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AT A MEETING of the Cabinet of HAMPSHIRE COUNTY COUNCIL held
remotely on Friday, 15th May, 2020

Chairman:

* Councillor Keith Mans

* Councillor Rob Humby
* Councillor Roz Chadd
* Councillor Liz Fairhurst
* Councillor Judith Grajewski
* Councillor Edward Heron

* Councillor Andrew Joy
* Councillor Stephen Reid
* Councillor Patricia Stallard
* Councillor Seán Woodward

Also present with the agreement of the Chairman: Councillors Bennison, Collett, Glen and House.

176. APOLOGIES FOR ABSENCE

All Members were present and no apologies were noted

177. 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 Personal interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 5 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.

178. MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting were reviewed and agreed

179. DEPUTATIONS

No requests to make a deputation had been received.

180. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Members to Hampshire County Council's first remote meeting. He recognised the extent of the Covid-19 crisis and its impact on Hampshire and the world and the importance of joint working to resolve the crisis.

181. AN EARLY REVIEW OF THE COUNTY COUNCIL'S RESPONSE TO THE COVID 19 CRISIS

Cabinet considered a report of the Chief Executive regarding the County Council's response to the Covid-19 crisis.

With the agreement of the Chairman, Councillor House addressed Cabinet, welcoming the report, thanking HCC staff for their recent efforts and highlighting the common issues faced by all local authorities.

With the agreement of the Chairman, Councillor Porter addressed Cabinet, highlighting the challenges of re-opening schools and the pressure on childcare setting. She welcomed the support that had been available for Members to continue to operate in their communities.

The report was introduced and key corporate and departmental issues were highlighted, acknowledging the rapidly changing nature of the crisis. The benefit of Public Health being integrated in the County Council was noted, in particular the relationship with the Isle of Wight Public Health and the development of the track and trace programme. It was confirmed that the pandemic in Hampshire matched the national picture of slowly reducing from the peak.

Cabinet heard that the Director of Economy, Transport and Environment was leading on the recovery phase for the County Council. He provided some initial thoughts on this, noting that it would run alongside the response phase and that the pace of recovery would be governed by the progress of the virus. The split between national and local drivers for recovery was recognised and the importance of strong community engagement and of innovation in areas such as transport detailed. .

Members welcomed the report and acknowledged that the County Council must do everything possible to reduce the spread of the virus. The hard work of HCC officers across all departments was recognised and a number of prominent examples were cited. The role and benefit of partnership working was highlighted and Members noted how communities had come together in tackling the impact of the virus.

The recommendations set out in the report were considered and agreed. A decision record is attached to these minutes.

182. COVID-19 FINANCIAL IMPACT

Cabinet considered a report of the Director of Corporate Resources regarding the financial impact of the Covid-19 crisis.

With the agreement of the Chairman, Councillor House addressed Cabinet, highlighting the promises of the Secretary of State to provide financial support, the severe impact across local government and urging the County Council to share financial data with the LGA to contribute to the national picture.

The report was introduced and it was explained that it gave the first snapshot of the financial consequences of the crisis. It was confirmed that data would be provided to MHCLG and shared with the LGA. The unfunded three month shortfall of £21.6 million was highlighted and it was noted that this was expected to increase by £18.5 million for each subsequent month. Members heard that if these cost pressures remained unfunded then the impact on the County Council would have to be met from reserves, including from the pension fund windfall. The impact on the markets of a recession made further windfalls from the pension fund less likely. These pressures came on top of the existing financial stresses planned for in the Transformation programme.

Cabinet welcomed the report as providing robust documentation of the full financial consequence of the crisis. Members agreed with holding the Government to their commitment of support and felt that this should be based on the full financial impact on the Council.

The recommendations in the report were considered and agreed. A decision record is attached to these minutes.

183. COVID-19: TEMPORARY CHANGES TO THE COUNTY COUNCIL'S DUTIES UNDER THE CARE ACT 2014

Cabinet considered a report of the Director of Adults' Health and Care regarding temporary changes to the County Council's duties under the Care Act 2014.

The report was introduced including an overview of the work underway within Adults Services and the options within the legislation to enact the Care Act easements. The process of doing so was outlined and it was confirmed that this was a temporary position and would be used as a last resort and not a blanket approach. It was furthermore clarified that the recommendations were being made pro-actively and there was no current expectation of the delegated authority being required.

Cabinet welcomed the report and considered and agreed the recommendations. A decision record is attached to these minutes.

184. DOMESTIC VIOLENCE

Cabinet considered a report of the Chief Executive regarding specific concerns and activities related to domestic abuse and violence during the Covid-19 crisis.

With reference to the report, the background and key concerns were outlined. The full picture of the impact on children was not likely to be clear until after lockdown, when it was expected that referrals would increase.

Members welcomed the report, noting the importance of the issue and asking that a further update be presented sooner than six months.

The recommendations in the report were considered and agreed. A decision record is attached to these minutes.

185. 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

Cabinet considered a report of the Director of Transformation and Governance regarding the impact of new legislation as a result of the Covid-19 crisis.

In introduction to the report, the Chairman proposed an update to the recommendations in the report to: delete existing recommendations c and e. He also proposed a new recommendation: "Cabinet requests that the Chief Executive, in consultation with the Group Leaders, undertakes a review of the County Council's Executive decision making process, and that a further report on the outcome of the review is brought to Cabinet after the Covid-19 crisis"

With the agreement of the Chairman, Councillor House addressed Cabinet, welcoming the updated recommendations, noting the success of remote meetings and the importance for transparency at this time.

The revised recommendations were considered and agreed. A decision record is attached to these minutes.

186. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded from the meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present, there would be disclosure to them of exempt information within Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, being information relating to the financial or business affairs of any particular person (including the authority holding the information). which should not be disclosed for the reasons set out in the report.

187. FARNBOROUGH INTERNATIONAL LIMITED - INTEREST RATE DEFERRAL AND LOAN REPAYMENT TIMETABLE - EXEMPT

Cabinet considered an exempt report of the Director of Corporate Resources regarding Farnborough International Limited.

With reference to the exempt report, the context of the cancellation of this year's airshow and the consequential financial pressure was outlined to Cabinet. It was confirmed that any adjustments to the loan repayment to the County Council would still result in full repayment.

Cabinet noted the pressures on the aviation industry and that an adjustment to the loan repayment timetable would assist with the viability of the airshow and therefore be of benefit to the wider north-Hampshire economy.

The recommendations in the report were considered and agreed. A decision record is attached to these minutes.

188. **BLACKBUSHE AIRPORT: PROGRESS OF JUDICIAL REVIEW AND ASSOCIATED POTENTIAL COSTS**

Cabinet considered an exempt report of the Director of Culture, Communities and Business Services and the Head of Law and Governance regarding Blackbushe Airport.

The background and progress of the judicial review was set out alongside the next steps and potential financial implications. The national significance of the case for future planning matters involving common land was highlighted.

With the agreement of the Chairman, Councillor Collett addressed Cabinet, setting out his involvement as the local Member and asking that the recommendations be supported.

The recommendations in the report were considered and agreed. A decision record is attached to these minutes.

Chairman,

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HAMPSHIRE COUNTY COUNCIL

Decision Record

Decision Maker:	Cabinet
Date:	15 May 2020
Title:	An Early Review of The County Council's Response to the Covid 19 Crisis
Report From:	Chief Executive

Contact name: John Coughlan

Tel: 01962 845252

Email: John.coughlan@hants.gov.uk

1. The decision:

That Cabinet:

- 1.1. Note the contents of the report as a summary of the exceptional events and responses by the County Council to the Covid 19 crisis, bearing in mind that this can only be a top-level assessment of a massive and fast changing situation;
- 1.2. Approve the immediate emphasis on the County Council's recovery work, on behalf of the County Council and the local Hampshire economy, notwithstanding the long-lasting nature of the crisis;
- 1.3. Acknowledge the continuing extraordinary and at times heroic efforts of the staff of the County Council as the crisis has progressed.

2. Reasons for the decision:

- 2.1. To note the ongoing response to the Covid 19 crisis and recognise the exceptional efforts of all involved.

3. Other options considered and rejected:

- 3.1. None.

4. Conflicts of interest:

- 4.1. Conflicts of interest declared by the decision-maker: None
- 4.2. Conflicts of interest declared by other Executive Members consulted: Not applicable

5. Dispensation granted by the Conduct Advisory Panel: None.

6. Reason(s) for the matter being dealt with if urgent: Not applicable.

7. Statement from the decision maker:

Approved by:

Date:

Chairman of Cabinet
Councillor Keith Mans

15 May 2020

HAMPSHIRE COUNTY COUNCIL

Decision Record

Decision Maker:	Cabinet
Date:	15 May 2020
Title:	Covid-19 Financial Impact
Report From:	Director of Corporate Resources

Contact name: Rob Carr

Tel: 01962 847508

Email: Rob.carr@hants.gov.uk

1. The decision:

That Cabinet:

- 1.1. Notes the current position in respect of the financial impact of Covid-19 as set out in detail in Appendix 2 of the report.
- 1.2. Notes the current level of unfunded spend and losses as detailed in paragraph 32 of the report.
- 1.3. Notes the current impacts and issues for Schools as set out in Appendix 3 of the report.
- 1.4. Delegates authority to the Deputy Chief Executive and Director of Corporate Resources to allocate the additional £24.3m of grant funding as required in consultation with the Chief Executive and Leader of the Council.
- 1.5. Notes the impact on the medium term financial position as set out in the final section of the report.

2. Reasons for the decision:

- 2.1. To note the financial impact of the Covid 19 crisis on the County Council and allocate grant funding as required.

3. Other options considered and rejected:

- 3.1. None.

4. Conflicts of interest:

- 4.1. Conflicts of interest declared by the decision-maker: None
- 4.2. Conflicts of interest declared by other Executive Members consulted: Not applicable

5. Dispensation granted by the Conduct Advisory Panel: None.

6. Reason(s) for the matter being dealt with if urgent: Not applicable.

7. Statement from the decision maker:

Approved by:

Date:

Chairman of Cabinet
Councillor Keith Mans

15 May 2020

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Cabinet
Date:	15 May 2020
Title:	Covid-19: temporary changes to the County Council's duties under the Care Act 2014
Report From:	Director of Adults' Health and Care

Contact name: Jessica Hutchinson

Tel: 01962 847966

Email: jessica.hutchinson@hants.gov.uk

1. The decision:

- 1.1 That Cabinet approve the use of the amendments to the County Council's duties under the Care Act 2014 if required.
- 1.2 That authority is delegated to the Director of Adults' Health and Care in consultation with the Executive Member for Adult Social Care and Health to implement, in line with Government guidance and as referenced in this report, all or any powers provided under Section 15 and Schedule 12 of the Coronavirus Act 2020 and to decide on timescales and manner of any implementation.

2. Reasons for the decision:

- 2.1 As this is important legislation involving one of the County Council's most significant service areas, Members should be briefed at an early stage on the extensive work that Adults' Health and Care is currently doing to manage the Covid-19 situation and the forward planning it is undertaking, should the situation become even more challenging than it currently is. This is in line with the Government's guidance and updated Ethical Framework for adult social care which stresses the ongoing importance of accountability, involvement and transparent, robust decision making.
- 2.2 To seek approval for delegated authority to the Director of Adults' Health and Care in consultation with the Executive Member and Principal Social Worker to implement, if required, the temporary changes to the County Council's Care Act duties.

3. Other options considered and rejected:

- 3.1 To not report to Cabinet in advance of any easements being taken. This option was rejected as it is not in line with the County Council's aim for transparency and robust decision making.

3.2 To present to Cabinet the decision to enforce the easements. This was rejected as it is clear that use of the easements should be a last resort and that Care Act 2014 duties should continue to be met for as long as possible.

4. Conflicts of interest:

4.1 Conflicts of interest declared by the decision-maker: None

4.2 Conflicts of interest declared by other Executive Members consulted: None

5. Dispensation granted by the Conduct Advisory Panel: None

6. Reason(s) for the matter being dealt with if urgent: Not applicable

7. Statement from the decision maker:

Approved by:

Date:

15 May 2020

Chairman of Cabinet
Councillor Keith Mans

HAMPSHIRE COUNTY COUNCIL

Decision Record

Decision Maker:	Cabinet
Date:	15 May 2020
Title:	Domestic Violence
Report From:	Chief Executive

Contact name: John Coughlan

Tel: 01962 845252

Email: John.coughlan@hants.gov.uk

1. The decision:

That Cabinet:

- 1.1. Notes the report, endorse the various activities described therein and approve the current and evolving inter-departmental approach to addressing domestic abuse and violence.
- 1.2. Receive an update report on the progress of these activities within a period of approximately six months.

2. Reasons for the decision:

- 2.1. To note the approach to addressing domestic violence and abuse and to monitor the updates going forward.

3. Other options considered and rejected:

- 3.1. None.

4. Conflicts of interest:

- 4.1. Conflicts of interest declared by the decision-maker: None
- 4.2. Conflicts of interest declared by other Executive Members consulted: Not applicable

5. Dispensation granted by the Conduct Advisory Panel: None.

6. Reason(s) for the matter being dealt with if urgent: Not applicable.

7. Statement from the decision maker:

Approved by:

Date:

Chairman of Cabinet
Councillor Keith Mans

15 May 2020

HAMPSHIRE COUNTY COUNCIL

Decision Record

Decision Maker:	Cabinet
Date:	15 May 2020
Title:	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
Report From:	Director of Transformation and Governance

Contact name: Barbara Beardwell

Tel: 01962 845157

Email: Barbara.beardwell@hants.gov.uk

1. The decision:

That Cabinet:

- 1.1. Notes the provisions contained in the Regulations as outlined in the report, and how they might be applied to County Council business, in particular full Council, Committee and Cabinet Meetings.
- 1.2. Recommends to full Council, 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.
- 1.3. Recommends to full Council in consequence of 1.2 above that amendments as indicated at Appendix One and Appendix Two to the 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.
- 1.4. Requests that the Chief Executive, in consultation with the Group Leaders, undertakes a review of the County Council's Executive decision making process, and that a further report on the outcome of the review is brought to Cabinet after the Covid-19 crisis.

2. Reasons for the decision:

- 2.1. To agree the provisions made under the Regulations so far as they affect the County Council's governance arrangements and decision making processes and to agree the amendment to Standing Orders for recommendation to Full Council.

3. Other options considered and rejected:

3.1. None.

4. Conflicts of interest:

4.1. Conflicts of interest declared by the decision-maker: None

4.2. Conflicts of interest declared by other Executive Members consulted: Not applicable

5. Dispensation granted by the Conduct Advisory Panel: None.

6. Reason(s) for the matter being dealt with if urgent: Not applicable.

7. Statement from the decision maker:

Approved by:

Date:

Chairman of Cabinet
Councillor Keith Mans

15 May 2020

HAMPSHIRE COUNTY COUNCIL

Decision Record

Decision Maker:	Cabinet
Date:	15 May 2020
Title:	Farnborough International Limited – Interest Rate Deferral and Loan Repayment Timetable
Report From:	Director of Corporate Resources
Summary of an Exempt Decision	

Contact name: Jonathan Hurford-Potter

Tel: 01962 667991

Email: Jonathan.hurford-potter@hants.gov.uk

1. The decision:

- 1.1. That Cabinet notes the proposed approach as set out within the exempt report to Farnborough International Limited's interest rate deferral and loan repayment timetable and agree recommendations contained within the exempt report accordingly.

2. Reasons for the decision:

- 2.1. To agree the proposals in regard to the interest rate deferral and loan repayment timetable as set out within the exempt report.

3. Other options considered and rejected:

- 3.1. None.

4. Conflicts of interest:

- 4.1. Conflicts of interest declared by the decision-maker: None
 4.2. Conflicts of interest declared by other Executive Members consulted: Not applicable

5. Dispensation granted by the Conduct Advisory Panel: None.

6. Reason(s) for the matter being dealt with if urgent: Not applicable.

7. Statement from the decision maker:

Approved by:

Date:

Chairman of Cabinet
Councillor Keith Mans

15 May 2020

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Cabinet
Date:	15 May 2020
Title:	Blackbushe Airport: Progress of Judicial Review and associated potential costs
Report From:	Director of Culture, Communities and Business Services Head of Law and Governance
(Summary of an Exempt Decision)	

Contact names: Felicity Roe / Barbara Beardwell

E-mail: felicity.roe@hants.gov.uk / barbara.beardwell@hants.gov.uk

1. The decision:

- 1.1 That the Recommendations set out in the report are approved by Cabinet.

2. Reason(s) for the decision:

- 2.1 To enable funding for the County Council to defend legal challenge to the decision of the High Court.

3. Other options considered and rejected:

- 3.1 To not progress the case in the Court of Appeal – this was rejected as it was considered that there was a compelling public interest in the case being heard in the Court of Appeal.

4. Conflicts of interest:

- 4.1 Conflicts of interest declared by the decision-maker: None.
4.2 Conflicts of interest declared by other Executive Members consulted: None.

5. Dispensation granted by the Conduct Advisory Panel: None.

6. Reason(s) for the matter being dealt with if urgent: .

- 6.1 To enable the County Council to respond to the appeal against the decision of the High Court within the statutory timescales.

7. Statement from the Decision Maker:

Approved by:

Date:

15 May 2020

**Chairman of Cabinet
Councillor Keith Mans**