, Councillor Anna McNair-Scott for her support in carrying out these duties.

In particular the Chairman reported on Members' role of corporate parent and reported on the visit by Sue Berelowitz, the Deputy Children's Commissioner, to Swanwick Lodge Secure Children's Home; that Cypress Lodge Children's Home in Basingstoke had received an 'outstanding' rating and was delighted to announce that following what was described as an insightful meeting with the County Council's Care Ambassadors, the Children's Minister Tim Loughton, would be forming a permanent reference group to meet with him on a regular basis to discuss relevant issues.

The Chairman also reported on the Service of Thanksgiving for former County Councillor David Kirk, which had been attended by over 700 people. This final tribute had been much appreciated by David's family.

Finally and with sadness, the Chairman announced the passing of Honorary Alderman Miles Hudson who had served as a County Councillor for Hartley Wintney from 1977 to 1989 and of former County Councillor Alan Shotter, who had served as a County Councillor for Winchester Rural (Hound), which later became Eastleigh (Hound), from 1973 until 1993. The Leader paid tribute to Alan Shotter. Councillors Collett, Chegwyn, Glen and Thornber paid tribute to Miles Hudson and the Council observed a minute's silence for both as a mark of respect.

#### 156. **LEADER'S REPORT.**

The Leader drew Members' attention to a questionnaire that had been handed out to them from the Local Government Group who are undertaking the sixth census of Councillors. The Leader confirmed that the deadline for response is Thursday 23 December 2010 and that all responses would be treated in the strictest confidence.

The Leader thanked all Members and officers who had attended and/or contributed to the Thanksgiving Service for David Kirk, which had been a fitting tribute to a very dedicated County Councillor. It had been an uplifting service with many heartfelt tributes, which was testimony to the high regard David had been held in by his many colleagues and friends.

On a lighter note, the Lord Lieutenant for Hampshire had sent a message of congratulations and good wishes on behalf of everyone in Hampshire to Prince William on the occasion of his engagement to Miss Catherine Middleton.

With great pleasure, the Leader announced a number of prestigious accolades that had been awarded to the County Council:

- a) Firstly, three building projects in Winchester had been

recognised for their outstanding design

- i) Elizabeth II Court received an award from the City of Winchester Trust for the most sustainable building project, praising its interior design, which recognises the project as a sound investment with the capacity to accommodate 75% more staff than previously and attracting predicted savings of £200,000 in running costs;
  - ii) the Winchester Discovery Centre had been recognised for its skilful use of light and space by receiving a design award in the Refurbishment category; and
  - iii) Sparklers Sure Start Community Centre in Winnall received a formal commendation as well as securing a BREEAM (Building Research Establishment Environmental Assessment Method) rating of 'excellent'.
- b) The County Council's Music Service had been one of four in England to receive a National Music Council diploma award for 2010.
  - c) The County Council had won the HTP Employer of the Year Award recognising its work in developing the apprenticeship agenda.
  - d) The team at Malmesbury Lawn care home in Havant had received the Local Authority Team of the Year Award as part of the International Excellence in Dementia Awards for 2010
  - e) The County Council's stewardship of the environment has been recognised with four new countryside sites attaining the coveted status of Local Nature Reserve, namely Danebury Hillfort near Andover, Shawford Down near Winchester, Lepe Point in the New Forest and Hayling Billy Line in Hayling Island; and
  - f) Hampshire Now magazine has won Best Magazine at the CIPR Wessex and Channel Islands PRide Awards 2010.

The Leader confirmed that Councillor Keith Mans, Executive Member for Communities and International Relations had also taken on the role as Champion for the Armed Forces and for Equalities.

To support the effective management of the County Council's Executive, Committee and standing Panel meetings, any Member wishing to attend such meetings and speak (and for committees and standing panels, is not a member of such) is requested to give five working days notice to the Executive Member or committee/standing panel Chairman.

The Leader reported that the Council's debate of the Constitution had been delayed, with the exception of Contract Standing Orders, which appeared on the agenda as Item 9. The review of this document is a lengthy and difficult process, however a series of workshops for Members would be held as soon as practicable and Members will be informed of dates soon.

In conclusion, the Leader reported on the review of the Local Government Pension Scheme being conducted by Lord Hutton and the reduction in the County Council's funding of between £40 and £50m each year for four years, as a consequence of the Comprehensive Spending Review and anticipated Revenue Support Grant, with the likelihood that this will be front loaded for the first two years. The County Council was therefore developing a savings plan to address the reduction, which includes the following measures:

- a recruitment moratorium and vacant posts not being filled
- 25% reduction in senior management
- operation of a voluntary redundancy scheme
- reduction in staff mileage allowances and overtime payments
- reduction of some Member related budgets
- Members' allowances to be frozen in 2011/12 and possibly 2012/13

The Leader confirmed that the above were examples of where savings would be made but emphasised that no activity would be exempted from review. Painful choices would have to be made to meet the unprecedented challenges that not only local authorities, but the country as a whole faces.

**157. QUESTIONS UNDER STANDING ORDER 20(b).**

Councillor Margaret Snaith-Tempia, Executive Member for Culture and Recreation, answered a question from Councillor Adam Carew concerning the future of Alton's Curtis Museum and Allen Gallery.

Councillor Ken Thornber, Executive Member for Policy and Resources, answered a question from Councillor Adam Carew concerning the future of Linden House Nursing Home in Lymington.

Councillor Ken Thornber, Executive Member for Policy and Resources, answered a question from Councillor Adam Carew concerning data collected by "Big Brother Watch".

Councillor Roy Perry, Executive Lead Member for Children's Services answered a question from Councillor Adam Carew concerning alternative sources of funding being considered by the County Council for the 0-19 Zero Carbon School and 6<sup>th</sup> form college outreach to replace or upgrade Mill Chase Community Technology College and the timetable for completion following the withdrawal of the Building Schools for the Future Programme.

158. **APPOINTMENTS AND PROPORTIONALITY**

The Council considered the report of the Chief Executive (Item 8 in the Minute Book) reporting the outcome of the By-election for the Andover South Electoral Division on 21 October 2010, which had resulted in no change to the proportionality position, and seeking approval of changes to membership of committees and outside bodies.

The Leader proposed a further change in regard to the County Council's representative on the Shadow South Downs National Park Authority; that Councillor Mark Kemp-Gee replaces Councillor Felicity Hindson.

Resolved:

- a) That the proportionality position of the County Council be noted following the By-election on 21 October
- b) That the changes to membership of committees and outside bodies, including the change to the County Council's representative on the Shadow South Downs National Park Authority, as proposed be approved
- c) That the Monitoring Officer makes any necessary changes to the Constitution.

159. **REVISION OF CONTRACT STANDING ORDERS**

The Council considered the report of the Cabinet (Item 9 in the Minute Book) summarising a review of Contract Standing Orders for approval by full Council and subsequent updating of the Constitution. The Leader presented the report and moved the recommendations save for an addition to the eighth bullet point to read:

*“the Council's electronic tendering system (In-Tend) is reflected in Standing Orders.”*

It was noted that the ethical dimension of the County Council's contracting would be taken into account.

Resolved:

- a) That the revised Contract Standing Orders be adopted
- b) That the Monitoring Officer amends the Constitution accordingly

160. **PLANNING FOR MINERALS AND WASTE DEVELOPMENT**

The Council considered the report of the Cabinet (Item 10 in the Minute Book) summarising the proposed new approach to the preparation of the development plan for future minerals and waste infrastructure in

Hampshire, which has been revised in light of policy changes and the impending revocation of the South East Plan. In presenting the item, the Leader reported that the Cabinet were very concerned to ensure that any Plan should have a robust vision statement that recognised environmental, social and economic needs and therefore drew Members attention to the Statement of Intention. The Leader moved the report's recommendations and the Chairman invited debate.

During the course of a full discussion, Members indicated their support for the Plan and particularly welcomed the move to abolish regional targets and the continued protection of Hampshire's heritage and environment. The following specific points were made:

- a) called for sand and gravel reserves to be calculated separately, and for recognition that the use of sand in particular has changed dramatically with a lot now being used for maintenance of golf courses, cricket pitches and so on
- b) although the reduction of the 'Apportionment' from 2.63 mtpa to 1.7 mtpa was welcome, it was noted that the 1.7 mtpa figure is based on a formula involving the 'truncated mean' of the previous 10 years sales figures for aggregates in Hampshire; it was suggested that using a 'truncated mean' of the previous 5 years would more accurately reflect the impact of modern building practices in further reducing the demand for aggregates
- c) emphasised the importance of continuing to try to lower the level of aggregates, reflecting the 10 year trend, and particularly recognising that demand has continued to fall over the last 5 years
- d) careful consideration to be given to the potential contribution to overall supply, but also to the environmental impact of marine aggregates including erosion of the seabed and the potential loss of natural coastal defence features, with the associated risks to properties
- e) Plan should include recognition of the contribution from windfall sites; and make appropriate provision for dealing with facilities for the management of human and animal waste
- f) welcomes 90% diversion of waste going to landfill and must now encourage businesses to achieve the same success with commercial and industrial waste
- g) suggested a restructure of Project Integra to address how new and challenging waste targets will be met
- h) important to consider the impact of further development or extensions of time or operations for permitted sites on existing communities and infrastructure – large lorries using small roads; identification of sites and site permissions

The Executive Member for Environment confirmed that the bulk of sand and gravel is used on management and maintenance of infrastructure, for example road re-surfacing, rather than on new housebuilding, he reminded Members that the County Council is required to have a seven-year land bank of sand and gravel to avoid the building industry

submitting multiple planning applications on the basis that identified supply levels are not sufficient.

In summing up the Leader thanked Members for a wide-ranging debate and confirmed that Members would have the opportunity to contribute further on the emerging Plan in due course.

Resolved:

- a) That the proposed timetable for the programme be approved to be incorporated into a revised Minerals and Waste Development Scheme and that this is agreed as the process and mechanism for the preparation for the revised Minerals and Waste Development Plan Document – the Hampshire Minerals and Waste Plan, in accordance with the requirements of the Planning and Compulsory Purchase Act 2004
- b) That the Hampshire Minerals Plan, as approved on 10 July 2008 be revoked and that this document be deleted from the Minerals and Waste Development scheme
- c) That the proposed Consultation and Communication Strategy be approved to accompany the new approach to the preparation of the Hampshire and Minerals Waste Plan (which is in accordance with the adopted Statement of Community Involvement)
- d) That the draft Statement of Intention, as set out in the report, be adopted as interim County Council policy in order to clarify the County Council's position in the run up to the revocation of the South East Plan. This initial position statement will be consulted on in due course as part of the preparation of the Hampshire Minerals and Waste Plan
- e) That the establishment of regular Member briefings be approved for the key areas of the County affected by the Plan and the setting up of an informal cross-party Member Sounding Board to provide guidance and feedback on the plan preparation and content, to be convened by the Executive Member for Environment.

#### 161. **TREASURY MANAGEMENT MONITORING REPORT 2010/11**

The Council considered the report of the Cabinet (Item 11 in the Minute Book) summarising the mid-year review of treasury management activities, together with the approach to developing the Treasury Management Strategy for 2011/12. The Leader presented the report and highlighted the key points.

Resolved:

That the mid-year review of treasury management activities, together with the approach to developing the Treasury Strategy for 2011/12 be endorsed.

162. **DUTY TO RESPOND TO PETITIONS – APPROVAL OF DRAFT PETITIONS SCHEME**

The Council considered the report of the Cabinet (Item 12 in the Minute Book) recommending the proposed Hampshire County Council Petitions Scheme in response to the legislative requirements of the Local Democracy, Economic Development and Construction (LDEDC) Act 2009.

In presenting the report, the Leader confirmed that the Cabinet had been concerned at the prescriptive nature of the duty placed on local authorities and had written to the Secretary of State for Communities and Local Government to highlight these concerns. The County Council has a strong record in responding to petitions and it was disappointing that such a prescriptive framework had been considered necessary to introduce by the previous Government. Members noted that the Statutory Guidance accompanying the Act had been withdrawn in September 2010 to allow Authorities to exercise more discretion to decide how to deal with petitions locally. Nevertheless it was still necessary to have a Scheme in place, including the need to provide a facility for people to make e-Petitions. The proposed Scheme for the County Council therefore builds on good practice and adopts a common sense approach whilst meeting the requirements of the Act. The Leader drew Members attention to the report's recommendation proposing that the Scheme be reviewed, in light of operational experience, as part of the wider review of the Constitution.

Councillor Sam Darragh, seconded by Councillor Brian Gurden moved the following amendments:

"That the County Council approve the draft Scheme *with the following changes (in italics)*:

- (a) *the trigger for debate in full Council be changed from 32,000 signatures to 3,000*
- (b) *that locally specific petitions where the number of signatures totals 2.5% of the County Electoral Division(s), the subject will be debated by the appropriate HAT(s) and from there can be referred to the full Council*
- (c) the Scheme be reviewed as part of the wider review of the County Council's Constitution which will be considered by the Audit Committee and Cabinet for recommendation to the County Council; and

- (d) gives approval to proceed with the procurement of an e-petitions facility

In considering the proposed amendments, Members were mindful that County Council encourages engagement and involvement from all residents and has an excellent record of responding to petitions and all matters of local concern regardless of how many signatures are collected. Therefore, the Cabinet and/or Executive Members will exercise their discretion as to whether a petition of below 32,000 signatures warrants a discussion at full Council. A matter being considered by the relevant HAT(s) would support the identification of a swift local resolution.

The amendments were put to the vote. Amendment (a) was not supported by the majority of Members and was lost; amendment (b) was supported by the majority of Members and was carried. Points (c) and (d) remained as per the original Motion and were supported by the majority of Members and were carried. It was accordingly

Resolved:

That the Hampshire County Council Petitions Scheme be approved as follows:

- (a) the trigger for debate in full Council be set at 32,000 signatures (circa 2.5% of the population)
- (b) that for locally specific petitions where the number of signatures totals 2.5% of the County Electoral Division(s), the subject will be debated by the appropriate HAT(s) and from there can be referred to the full Council
- (c) the Scheme be reviewed as part of the wider review of the County Council's Constitution which will be considered by the Audit Committee and Cabinet for recommendation to the County Council; and
- (d) gives approval to proceed with the procurement of an e-petitions facility

**163. NOTICE OF MOTION CONCERNING A REQUEST TO RENAME THE RECENTLY OPENED ENDEAVOUR SCHOOL IN ANDOVER**

Councillor Patricia West, seconded by Councillor Pamela Mutton, submitted the following Motion in accordance with Standing Order 17.1 (Item 13 in the Minute Book).

"Hampshire County Council acknowledge and thank the Chairman of Governors and the Governing Body of the /endeavour School who have agreed to re-visit their intention to rename the new school already

opened in Andover as the Endeavour School, The David Kirk School.”

The Governing Body of Endeavour School had met on 17 November 2010 to formally consider the request above. As the school had already been registered as the Endeavour School, it was with regret that the Governing Body felt it would be inappropriate to rename the school. They had however offered that when the new school building is occupied, they would be prepared to dedicate something within that building in memory of David Kirk.

In light of the decision of the Governing Body, Councillor Patricia West, seconded by Councillor Pamela Mutton moved the following amendment:

“The County Council notes that the Governing Body of the new school has not agreed to naming it The David Kirk School. The County Council cannot override a Governing Body, but resolves to ask the Director of Children’s Services to request the Schools’ Forum to facilitate the naming of any one new facility for children in the County after the late Councillor David Kirk.”

Members were very supportive of the amended Motion. The Executive Lead Member for Children’s Services would undertake discussion with the Schools’ Forum to facilitate the request in the Motion to recognise the outstanding service of the late Councillor David Kirk and the legacy he had left behind, particularly in regard to Early Years’ Centres.

The matter was put to the vote. The majority of Members present supported the amendment as detailed above, which was carried. The amendment displaced the original Motion and became the substantive Motion which Members agreed.

**164. HAMPSHIRE POLICE AUTHORITY**

No questions had been received pursuant to Standing Order 20(d). The report of Hampshire Police Authority was received.

The Vice-Chairman of the Hampshire Police Authority extended his thanks and that of the Authority’s to Councillor Margaret Snaith-Tempia for her service on the Authority and for the tremendous contribution she had made.

**165. HAMPSHIRE FIRE AND RESCUE AUTHORITY**

No questions had been received pursuant to Standing Order 20(e). The report of the Hampshire Fire and Rescue Authority was received.

The Deputy Leader extended his thanks to Hampshire Fire and Rescue Service for their prompt and effective action in dealing with a serious fire affecting several households in a village within his electoral

division. He also extended thanks to staff in Adult Services for the support they gave to people affected by the incident.

#### 166. **CHANGES IN RESPONSIBILITY FOR EXECUTIVE FUNCTIONS**

The Council noted the report of the Chief Executive notifying Members of changes in the responsibility for executive functions decided by the Leader in line with Part 1 Chapter 15 of the Constitution.

As a point of clarification, the Leader confirmed that personnel policy matters remained the remit of Councillor Dr. Ray Ellis, Executive Member for Economic Development, Rural Affairs and Human Resources. A revised Appendix to the report had been circulated and is appended to these Minutes

#### 167. **REPORTS FOR INFORMATION**

The Council received the reports of the following Executive Members and Chairmen:

- a) The Cabinet/Leader
  - Efficiencies and expenditure reductions: transforming the County Council
  - Local Transparency
- b) Executive Member for Adult Social Care
  - Hampshire Safeguarding Adults Board annual report 2009/10
- c) Health Overview and Scrutiny Committee
  - Inquiries received and action taken:
    - \* Hampshire community health care integration with Hampshire Partnership NHS Foundation Trust
    - \* NHS Hampshire: Hythe Hospital
    - \* NHS Hampshire: Fordingbridge Hospital
    - \* Winchester and Eastleigh NHS Trust: Andover Birth Centre
    - \* Portsmouth Hospitals NHS Trust: Birth Centres at Petersfield and Gosport
  - Proposals to vary or develop services:
    - \* Hampshire Partnership NHS Foundation Trust: proposals to modernise adult mental health rehabilitation and psychiatric care
    - \* NHS Hampshire: proposals to cease the development of Oak Park Community Hospital
- d) Culture and Recreation:
  - Declaration of four new Local Nature Reserves

### Amendments to the Constitution: Part 2, Chapter 1, paragraph 3 – Responsibility for Executive Functions

NB: The functions of the Executive Lead Member for Children's Services remains unchanged.

Responsible person	Functions
Executive Member for Communities and International Relations	<p>Approval of recommendations for expenditure from the HATs Community Budget on projects up to but not exceeding £25,000 per project per HAT, subject to not exceeding the approved limits for the respective HATs.</p> <p>Primary departmental link – Culture, Communities and Rural Affairs (CCRA) and Chief Executive's.</p> <p>Service area responsibilities – services within the departmental remit areas relevant to HATs and communities, European and international links.</p> <p>Coordinating the work of HATs, individually and corporately, and reporting to the Executive Member for Policy and Resources on progress by way of informal and formal reports and an annual report to Council.</p> <p>Co-ordinating County Council representation on District based Local Strategic Partnerships (LSPs) for as long as required, and Crime and Disorder Reduction Partnerships (CDRPs); reporting on these to the Executive Member for Policy and Resources.</p> <p>Promoting and monitoring the Hampshire Sustainable Community Strategy, and developing and approving a community engagement strategy and coordinating the contributions from relevant service strategies.</p> <p>Corporate oversight of European and international policy and activities; acting as an ambassador with external and international/national bodies.</p> <p>Responsibility for the County Council's relationship with the Interfaith Network.</p> <p>Appointments to relevant outside bodies not on a proportional basis in consultation with minority parties.</p>