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AT A MEETING of the County Council of HAMPSHIRE COUNTY COUNCIL held
at the castle, Winchester on Thursday, 29th November, 2018

Chairman:

* Councillor Elaine Still

- * Councillor Charles Choudhary
- * Councillor John Bennison
- Councillor Fred Birkett
- * Councillor Martin Boiles
- * Councillor Ray Bolton
- * Councillor Jackie Branson
- * Councillor Ann Briggs
- * Councillor Zilliah Brooks
- * Councillor Graham Burgess
- Councillor Adam Carew
- * Councillor Fran Carpenter
- * Councillor Christopher Carter
- * Councillor Roz Chadd
- * Councillor Peter Chegwyn
- * Councillor Daniel Clarke
- * Councillor Adrian Collett
- * Councillor Mark Cooper
- * Councillor Rod Cooper
- * Councillor Tonia Craig
- Councillor Roland Dibbs
- * Councillor Alan Dowden
- * Councillor Peter Edgar
- * Councillor Keith Evans
- * Councillor Liz Fairhurst
- * Councillor Steve Forster
- * Councillor Jane Frankum
- * Councillor Andrew Gibson
- * Councillor Jonathan Glen
- * Councillor Judith Grajewski
- * Councillor David Harrison
- * Councillor Marge Harvey
- * Councillor Pal Hayre
- * Councillor Edward Heron
- * Councillor Dominic Hiscock
- Councillor Geoffrey Hockley
- * Councillor Keith House
- * Councillor Rob Humby
- * Councillor Gary Hughes
- * Councillor Roger Huxstep
- * Councillor Wayne Irish
- * Councillor Gavin James
- * Councillor Andrew Joy
- * Councillor David Keast
- * Councillor Mark Kemp-Gee
- * Councillor Mel Kendal
- * Councillor Rupert Kyrle
- * Councillor Peter Latham
- * Councillor Keith Mans
- * Councillor Alexis McEvoy
- * Councillor Anna McNair Scott
- * Councillor Derek Mellor
- * Councillor Floss Mitchell
- Councillor Rob Mocatta
- Councillor Kirsty North
- * Councillor Russell Oppenheimer
- * Councillor Neville Penman
- * Councillor Roy Perry
- * Councillor Stephen Philpott
- * Councillor Jackie Porter
- * Councillor Roger Price
- * Councillor Lance Quantrill
- * Councillor Stephen Reid
- Councillor David Simpson
- * Councillor Patricia Stallard
- * Councillor Robert Taylor
- * Councillor Bruce Tennent
- * Councillor Tom Thacker
- * Councillor Michael Thierry
- * Councillor Mike Thornton
- * Councillor Martin Tod
- * Councillor Rhydian Vaughan
- * Councillor Malcolm Wade
- * Councillor Jan Warwick
- * Councillor Michael Westbrook
- * Councillor Michael White
- * Councillor Bill Withers Lt Col (Retd)
- * Councillor Seán Woodward

*Present

Also present were Honorary Aldermen: Keith Chapman MBE, Phrynnette Dickens, Roger Kimber, Sharyn Wheale and Michael Woodhall.

107. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Fred Birkett, Adam Carew, Roland Dibbs, Geoff Hockley, Rob Mocatta, Kirsty North and David Simpson and from Honorary Alderman Marilyn Tucker.

108. DECLARATIONS OF INTEREST

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the circumstances described in Part 3, Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Non-Pecuniary interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 2 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with the Code.

109. MINUTES

The Minutes of the Meeting held on 20 September 2018 were agreed and signed by the Chairman.

Matters Arising: In respect of Minute 91, Councillor Irish requested a position update on two questions for which a written answer was to be provided.

110. CHAIRMAN'S ANNOUNCEMENTS

The list of engagements carried out by the Chairman and Vice-Chairman since the last Council Meeting had been circulated, which reported on the wide range of duties undertaken to represent and promote the County Council and its strong community leadership role.

The Chairman welcomed Honorary Aldermen Keith Chapman MBE, Phrynnette Dickens, Roger Kimber, Sharyn Wheale and Michael Woodhall to the meeting.

The Chairman highlighted the hosting of a reception to recognise members of staff who had reached 25 years of service; the hosting of a 'Wear It Pink' tea party to raise awareness for Breast Cancer Now; the Staff Remembrance Service to commemorate the Centenary of the end of the First World War; attendance at the 'Music Through the Ages of WWI and WW2' Hampshire Music Service Concert at the Royal Victoria Country Park and at the Peace and Reconciliation Concert at Romsey Abbey; the visit of HRH The Countess of

Wessex to open the restored Royal Victoria Chapel and the launch of the Interfaith Calendar.

The Chairman had pleasure in leading the Council's thanks to Karen Murray, Director of Culture, Communities & Business Services who was retiring from the County Council following over 40 years of dedicated service. Members and officers joined the Chairman in a standing ovation.

The Chairman also raised awareness of the Christmas Carol Concert on 13 December, tickets for which were selling fast.

The Chairman's full report is appended to these Minutes.

111. **LEADER'S REPORT**

The Leader reported on a number of Remembrance events across the county to mark the centenary of the end of World War I that were attended by many Members of the Council including events in Members' own Divisions. The County Youth Orchestra also repeated their performance of Mozart's Requiem in Winchester's twin town of Giessen and was joined by a German choir, which the Leader had pleasure in attending.

The Leader had recently attended the NCAS conference in Manchester and the CCN conference in Guildford. At both conferences the point was made very clear that upper tier councils were facing huge funding pressures with escalating social care costs and children's care costs increasing at the fastest rate. The County Council, like many other Councils, were experiencing pressures in this regard and the Leader had made representations to the Prime Minister, corresponded with Treasury ministers and had face to face meetings with the Ministry for Housing, Communities and Local Government (MHCLG) including the Secretary of State.

The recent meeting of the Hampshire Partnership had updated partners on the work of the Hampshire Commission 2050 and all Members were encouraged to follow the work of the Commission and make representations. The Policy & Resources Select Committee had received a report and the work of the Commission is available on the County Council's website. Meetings are open to all to attend.

In regard to Brexit, the Leader advised Members that there would be a detailed report to Cabinet to assess the implications of Brexit for Hampshire and what measures should be taken locally to deal with potential eventualities.

The Leader reported that he was in dialogue with the Leaders of the Isle of Wight Council, Portsmouth City Council and Southampton City Council to continue to foster close co-operation and partnership working. Regular meetings were being set up, including with the Police and Crime Commissioner for Hampshire.

On the theme of close co-operation, the Leader confirmed that in its response to the Government consultation on LEPs, the County Council has proposed that either the Solent and EM3 LEP should merge or if that was not achieved, that they work more closely together.

The Leader took the opportunity to comment on access to information for County Councillors and in particular, the use of and access to exempt reports. The Leader assured Members that he was committed to ensuring that all elected Members should have the fullest access to information that can be achieved within the constraints of the law and good governance. The Leader drew Members attention to the Council's responsibilities that can concern highly sensitive and confidential information about vulnerable service users, as well as various forms of commercial confidentiality. The introduction of the General Data Protection Regulations (GDPR) earlier in the year had accentuated the Council's responsibilities and highlighted that no Councillor has an automatic right of access to any information simply by dint of being an elected Member. The application of exemptions to reports was rare and the evidence of concerns being raised about such reports was rarer still. The Leader drew Members attention to the evidence of many external inspections by the Information Commissioner, Ofsted and the CQC, that the Council's management and sharing of confidential information is rated very highly according to their critical standards. The Leader confirmed that he would be considering a report in this regard at his Policy & Resources Decision Day in December which would include options for development and clarity. The report would be published in advance and the Leader confirmed he would be happy to take comments in advance of his decision.

In conclusion, the Leader also paid tribute to Karen Murray, Director of Culture, Communities and Business Services on her retirement and extended his best wishes for the future.

112. DEPUTATIONS

The Council received a deputation as detailed on the Summons and received a petition.

113. QUESTIONS UNDER STANDING ORDER 16.1.1

Executive Members responded to questions submitted in accordance with Standing Order 16.1.1 as published with the exception of questions 10 and 11 for which a written answer would be provided in accordance with Standing Order 16.1.5.

114. APPOINTMENTS

There were no appointments on this occasion.

115. TREASURY MANAGEMENT MID-YEAR MONITORING REPORT

The Council considered the report of the Cabinet (Item 9 in the Minute Book) setting out the treasury management mid-year position. In presenting the report, the Executive Member for Economic Development highlighted key areas of the report which demonstrated the Council was in a healthy position.

The Council's debate focused mainly on the approach to risk in regard to borrowing, return on investments, both short and long term and investment in pooled funds as a way of managing risk against yield. The performance of some investments was compared to that of district councils, however the Executive Member highlighted the importance of comparing the County Council against its peer group.

In conclusion, the Leader gave his assurance to the Council and Hampshire residents and taxpayers that the Council takes careful and prudent advice from its officers and financial consultants, and that the Council would not engage in speculative investment deals.

RESOLVED:

That the County Council noted the mid-year report on treasury management activity.

116. **2018 REVIEW OF THE HAMPSHIRE MINERALS AND WASTE PLAN**

The Council considered the report of the Executive Member for Environment and Transport detailing the outcome of a review of the Hampshire and Minerals Waste Plan in line with the National Planning Policy Framework (2018).

In presenting the report, the Executive Member confirmed that a review of the Plan had concluded that an update was not required at this time with a recommendation that a further review be undertaken in 2020. The County Council would continue to engage with partners as an ongoing process. The recommendations would be put to the constituent partners including Portsmouth and Southampton City Councils and the New Forest and the South Downs National Park Authorities for approval and when that process has concluded the findings of the review will be published which is anticipated early in the new year.

The debate focused on a number of factors that might impact the Plan such as the production and management of recycled material, for which it was noted there was sufficient capacity within the Plan, the use of silica sand, which was being looked into, and the rate of extractions at quarries in relation to lorry movements for which conditions often apply.

RESOLVED:

That the County Council agreed:

- a) That an update to the Hampshire Minerals & Waste Plan (2013) is not required at this time, but that a further Review takes place in 2020.
- b) That a summary of the review process and the decisions be consolidated and published as a publicly available report, to be entitled the '2018 Review of the Hampshire Minerals & Waste Plan'.
- c) That a programme of on-going engagement with interested parties

commences following publication of the '2018 Review' and prior to the further Review in 2020.

- d) That authority is delegated to the Director of Economy, Transport and Environment, in consultation with the Executive Member for Environment and Transport, to update the Minerals & Waste Development Scheme to reflect the decisions of the County Council.

117. NOTICE OF MOTION

The following Motion had been submitted in accordance with Standing Order 18.1 as proposed by Councillor Gavin James:

"Council notes that it is now more than two years since the Referendum and the Government still has no coherent Brexit plan that has the support of a majority in Parliament.

Since the vote in 2016:

- a) The performance of the UK economy has fallen behind. It is now the slowest growing economy in Europe with productivity slipping further and competitiveness reliant on the declining value of the Pound;
- b) Hampshire residents – particularly those on lower incomes - are being hit hard by rising inflation and squeezed pay rates;
- c) Confidence among investors and established businesses is ebbing with jobs moving away from the UK;
- d) Many non-UK EU nationals resident in the county have had their lives, and those of their UK-national families, destabilised by the uncertainty of Brexit. On top of the social impacts, local businesses and, above all the NHS are losing vital staff;
- e) New investment, which Hampshire relies on for future prosperity, is being jeopardised and new job opportunities are being lost;

Council believes that a 'hard' or 'no deal' Brexit will seriously harm the long-term prosperity of all Hampshire residents. With only 20 weeks to go before the UK leaves, it is vitally important that Hampshire County Council speaks up on their residents' behalf.

Council calls on the government to abandon plans for a hard Brexit and to give the people of Hampshire a vote on the final deal, along with the opportunity to vote on keeping the irreplaceable benefits Britons currently enjoy by staying in the European Union."

The Chairman invited the proposer of the Motion, Councillor Gavin James to move the Motion in accordance with Standing Order 18.4. The Motion was seconded by Councillor Martin Tod.

In accordance with Standing Order 18.4 Councillor Roy Perry proposed that the Motion be referred to the Executive for consideration. The proposal was seconded by Councillor Keith Mans.

In accordance with Standing Order 18.4, the proposal to refer the Motion to the Executive was put to the vote. In accordance with Standing Order 22.3 Councillor Keith House requested a recorded vote, which was supported by 10 other Members present in the Chamber.

The outcome of the recorded vote was as follows:

FOR: 49

Councillors Martin Boiles, Ray Bolton, Jackie Branson, Ann Briggs, Zilliah Brooks, Graham Burgess, Fran Carpenter, Christopher Carter, Roz Chadd, Charles Choudhary, Rod Cooper, Peter Edgar, Keith Evans, Liz Fairhurst, Steve Forster, Andrew Gibson, Jonathan Glen, Judith Grajewski, Marge Harvey, Pal Hayre, Edward Heron, Gary Hughes, Rob Humby, Roger Huxstep, Andrew Joy, David Keast, Mark Kemp-Gee, Mel Kendal, Peter Latham, Keith Mans, Alexis McEvoy, Anna McNair Scott, Derek Mellor, Floss Mitchell, Russell Oppenheimer, Neville Penman, Roy Perry, Stephen Philpott, Lance Quantrill, Stephen Reid, Patricia Stallard, Robert Taylor, Tom Thacker, Michael Thierry, Rhydian Vaughan, Jan Warwick, Michael White, Bill Withers and Seán Woodward.

AGAINST: 19

Councillors Peter Chegwyn, Daniel Clarke, Adrian Collett, Mark Cooper, Tonia Craig, Alan Dowden, Jane Frankum, Dominic Hiscock, Keith House, Wayne Irish, Gavin James, Rupert Kyrle, Jackie Porter, Roger Price, Bruce Tennent, Mike Thornton, Martin Tod, Malcolm Wade and Michael Westbrook.

ABSTAIN: 3

Councillors John Bennison, David Harrison and Elaine Still.

The Proposal was carried.

RESOLVED:

That the Motion, as included in the Summons, be referred to the Executive for consideration.

118. **HAMPSHIRE FIRE AND RESCUE AUTHORITY**

a) HFRA Questions:

No questions had been received in accordance with Standing Order 16.3.

b) HFRA Report:

The Council received and noted the report of the Hampshire Fire and Rescue Authority as presented by Councillor Chris Carter in his capacity

as Chairman of the Fire Authority.

119. **EXECUTIVE AND COMMITTEE REPORTS**

- a) The Leader/Cabinet
 - i) Annual Safeguarding Report – Children’s Services
 - ii) Annual Safeguarding Report – Adults’ Services
 - iii) Air Quality
- b) Executive Lead Member for Children's Services
 - i) Early Years Provision
- c) Executive Member for Public Health
 - i) Level 2 Community Sexual Health and Influenza Immunisation Services

The meeting closed at 11:55am.

Chairman,

CHAIRMAN'S ANNOUNCEMENTS

May I welcome on your behalf those Honorary Aldermen who have graced us with their presence today: Honorary Alderman Keith Chapman, Phrynnette Dickens, Roger Kimber, Sharyn Wheale & Michael Woodhall.

Thank you for your support.

Members, you have received a list of the engagements your Vice Chairman and I have attended on your behalf, some of the highlights that I wish to mention are.

25 Year Long Service

It was a pleasure to host a reception at The Great Hall on 27 September to honour staff that have completed their 25 years of dedication and service for the benefit of the people of Hampshire.

Wear It Pink

On Friday 19 October I hosted a Wear It Pink tea party at Serle's House to raise awareness for Breast Cancer Now. The event was well supported, and I would like to place on record my thanks to everyone that donated monies to this worthy cause and I am pleased to say that we raised £400 for the charity.

Staff Act of Remembrance

This year's service was a particularly special event to commemorate the Centenary of the end of the First World War. It was a memorable and moving service. The Winchester Military Wives Choir, The Peter Symonds College Chamber Choir and Hampshire Music Service Brass Quartet all performed brilliant and I give my special thanks to them and all who participated in this Act of Remembrance.

Music through the Ages of WWI & WW2

I attended a wonderful Hampshire Music Service concert at the refurbished chapel at Queen Victoria Country Park on Saturday 10 November to celebrate music through the ages of WWI and WW2. The Gosport and Fareham Youth Band, Romsey Youth Choir and HMS Staff Jazz Band gave us a fantastic performance. This was the vision of Councillor Peter Edgar, which I am so pleased came to fruition.

Royal Visit by HRH The Countess of Wessex to open the restored Royal Victoria Chapel - 12 November

As you may be aware, our Countryside Service has undergone a £18.5 million transformation programme; ensuring our parks become self sustaining and thus preserving them for future generations to enjoy.

Following on from the successful launch of the new Visitor Centre at Lepe Country park, I was honoured to welcome HRH The Countess of Wessex, on 12 November to the formal opening of the Chapel at another of our beloved Country Parks – the Royal Victoria Country Park.

Following a £3.5 million conservation project, funded by Hampshire County Council and supported by the Heritage Lottery Fund, we are now able to highlight the hidden history of the park – and its importance in our national and local history to both local visitors, and those from further afield. The chapel, as I am sure you will agree, is one of Hampshire's jewels.

HRH was introduced to nearly all of the 130 invited guests – most of whom were volunteers involved with the project and then signed a scroll which has been deposited in a time capsule for future generations!

Launch of the Hampshire Interfaith Calendar

I was delighted to present awards and certificates to the winners and runners up at the Launch of the Hampshire Interfaith Calendar on 13 November in Ashburton Hall. All the entries were amazing and displayed around the Hall. I do believe calendars are still on sale and available from Members Secretariat if anyone wishes to purchase one.

Peace and Reconciliation Concert

I attended the Peace and Reconciliation Concert hosted by our Leader at Romsey Abbey on Saturday 17 November. The Hampshire County Youth Orchestra and the Choir from Giessen, Germany gave a spectacular and meaningful performance.

Staff Carol Concert

Our annual staff carol concert takes place on Thursday 13 December at the Great Hall. If you wish to attend, please contact my PA, Natalie, as quickly as possible. The event is free to all Members and Staff and is a well supported event. Tickets are strictly limited to one guest per member and available on a first come, first served basis.

Karen Murray

Lastly, I wish to place on record my thanks to Karen Murray for her dedication and service to the County Council over the last 41 years. Karen joined the Council in 1977, aged 17, as a trainee in Social Services.

She then moved to the Architects Departments followed by a spell in Surveyors.

Karen became the Director of Property, Business and Regulatory Services following Andrew Smith's appointment as Chief Executive.

In 2011 PBRS merged with Culture, Communities and Rural Affairs and became Culture, Communities and Business Services with Karen as Director.

Karen, we will miss you. Enjoy the well deserved break and next chapter in your life.

LEADER'S REPORT

November has been an important month of Remembrance especially as we marked the centenary of the end of World War I. On behalf of the County Council on Remembrance Sunday, I laid a wreath at the War Memorial at Winchester Cathedral. I am aware most members were present at parades and events in their own Divisions.

On Friday 9th November there was a memorial event in the Great Hall with the Winchester Military Wives Choir and Chamber Choir of Peter Symonds College.

The Remembrance season included special concerts at Royal Victoria Country Park Netley and at Romsey Abbey the latter attended by the Lord Lieutenant. At both events there were French and German guests in attendance. I know many councillors attended those concerts.

The County Youth Orchestra of which we can be justly proud repeated their performance of Mozart's Requiem last Saturday in Winchester's twin town of Giessen. I was privileged to be invited to hear our Hampshire orchestra joined by a German choir.

I pay tribute to the Hampshire Music Service and the work they do across the County.

The week before last I attended the NCAS conference in Manchester and last week I was at the CCN conference in Guildford. At both conferences the point was made very clear that upper tier councils are facing huge funding pressures with escalating social care costs. Children's Care costs increasing at the fastest rate. Hampshire suffers from these pressures as much as other councils but because we have faced up to these pressures earlier than most as well as having the scale and capacity to handle pressures it is clear we are faring better than most.

Members will know I have alerted the PM to these problems. I have also corresponded with Treasury ministers and had face to face meetings with MHCLG ministers including the secretary of state. I am sure they get the message although they may be somewhat distracted by other pressures and also the competing demands on public funds for other important services such as health, police, pensions and social security not to mention defence. It is also clear the best thing the Chancellor can do to help the quality of life of all residents is to run a sound economy. We want no more letters from ex Ministers saying "there is no money left".

The week before last there was a meeting of the Hampshire Partnership where we updated partners on the work of the Hampshire Commission 2050. I encourage all councillors to follow the work of the Commission and make representations if you wish. It is important that we try to future gaze as well as deal with immediate problems. A report was made to P&R Committee and its work is available on the County website and meetings are open to attend.

I am aware of the motion that has been tabled for today's meeting re Brexit which looks at national aspects of Britain's impending departure from the EU. I can advise Council there will be a detailed report to Cabinet to assess implications of Brexit for Hampshire and what measures we should take locally to deal with potential eventualities rather than debate the more philosophical issues of EU membership.

I reported to Cabinet earlier this month that the Minister of State at MHCLG Mr Jake Berry has confirmed to the 3 unitary Councils of Southampton, Portsmouth and IOW that there will be no moves on progressing their bid for a Combined Authority. Members will know that could have created a great risk to the integrity of the county of Hampshire and

the quality of services for Hampshire residents. That risk is now removed, I am pleased to say.

I am however in dialogue with the Leaders of the 3 unitaries as I believe close cooperation and partnership with the unitary neighbours is important. We are setting up regular meetings including with the Police and Crime Commissioner.

Related to co-operation with the unitaries the County Council in its response to the Government consultation on LEPs has proposed that either the Solent and EM3 LEP should merge or if that is not achieved they work more closely together.

I want to take the opportunity today to make some comments about access to information for County Councillors. I have been advised this has been a matter for some discussion recently with senior council officers. This is clearly not a party political matter. It is an issue for all members whatever their role or party. It particularly concerns the use of and access to exempt reports.

My first assurance to Council is that I am personally wholly committed to ensuring that all elected members should have the fullest access to information that we can achieve, within the constraints of the law and our need to run a good business. Democracy must be as transparent as possible and I would never interfere with officers judgement in such matters other than to urge on the side of transparency

Members will be aware that Council responsibilities can concern highly sensitive and confidential information about vulnerable service users, as well as various forms of commercial confidentiality. I do not intend to hide behind GDPR, but there is no question that the new regulatory framework has changed and accentuated our shared responsibilities. For example, it is simply not the case that any member has an automatic right of access to any information simply by dint of being a councillor.

I also want to keep this matter in perspective. This council's formal use of exempted reports is actually very rare indeed and the evidence of concerns being raised about those reports over years is rarer still. We also know from endless external inspection, from the Information Commissioner, Ofsted and CQC, that our management and sharing of confidential information is actually rated very highly indeed according to their critical standards.

We can always improve, especially with the advent of new technology which is helping us transform administrative processes. I can report I am due to consider a report at my P&R Decision Day in early December which will include options for development and clarity. That report will be published in advance of my decision as usual and I would be more than happy to take comments in advance of my decision. I will of course have to be guided by professional legal advice which I hope all members would agree is one of the great strengths of this council.

In conclusion I wish to pay tribute to Karen Murray who is retiring from the County Council today as Director of Culture, Communities and Business Services after more than 40 years' service with HCC.

It says much for Karen that she has served the county for such a long period and has risen from being a Management Trainee to a Director of Service and member of the CMT. Karen, I wish to place on record our sincere thanks to you for your excellent service performed with style elegance and charm and a smile. The people of Hampshire have been well served and we wish you and your family the long and healthy retirement you so richly deserve.