

SUMMONS

To the Members of the County Council

You are hereby summoned to attend the County Council Annual General Meeting (Remote Meeting) at 2.00pm on Friday, 29th May, 2020 to consider and resolve upon the business set out in the Agenda below.

Enquiries to: Debbie Vaughan, Deputy Head of Governance:
members.services@hants.gov.uk

This agenda can be provided on request in large print or Braille or on disk.

This meeting will be recorded and broadcast live on the County Council's website. The meeting may also be recorded and broadcast by the press and members of the public – please see the Filming Protocol available on the County Council's website.

AGENDA

Outgoing Chairman's Statement

Prior to the commencement of the formal business set out in the agenda below, there will be a short address by the Outgoing Chairman.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. ELECTION OF CHAIRMAN

In accordance with Standing Order 6.1, to elect a Chairman of the County Council to hold office until the next Annual General Meeting of the Council in 2021.

The Outgoing Chairman to request the Chief Executive, as the Proper Officer, to call for nominations which are to be seconded, with all propositions being put to the vote. The new Chairman to take the Chair.

3. APPOINTMENT OF VICE-CHAIRMAN

In accordance with Standing Order 6.1, to appoint a Vice-Chairman of the County Council to hold office until the next Annual General Meeting of the Council in 2021. The Incoming Chairman will call for nominations which are to be seconded, with all propositions being put to the vote.

4. INCOMING CHAIRMAN'S ANNOUNCEMENTS

To receive any announcements the Incoming Chairman may wish to make.

5. **MINUTES** (Pages 5 - 14)

To confirm the Minutes of the meeting held on 13 February 2020.

6. **DEPUTATIONS**

No deputation requests were received on this occasion.

7. **LEADER'S REPORT**

To receive the report of the Leader.

Part I: Matters for Decision

8. **PROPORTIONALITY AND APPOINTMENTS** (Pages 15 - 18)

To consider a report of the Chief Executive as follows:

a) Proportionality

In accordance with Part 1 of the Local Government Act 1989 (the proportionality rules), to review the allocation of seats on County Council Committees and Panels, and other proportionate bodies the County Council is represented on.

b) Appointment to County Council Committees and Panels

In accordance with Standing Order 6.2, to appoint a Chairman and Vice-Chairman for every Committee and Panel of the County Council.

c) Appointment of Members to Hampshire Fire and Rescue Authority

In accordance with Standing Order 26 to appoint the full quota of County Council Members to the Hampshire Fire and Rescue Authority.

d) Appointment of Members to the Shadow Hampshire and Isle of Wight Fire and Rescue Authority

In accordance with the resolution of the Council at its meeting on 12 February 2020, to appoint the full quota of County Council Members to the Shadow Hampshire and Isle of Wight Fire and Rescue Authority.

e) General Appointments

To make any Member appointments or alterations as required to the membership of committees and standing panels of the County

Council, to statutory joint committees, to other proportional bodies the County Council is represented on, or to any other bodies which are not subject to proportionality rules.

9. **THE LOCAL AUTHORITIES AND POLICE AND CRIME PANELS (CORONAVIRUS) (FLEXIBILITY OF LOCAL AUTHORITY AND POLICE AND CRIME PANEL MEETINGS) (ENGLAND AND WALES) REGULATIONS 2020 - AMENDMENT TO STANDING ORDERS AND EXECUTIVE PROCEDURES** (Pages 19 - 26)

To consider a report of the Cabinet recommending some constitutional changes in light of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations.

10. **APPROVAL OF MEMBER ABSENCE – SECTION 85 LOCAL GOVERNMENT ACT 1972** (Pages 27 - 28)

To consider a report of the Chief Executive recommending that the County Council approves an extended period of absence, pursuant to Section 85 of the Local Government Act 1972, to 31 December 2020, for any Member of the County Council who is unable to attend a Meeting of the County Council, its Committees, Outside Bodies or Joint Committees to which any such Member of the County Council has been appointed, as a result of illness, social distancing, self-isolation or shielding as a consequence of the Covid-19 virus.

**John Coughlan CBE
Chief Executive
The Castle
Winchester**

Wednesday, 20 May 2020

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Agenda Item 5

AT A MEETING of the County Council of HAMPSHIRE COUNTY COUNCIL held
at the castle, Winchester on Thursday, 13th February, 2020

Chairman:

* Councillor Charles Choudhary

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

*Present

181. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Keith Evans, Jonathan Glen, Geoff Hockley, Mel Kendal, Robert Taylor and Mike Thornton and from Honorary Aldermen Patricia Banks, Phrynnette Dickens and Felicity Hindson.

Owing to the absence of the Vice Chairman (Councillor Kendal), Councillor Burgess provided support to the Chairman for the meeting.

182. 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.

183. MINUTES

The Minutes of the meeting held on 7 November 2019 were agreed and signed by the Chairman.

With regards his reference to Brexit at the previous meeting, Councillor Gavin James apologised for his use of language that had caused offence.

184. DEPUTATIONS

No deputations were heard on this occasion.

185. CHAIRMAN'S ANNOUNCEMENTS

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

The Chairman confirmed that he had represented the County Council at the recent funeral of former County Councillor Alan Thame. At the Chairman's invitation, Councillor Collett reflected on working with Mr Thame and in particular his contribution to the waste disposal strategy, including successfully increasing recycling rates, instigating the energy from waste plants and founding project integra.

Councillors stood for a one minute silence to show their respect.

186. LEADER'S REPORT

The Leader noted a number of significant national events since the last Council meeting, including a General Election, the establishment of a new Government, Britain's exit from the European Union and the new focus on reaching a trade agreement. He anticipated that economic and cultural ties with individual European countries would remain significant. The Leader noted that he had recently met with the Secretary of State for Housing, Communities and Local Government and it was noted that the first of a series of regular meetings with Hampshire MPs would take place in March. The Leader confirmed that he would continue to press for fairer funding for Hampshire.

The Leader offered congratulations to Peter Colenutt and two Hampshire foster carers on awards they had received in the New Year Honours list. He also paid tribute to the many officers who had supported the County Council's response to storm Ciara.

Additional Government grant funding for transport, in particular to support buses and cycling was highlighted and it was confirmed that the County Council would be assessing the schemes and making bids where appropriate.

The Leader was pleased to see a high level of public engagement in the ongoing Library Service consultation, which was to both achieve savings and to ensure the service was relevant and fit for the future.

The worldwide outbreak of coronavirus was highlighted and the Leader praised the actions of Public Health England. He gave details of how the County Council was monitoring the outbreak and ensuring that information was communicated appropriately to residents.

The Leader proposed that former County Councillor Criss Connor be made an Honourary Alderman at the annual meeting of the Council in May 2020.

187. QUESTIONS UNDER STANDING ORDER 16.1.1

Executive Members responded to questions submitted in accordance with Standing Order 16.1.1 as published.

188. CORPORATE PARENTING BOARD

Council considered a report of Cabinet, presented by the Leader, proposing the enlargement and re-establishment of the Corporate Parenting Board as a full committee of the County Council.

RESOLVED:

That the County Council:

1. Agrees to establish a new Corporate Parenting Board, consisting of nine County Councillors appointed on a proportionate basis, as an advisory Committee of the County Council.
2. Agrees the adoption of the draft Terms of Reference for the Corporate Parenting Board found at appendix 1 of the Cabinet report.
3. Agrees the updated terms of reference for the Children and Families Advisory Panel found at appendix 2 of the Cabinet report.

189. **PROPORTIONALITY AND APPOINTMENTS**

The Council considered an updated report of the Chief Executive, as presented by the Leader, setting out revisions to the proportionality table and proposing a number of appointments to the County Council's committees and advisory panels.

RESOLVED:

That the County Council:

1. Approves the Proportionality Table at Appendix 1 to the report.
2. Notes the position with a new combined fire and rescue authority known as "Hampshire and Isle of Wight Fire and Rescue Authority" set out in paragraphs 2.4 to 2.6 of the report.
3. Approves Member and Co-opted Member appointments set out in paragraph 3.1 of the report.

190. **REVENUE BUDGET & PRECEPT 2019/20 AND CAPITAL PROGRAMME 2020/21 TO 2022/23**

[Councillor Mans declared a personal interest in this item by virtue of being a Director of the Oakhaven Care Agency]

The Leader introduced the Revenue Budget and Precept for 2020/21 and the Capital Programme for the period 2020/21 to 2022/23. He highlighted the priority of supporting those in need, the additional money that would be available for highway maintenance and for climate change reduction and resilience. In moving the recommendations he noted that council tax in Hampshire would remain amongst the lowest in the country. Councillor Stephen Reid, the Executive Member for Commercial Strategy, Human Resources and Performance presented a detailed budget report.

In commending the revenue budget proposals the Executive Member for Commercial Strategy, Human Resources and Performance set out the strategies of dealing with financial pressure through a two year planning cycle; of capitalising on a skilled workforce through selling services to others and of a reliable pooled investment strategy. He noted the flexibility and resilience that Hampshire's reserves strategy had provided and welcomed the proposal to re-

build the Budget Bridging Reserve (BBR). He paid tribute to the Director of Corporate Resources and her team for their work in managing and preparing the budget.

Opposition Group Leaders responded to the proposals. During the course of a full debate, views in support of, or raising concern, about the proposals were expressed. No Amendments were moved therefore the recommendations were put to the vote in accordance with Standing Order 22.2, the outcome of which was recorded as follows:

FOR - 51

Councillors: John Bennison, Fred Birkett, Martin Boiles, Ray Bolton, Jackie Branson, Ann Briggs, Zillah Brooks, Graham Burgess, Adam Carew, Fran Carpenter, Christopher Carter, Roz Chadd, Rod Cooper, Roland Dibbs, Peter Edgar, Liz Fairhurst, Steve Forster, Andrew Gibson, Judith Grajewski, Marge Harvey, Pal Hayre, Edward Heron, Gary Hughes, Rob Humby, Roger Hexstep, Andrew Joy, David Keast, Mark Kemp-Gee, Peter Latham, Keith Mans, Alexis McEvoy, Anna McNair Scott, Derek Mellor, Floss Mitchell, Rob Mocatta, Kirsty North, Russell Oppenheimer, Neville Penman, Roy Perry, Stephen Philpott, Lance Quantrill, Stephen Reid, Patricia Stallard, Elaine Still, Tom Thacker, Michael Thierry, Rhydian Vaughan, Jan Warwick, Michael White, Bill Withers, Seán Woodward.

AGAINST – 19

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

ABSTAIN – 1

Councillor Charles Choudhary

RESOLVED:

A. Revenue Budget and Precept 2020/21

That the County Council approve:

- a. The Treasurer's report under Section 25 of the Local Government Act 2003 (Appendix 7 of the Cabinet report) and take this into account when determining the budget and precept for 2020/21.
- b. The Revised Budget for 2019/20 set out in Appendix 1 of the Cabinet report.
- c. The Revenue Budget for 2020/21 as set out in Annex 1 to this Part I report.
- d. Funding for one off revenue priorities linked to the development of capital investment totalling £3.9m as set out in paragraphs 92 to 105 of the Cabinet report.

- e. Funding of £830,000 in 2020/21 to deal with the impact of ash die back as set out in paragraphs 106 to 110 of the Cabinet report.
- f. The additions to the Capital Programme totalling £9.6m as set out in paragraphs 111 to 128 of the Cabinet report.
- g. The allocation of £2.5m from the Policy and Resources Other Reserve to top up the Investing in Hampshire Fund.
- h. That the **council tax requirement** for the County Council for the year beginning 1 April 2020, be £670,214,882.
- i. That the County Council's band D council tax for the year beginning 1 April 2020 be £1,286.28, an increase of 3.99%, of which 2% is specifically for adults' social care.
- j. The County Council's council tax for the year beginning 1 April 2020 for properties in each tax band be:

	£
Band A	857.52
Band B	1,000.44
Band C	1,143.36
Band D	1,286.28
Band E	1,572.12
Band F	1,857.96
Band G	2,143.80
Band H	2,572.56

- k. Precepts be issued totalling £670,214,882 on the billing authorities in Hampshire, requiring the payment in such instalments and on such date set by them previously notified to the County Council, in proportion to the tax base of each billing authority's area as determined by them and as set out overleaf:

Basingstoke and Deane	66,647.30
East Hampshire	51,083.00
Eastleigh	47,034.53
Fareham	43,559.30
Gosport	27,039.10
Hart	41,105.34
Havant	41,257.00
New Forest	71,492.90
Rushmoor	32,015.23
Test Valley	49,855.00
Winchester	49,960.28

- l. The Capital & Investment Strategy for 2020/21 (and the remainder of 2019/20) as set out in Appendix 8 of the Cabinet report.
- m. The Treasury Management Strategy for 2020/21 (and the remainder of 2019/20) as set out in Appendix 9 of the Cabinet report.
- n. The delegation of authority to the Deputy Chief Executive and Director of Corporate Resources to manage the County Council's investments and borrowing according to the Treasury Management Strategy Statement as appropriate.

B. Capital Programme 2020/21 to 2022/23

That the County Council approve:

- o. The capital programme for 2020/21 and the provisional programmes for 2021/22 and 2022/23 as set out in Appendix 1 of the Cabinet report.

191. HAMPSHIRE COUNTY COUNCIL PAY STATEMENT FOR FINANCIAL YEAR 2020/21

The Council considered a report from the Employment in Hampshire County Council (EHCC) Committee, as presented by Councillor Stephen Reid in his capacity as Chairman of the EHCC Committee, which sought approval of the County Council's Pay Statement for the financial year 2020/21 as set out in the Annex and Appendix A to the report. Councillor Reid reported that the County Council is required to prepare and publish its Pay Statement on an annual basis and commended the draft Pay Statement to the Council.

RESOLVED:

That the County Council approve the Pay Statement for 2020/21 as detailed at the Appendix to this Report, and agrees that EHCC Committee remains the appropriate Committee to agree Chief Officer remuneration for Chief Officers above Grade K, including individual salary offers in respect of any new Chief Officer appointments, any changes to Chief Officer salaries after appointment and any severance packages for Chief Officers leaving the County Council, in accordance with the Pay Statement.

192. CONSTITUTIONAL UPDATE

Council considered a report of the Chief Executive, introduced by the Leader, seeking approval of an update to the County Council's Financial Standing Orders and to note changes to Executive Portfolios with effect from 1 April 2020. In presenting the report, the Leader recognised that as Britain had now left the European Union, the national focus was on the transition and no longer on the process of leaving. With this in mind, he notified Council of a further update to the Executive Portfolios, to update the title of the "Executive Member for Communities, Partnerships and External Affairs including BREXIT" by removing "including BREXIT". The Leader confirmed that the portfolio responsibilities remained unchanged and therefore the Executive Member would continue to

hold the remit of corporate oversight of external and International policy and activities and to champion the County Council's relationship with external and international bodies, which will be of great importance during and after the transition period.

RESOLVED:

That the County Council:

1. Notes the changes in responsibility for Executive Functions as referred to above and in Paragraph 1 of the report.
2. Approves the amendment to Financial Regulations as set out at Paragraph 2 of the report.

193. 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.

194. CONSTITUTIONAL ARRANGEMENTS: APPOINTMENTS TO THE HEALTH & WELLBEING BOARD FOR HAMPSHIRE

The Council received the report of the Health and Wellbeing Board for Hampshire reporting a number several changes to the membership of the Board taken under delegated authority by the Head of Law and Governance and Monitoring Officer, in consultation with the Chairman of the Health and Wellbeing Board.

195. EXECUTIVE AND COMMITTEE REPORTS

The Council received the reports of the following Executive Members:

a) The Leader/Cabinet

- NHS Long Term Strategic Delivery Plan for Hampshire and The Isle Of Wight
- Hampshire Community Safety Strategy Group
- Interim Progress on Climate Change Strategy and Action Plan
- Serving Hampshire – 2019/20 Half Year Performance Report
- Children's Services Partnership With West Sussex County Council

b) Executive Member for Education and Skills

- Fryern Junior School, Eastleigh

c) Executive Member for Adult Social Care and Health

- Older Person's Day Services Contract Extensions
 - Demand Management and Prevention Grants
- d) Executive Member for Public Health
- Alcohol Nurse Service Grants

Chairman,

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COUNCIL ANNUAL GENERAL MEETING, 29 MAY 2020

REPORT OF THE
Chief Executive
PART I

1. PROPORTIONALITY AND APPOINTMENTS

- 1.1. This report concerns various matters relating to political proportionality and appointments to committees and panels which require the approval of the County Council.

2. POLITICAL PROPORTIONALITY

- 2.1. Part 1 of the Local Government and Housing Act 1989 requires the County Council to review the proportionality of its committees each year at its Annual Meeting. The political composition on the County Council is:

Conservative:	55
Liberal Democrat:	19
Labour:	1
Community Campaign for Hart:	1
Basingstoke & Deane Independent Group:	1
Unaffiliated:	1

- 2.2. In accordance with Standing Order 24.5 the County Council is asked to review the existing proportionality arrangements and make any changes as appropriate. The draft Proportionality Table (attached at Appendix 1) sets out the proportionality between the political groups on the Council and the seats available to the independent Labour Member and the unaffiliated Member.

3. APPOINTMENTS

- 3.1 Standing Order 6.2 requires the County Council, at its Annual Meeting, to appoint a Chairman and Vice Chairman for every committee and standing advisory panel of the County Council until the next Annual Meeting. All Chairmen and Vice-Chairman of Committees must be elected Members of the County Council. The nominations are attached as Appendix 2 to this report.

- 3.2 Standing Order 26 requires the County Council, at its Annual Meeting, to appoint its full quota of eight members to the Hampshire Fire and Rescue Authority. The nominations are as follows:

Councillors Chris Carter (Chairman), Liz Fairhurst, Roz Chadd (Vice-Chairman), Jonathan Glen, Geoff Hockley, Roger Price, David Simpson, Rhydian Vaughan MBE

3.3 At the County Council Meeting held on 12 February 2020, appointments were made to the Shadow Hampshire and Isle of Wight Fire and Rescue Authority until the Annual Meeting of the County Council. The nominations are as follows:

Councillors Chris Carter, Liz Fairhurst, Roz Chadd, Jonathan Glen, Geoff Hockley, Roger Price, David Simpson, Rhydian Vaughan MBE

RECOMMENDATIONS

That the County Council:

- a) Approves the Proportionality Table at Appendix 1 to the report.
- b) Approves the appointment of Chairmen and Vice-Chairmen of the County Council's committees and panels at Appendix 2 to the report.
- c) Approves the appointment of the County Council's representatives on the Hampshire Fire and Rescue Authority and Shadow Hampshire and Isle of Wight Fire and Rescue Authority as set out in paragraphs 3.2 and 3.3 of the report.

APPENDIX 1

County Council Proportionality – 29 May 2020 (DRAFT)						
		Conservative	Liberal Democrat	Independent	Labour	Unaffiliated
Members:	78.00	55	19	2	1	1
A: Council Committees and Panels						
Select Committees	Seats					
Policy and Resources	14	10	3	1		
Children and Young People	16	11	4	1		
Culture and Communities	14	10	3	1		
Environment and Transportation	14	10	3	1		
Health & Adult Social Care	16	11	4		1	
Other Committees/Panels						
Audit Committee	9	6	2			1
Employment in Hampshire County Council	8	6	2			
Pension Fund Panel & Board	9	7	2			
Regulatory Committee	16	11	4		1	
Advisory Committees/Panels						
Buildings Land & Procurement Panel	6	4	2			
Children and Families Advisory Panel	9	6	2			1
Conduct Advisory Panel	10	7	3			
Corporate Parenting Board	9	7	2			
Education Advisory Panel	9	6	2	1		
SACRE	4	3	1			
River Hamble						
River Hamble Harbour Board	3	2	1			
River Hamble Harbour Management Committee	10	7	3			
A: Total	176	124	43	5	2	2
Mathematical entitlement		124.10	42.87	4.51	2.26	2.26
Rounded mathematical entitlement		124	43	5	2	2
Surplus/deficit		0	0	0	0	0
B: Other Proportionate Bodies						
Chichester Harbour Conservancy	4	3	1			
Hampshire Fire and Rescue Authority	8	6	2			
New Forest National Park Authority	5	4	1			
B: Total	17	13	4	0	0	0
C: Overall Total Seats	193	137	47	5	2	2
Mathematical entitlement		136.09	47.01	4.95	2.47	2.47
Overall rounded mathematical entitlement		136	47	5	2	2
Surplus/deficit		1	0	0	0	0

COMMITTEE CHAIRMEN AND VICE CHAIRMEN 2020/21

Committee	Chairman	Vice-Chairman
Overview and Scrutiny		
Children and Young People Select Committee	Councillor Kirsty North	Councillor Ray Bolton
Culture and Communities Select Committee	Councillor Anna McNair Scott	Councillor Chris Carter
Economy, Transport and Environment Select Committee	Councillor Russell Oppenheimer	Councillor Graham Burgess
Health and Adult Social Care Select Committee	Councillor Roger Huxstep	Councillor David Keast
Policy and Resources Select Committee	Councillor Jonathan Glen	Councillor Keith Evans
Committees and Panels		
Audit Committee	Councillor Keith Evans	Councillor Alexis McEvoy
Buildings, Land and Procurement Panel	Councillor Stephen Reid	Councillor Bill Withers
Children and Families Advisory Panel	Councillor David Keast	Councillor Pal Hayre
Conduct Advisory Panel	Councillor Mark Kemp-Gee	Councillor Keith Evans
Corporate Parenting Board	Councillor Ann Briggs	Councillor Fran Carpenter
Education Advisory Panel	Councillor Roz Chadd	Councillor Zilliah Brooks
Employment in Hampshire County Council Committee	Councillor Stephen Reid	Councillor Keith Evans
Hampshire Pension Fund Panel and Board	Councillor Mark Kemp-Gee	Councillor Tom Thacker
Health & Wellbeing Board	Councillor Liz Fairhurst	NB – appointed by the Health & Wellbeing Board
Regulatory Committee	Councillor Peter Latham	Councillor Lance Quantrill
River Hamble Harbour Board	Councillor Keith Evans	Councillor Peter Latham
River Hamble Harbour Management Committee	Councillor Seán D. T. Woodward	Councillor Roger Huxstep
Standing Advisory Council for Religious Education	Councillor Roy Perry	Councillor Anna McNair Scott

COUNCIL MEETING, 29 MAY 2020

REPORT OF THE

Cabinet

PART I

1. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 - Amendment to Standing Orders and Executive Procedures

- 1.1. On 15 May 2020, Cabinet considered a report outlining the provisions of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ('the Regulations'), and how the provisions of the Regulations might be applied to the County Council's business, including deputations at remote Meetings. It was proposed in the report that the deputation rules be amended to make it clear that where a Meeting of the County Council, Cabinet, Committees and Standing Panels is held remotely in accordance with the provisions of the Regulations, that deputations will also be received remotely.
- 1.2. In addition Cabinet considered a proposal outlined in the report that the principles of the Regulations should also be applied to Individual Executive Member Decision Days, so as to enable Individual Executive Member Decision Days ordinarily be held in public, to be held remotely for the duration of the Regulations. It was also proposed that the provisions outlined above in respect of deputations at remote Meetings, should also apply to Individual Executive Member Decision Days held remotely.
- 1.3. Cabinet were in support of the proposals, and resolved to recommend to the County Council that Standing Orders and Executive Procedures be amended accordingly.

The full report to Cabinet can be found at the following link:

- [2015-05-15 - Cabinet Report - The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020 - Amendment to Standing Orders and Executive Procedures](#)

RECOMMENDATIONS

That the County Council:

- a) Agrees that for clarity the deputation rules be amended so as to allow deputations to be received remotely at remote Meetings of the County Council, Cabinet, Committees, Standing Panels and Individual Executive Member Decision Days for the duration of the Regulations.

- b) Agrees in light of the Coronavirus epidemic and its consequential impact on the holding of Individual Executive Member Decision Days, that the Constitution should be amended in order to allow Individual Executive Member Decision Days ordinarily held in public, to be held remotely for the duration of the Regulations.
- c) Agrees in consequence of a) and b) above that amendments as indicated at Annex One and Annex Two to this report be made to Standing Orders and Executive Procedures and Role of the Executive, contained respectively within Part 3, Chapter 1, and Part 3, Chapter 2 of the Constitution.

Part 3 Chapter 2 - Executive Procedures and the Role of the Executive

4. Decision Meetings and Individual Executive Member Decision Days

- 4.1 All Executive Meetings and Executive Decisions taken will be conducted in accordance with the Access to Information Regulations.
- 4.2 Decision Meetings of Cabinet and Committees of Cabinet Meetings will be held in public, except when dealing with confidential or exempt matters.
- 4.3 Decisions of Individual Executive Members will also be held in public, except when dealing with confidential or exempt matters.
- 4.4 The quorum for a public Meeting of Cabinet shall be three, one of whom shall be the Leader or the Deputy Leader. The quorum for a public Meeting of a Committee of Cabinet shall also be three, one of whom shall be the Chairman or Vice-Chairman of the Committee or other Executive Member appointed by the Leader or Deputy Leader to act as Chairman.
- 4.5 Non-Executive Members will be allowed to speak at Cabinet and Committees of Cabinet Meetings and Individual Executive Member Decision Days by prior arrangements with the Chairman of the Meeting or Individual Executive Member as appropriate.
- 4.6 Advance notice of public Meetings of the Executive and Individual Executive Member Decision days will be published in accordance with the requirements of Part 2 of the Access to Information Regulations, and in accordance with the Access to Information Procedure Rules in Chapter 4 of this Part. A link to Executive decision Reports will also be sent electronically to all Members. Decisions will be recorded by the Chief Executive and his staff, and records of decisions and Reports considered will be made public in accordance with the Access to Information Procedure Rules. Where a decision is taken this should be clear on the face of the record of the decision, together with the implications of action arising from the decision, in order to facilitate effective scrutiny. Where the Executive is developing 'a position' (e.g., budget priorities for the coming year), a minute will record the general area under discussion, but Cabinet shall be not be obliged to disclose the detail of their discussion unless and until it results in either (a) a decision Cabinet is able to take and implement without further reference, except for scrutiny, or (b) a decision which must be presented to the County Council as a recommendation before any action can be taken.
- 4.7 Individual Executive Members will be spokespersons for their particular areas of responsibility.

- 4.8 Records of Executive decisions taken will be sent electronically to all Members of the County Council within five clear Working Days of the decision having been made.
- 4.9 The Leader may call additional Meetings of Cabinet at any time if it would be conducive to the conduct of business of the Executive to do so.
- 4.10 Individual Executive Members may also hold additional Individual Executive Member Decision Days at any time if they consider it would be conducive to the conduct of their Executive responsibilities to do so.
- 4.11 Without prejudice to the generality of the provisions of Paragraph 4.3 above, Paragraph 4.3 is amended as follows in consequence of the revised democratic process of the County Council and remote Meetings of the County Council, Cabinet, Committees and Standing Panels, in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (Regulations).
- 4.12 Decision Days of individual Executive members ordinarily held in public in accordance with Paragraph 4.3 above will be held remotely in accordance with the provisions of the Regulations.
- 4.13 For the avoidance of doubt the provisions of Paragraph 4.12 shall only apply to Decision Days of Individual Executive Members held before 7 May 2021, after which date it will cease to have effect.

Part 3 Chapter 1 – County Council Standing Orders

12. Deputations

- 12.1 Subject to the provisions of this Standing Order, the County Council shall receive deputations at a Meeting of the County Council on any business that is properly within its terms of reference and the deputation shall be allowed to address the Meeting.
- 12.2 Subject to the provisions of this Standing Order, Cabinet or any Executive Member, Committees or Standing Panels of the County Council shall receive deputations at any Meeting or Individual Executive Member Decision Day relating to business that is properly within the Agenda for such Meeting or Individual Executive Member Decision Day and the deputation shall be allowed to address the Meeting or Individual Executive Member Decision Day.

For the purpose of this Standing Order:

12.2.1 notice in writing shall be given to the Chief Executive (to the Head of Democratic and Member Services via members.services@hants.gov.uk) that a deputation wishes to address a Meeting or Individual Executive Member Decision Day and the notice shall specify the subject on which the deputation wishes to speak. In the case of a County Council Meeting, the notice shall be given at least 10 clear Working Days in advance. In the case of other Meetings or Individual Executive Decision Days, the notice shall be given at least three clear Working Days in advance.

12.2.2 deputations shall consist of not more than four people who shall (except in the case of a deputation to the Regulatory Committee when it is exercising a function within the Functions Regulations, Regulation 2 and Schedule 1) be local government electors for the administrative area of Hampshire County Council, or otherwise and subject to the provisions set out at paragraph 12.2.3 below, have attained the age of seven years or older;

12.2.3 any deputation request received from a child of compulsory school age shall be accompanied by the following:

12.2.3.1. written consent from the parent of or person with Parental Responsibility for the child to the making of the deputation, including in respect of a request to make a deputation at a Meeting of the County Council or Cabinet, to the deputation being recorded and available for broadcast; and

12.2.3.2. in the case of a request to make a deputation within school term time, written consent to the making of the deputation from the Headteacher of the school the child attends, without which consent(s) the deputation shall not be heard.

- 12.2.4 without prejudice to the provisions of 12.2.3 above, deputations will not be received from children in cases where, in the opinion of the Director of Children's Services, it is not in the best interests of the child to make the deputation.
- 12.2.5 any member of a deputation may address a Meeting or Individual Executive Decision Day;
- 12.2.6 deputations shall be taken at the beginning of the Meeting or Individual Executive Decision Day in the order received (after the Minutes) and the total time for all deputations in any Meeting or Individual Executive Decision Day shall not exceed one hour in duration;
- 12.2.7 the total time taken by a deputation in addressing a Meeting or Individual Executive Decision Day shall not exceed 10 minutes provided that where the number of deputations in any Meeting or Individual Executive Decision Day would otherwise mean that the maximum time for deputations would be exceeded, the time allowed per deputation will be reduced on a proportional basis;
- 12.2.8 any deputation which has appeared before a Meeting of the County Council, the Executive, a Individual Executive Decision Day or any Committee or Standing Panel of County Council, shall not reappear at any such Meeting or any other Meeting or Individual Executive Decision Day within a period of six months on the same or similar topic (except in the case of a deputation to the Regulatory Committee when it is exercising a regulatory function, in which case a deputation may reappear where an item is adjourned, or when there is another similar application submitted in respect of the same site);
- 12.2.9 for the avoidance of doubt a deputation to a Meeting of the Executive, a Committee or Standing Panel or an Individual Executive Decision Day must relate to an item on the Agenda for that Meeting or Individual Executive Decision Day;
- 12.2.10 no discussion shall take place with the presenters of a deputation but the Chairman of the Meeting or the Executive Member may inform the deputation how, if at all, the matter will be dealt with by noting, action or referral. At a Meeting of the County Council, the Chairman may invite the Leader or appropriate Executive Member or Committee Chairman to give this information to the deputation.
- 12.2.11 Deputations in respect of Individual service concerns will not be received where, in the opinion of the Chief Executive in consultation with the Monitoring Officer, the subject matter of the deputation relates to issues which are more properly dealt with through the County Council's Corporate Complaints Procedure, or which might cause the County Council to breach confidentiality rules.

NB: The Purpose of Standing Order 12 is to give members of the public an opportunity to address the County Council, the Executive, its Committees or Standing Panels. Elected members (including those of other Councils), political parties, trade unions and members of staff have other opportunities to bring matters to the County Council's attention and will not be received under the provision of Standing Order 12.

Additional arrangements apply in respect of Regulatory Committee or when the County Council is otherwise exercising a function within the Functions Regulations. These arrangements are set out within the Local Protocol on Planning, Rights of Way and Commons Registration, Paragraph 9, contained at Appendix B.

12 A. Deputations

12 A.1 Without prejudice to the generality of the provisions of Standing Order 12 above, Standing Order 12 is amended as follows in consequence of the revised democratic process of the County Council and remote Meetings of the County Council, Cabinet, Committees and Standing Panels, in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (Regulations).

12 A.2 Where a Meeting of the County Council, Cabinet, Committees and Standing Panels is held remotely in accordance with the provisions of the Regulations, deputations will also be received remotely in accordance with the Regulations.

12 A.3 This provision shall also apply to Decision Days of Individual Executive Members.

12 A.4 For the avoidance of doubt the provisions of this Standing Order 12 A shall only apply to remote Meetings of the County Council, Cabinet, Committees and Standing Panels, and Decision Days of Individual Executive Members, held before 7 May 2021, after which date it will cease to have effect.

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COUNCIL MEETING, 29 MAY 2020

REPORT OF THE
Chief Executive
PART I

1. APPROVAL OF MEMBER ABSENCE – SECTION 85 LOCAL GOVERNMENT ACT 1972

- 1.1. By virtue of Section 85 of The Local Government Act 1972 (the Act) a County Councillor ceases to be a Member of the County Council if he/she fails to attend a Meeting of the County Council, its Committees, Outside Body or Joint Committee to which they are appointed to represent the County Council, for a period of six consecutive months commencing on the date of the Member's last attendance, unless the period of absence is, for some reason, approved by the County Council prior to the expiry of that period.
- 1.2. The function of approval of absence pursuant to Section 85 of the Act is also delegated to the Conduct Advisory Panel.
- 1.3. The Covid-19 virus (coronavirus) pandemic has led to Government requirements in respect of social distancing and shielding measures, including reduction of unnecessary travel. In addition, it is possible that any County Councillors may at some stage contract the Covid-19 virus or be required/advised to self-isolate in accordance with Government guidance.
- 1.4. At this moment it is unclear to what extent and for how long County Council business will be affected by the Covid-19 virus, and what the individual impact of the virus on Members of the County Council might be in respect of illness in consequence of the virus, social distancing, self-isolation or shielding. It is likely that the holding of physical meetings will not be practical for some time. Although the County Council is introducing virtual meetings, participation in a virtual meeting will only count towards a Member's attendance record if they are an appointed member/representative of the committee, panel or outside body that is meeting. In consequence a number of Members of the County Council may, through no fault of their own, exceed the six-month non-attendance limit. Without approval for an extended absence in these circumstances, those County Councillors affected would cease to be Members of the County Council and vacate their office.
- 1.5. It is suggested therefore that approval of absence under Section 85 of the Act, for the reasons expressed in this report, be granted for any Member affected for a period expiring 31 December 2020. Should in any case this need to be extended a further report will be brought to the County Council or the Conduct Advisory Panel for consideration in due course.

RECOMMENDATIONS

It is recommended that the County Council approves an extended period of absence, pursuant to Section 85 of the Local Government Act 1972, to 30 September 2020, for any Member of the County Council who is unable to attend a Meeting of the County Council, its Committees, Outside Bodies or Joint Committees to which any such Member of the County Council has been appointed, as a result of illness, social distancing, self-isolation or shielding as a consequence of the Covid-19 virus.