

AT A MEETING of the County Council of HAMPSHIRE COUNTY COUNCIL held  
at the castle, Winchester on Thursday, 24th November, 2022

Chairman:

\* Councillor Marge Harvey  
Vice-Chairman  
Councillor Patricia Stallard

* Councillor Nick Adams-King	Councillor Gavin James
* Councillor Prad Bains	* Councillor Andrew Joy
Councillor Lulu Bowerman	* Councillor Mark Kemp-Gee
* Councillor Jackie Branson	* Councillor Melville Kendal
* Councillor Ann Briggs	* Councillor Rupert Kyrle
* Councillor Steven Broomfield	* Councillor Peter Latham
* Councillor Pamela Bryant	* Councillor Hugh Lumby
* Councillor Graham Burgess	* Councillor Keith Mans
* Councillor Fran Carpenter	* Councillor Alexis McEvoy
* Councillor Roz Chadd	* Councillor Lesley Meenaghan
* Councillor Peter Chegwyn	* Councillor Derek Mellor
Councillor Adrian Collett	* Councillor Rob Mocatta
* Councillor Mark Cooper	* Councillor Arun Mummalaneni
* Councillor Rod Cooper	Councillor Kirsty North
* Councillor Tonia Craig	* Councillor Phil North
* Councillor Alex Crawford	* Councillor Russell Oppenheimer
* Councillor Debbie Curnow-Ford	* Councillor Sarah Pankhurst
* Councillor Tim Davies	* Councillor Tanya Park
* Councillor Christopher Donnelly	* Councillor Stephen Parker
* Councillor Alan Dowden	* Councillor Louise Parker-Jones
* Councillor David Drew	* Councillor Neville Penman
* Councillor Barry Dunning	* Councillor Stephen Philpott
* Councillor Liz Fairhurst	* Councillor Jackie Porter
* Councillor Michael Ford	Councillor Roger Price
* Councillor Steve Forster	* Councillor Lance Quantrill
* Councillor Jonathan Glen	* Councillor Stephen Reid
* Councillor Tim Groves	* Councillor Elaine Still
* Councillor David Harrison	* Councillor Kim Taylor
* Councillor Pal Hayre	* Councillor Tom Thacker
* Councillor Juliet Henderson	* Councillor Michael Thierry
* Councillor Edward Heron	* Councillor Martin Tod
* Councillor Dominic Hiscock	* Councillor Andy Tree
* Councillor Keith House	* Councillor Jacky Tustain
* Councillor Zoe Huggins	* Councillor Rhydian Vaughan MBE
* Councillor Gary Hughes	* Councillor Malcolm Wade
* Councillor Rob Humby	* Councillor Jan Warwick
* Councillor Wayne Irish	* Councillor Bill Withers Lt Col (Retd)
Councillor Adam Jackman	Councillor Seán Woodward

\*Present

Honorary Aldermen Keith Chapman MBE, Anna McNair Scott and Roy Perry were also present.

#### **111. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Lulu Bowerman, Adrian Collett, Gavin James, Kirsty North, Roger Price, Patricia Stallard and Seán Woodward, and from Honorary Aldermen Christopher Carter and Phrynnette Dickens.

#### **112. 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 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.

#### **113. MINUTES**

The Minutes of the meeting of the County Council held on 29 September 2022 were confirmed as a correct record and signed by the Chairman.

#### **114. DEPUTATIONS**

The Council received the following deputations:

1. Abe Allen and Mak Johal – 'Bin the Bunds'
2. Pamela Charlwood – 'Titchfield Haven'
3. Caroline Kirkman and David Learmonth – 'A Safer Cart & Horses Junction'

#### **115. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman opened her announcements by highlighting a number of awards and accolades the County Council had received:

- The Arts Council had recently announced their future National Portfolio and funding for the County Council area which had increased significantly, with £2million per year coming into Hampshire annually for the next three years. Of particular note is the County Council's partners, the Hampshire Cultural Trust, who had been awarded £500,000 per year. In addition, many organisations had been awarded funding to work in Arts Council priority places such as Rushmoor, Gosport and the New Forest.

- Planning, design, and construction of Romsey town's central space in Market Place by the County Council had been recognised as Solent's best new public space. The scheme won both the Judge's Award and People's Choice Award in the Partnership for South Hampshire's Solent Quality of Place Awards – the first time in the Awards' 10-year history that a scheme has achieved winning two accolades. The County Council's design team worked with Test Valley Borough Council in close consultation with the Romsey Steering Board (whose members were senior representatives from the County Council, Test Valley Borough Council and Romsey Town Council, as well as local community interest groups).
- An innovative joint project between the County Council and Milestone Infrastructure and OCL that recycles large quantities of old road material for re-use across Hampshire's road network resulting in significant carbon savings and reduced reliance on external supply chains had won the Environmental Sustainability Award, the Special Merit award and were Highly Commended in the category for Partnership Working at the National UK Highway Awards.

The Chairman also reported on several events she had pleasure in attending on behalf of the County Council:

- 25 and 40-year long service celebrations
- Law Sunday Service (9 October)
- Official opening of Sparsholt College's Animal Health and Welfare Research Centre by HRH The Princess Royal (1 Nov)
- Staff Remembrance Service (11 Nov)

## 116. **LEADER'S REPORT**

The Leader opened his report by echoing the Chairman's comments on the prestigious awards that Hampshire County Council had received and extended his congratulations to the officers and partners involved.

Turning to finance, the Leader confirmed that the detail of the Chancellor's Autumn Statement was being closely looked at to understand what it would mean for the long-term budgetary pressures faced by the County Council. The Chancellor's announcement of additional funding for adult social care and schools was welcomed, although disappointing that the grants had only been confirmed for two years. Despite the County Council's strong track record of responsible financial management, the Leader reported that without immediate financial assistance and a clear plan for long-term financial sustainability, forecasts indicate that the County Council would not be able to close future budget gaps through its own actions alone, with the worst case scenario being the need to issue a Section 114 notice within the next two years. The Leader emphasised the timeframe of 'within the next two years', not within a few

months, as mistakenly suggested in recent news reports.

The Leader referred to the recent letter to the Prime Minister, Chancellor, Levelling Up Secretary and local MPs sent by himself and the Leader of Kent County Council, Cllr Roger Gough, clearly setting out the financial position for both Councils, requesting urgent financial assistance, and for legislative changes and fundamental reform of the way local government is funded and allowed to raise revenue together with meaningful dialogue by the end of the year. The Leader commented that whilst it was acknowledged that Government had given greater flexibility to local authorities around council tax, it was not the remedy to the sector's overall funding challenges particularly at a time when household budgets were already facing considerable strain.

The Leader also referred to devolution and greater freedoms and powers and was encouraged by the Government's ongoing commitment to roll out more devolution deals across the country. The County Council would continue to work with partners to maintain progress in regard to a County Deal for the Pan-Hampshire area for which a prospectus had been submitted to Government.

In the meantime, the provisional local government settlement next month was awaited, which would provide the detail required to prepare the County Council's budgets for 2023/24.

The Leader reported that he and the Deputy Leader had engaged in useful discussions with Hampshire MPs about the seriousness of the County Council's financial position and was pleased that some of the MPs had written and spoken to Ministers as a result of these discussions. The Leader and Deputy Leader would continue to keep Hampshire MPs updated and work closely with them in the coming weeks and months. In the meantime, the County Council would remain focussed on continuing to deliver its services and make the case for a long-term fairer funding settlement for the local government sector as a whole to place it on a more sustainable long-term financial footing.

The Leader drew attention to Item 8 on the Agenda setting out some Constitutional Changes consequential upon the new organisational structure from 1st January. The Leader also gave notice that he would be proposing a further change to the Constitution to enable Chief Officers to answer any technical questions on reports prior to Members moving on to debate, which would require a change to Standing Orders. A report would be prepared for consideration at the next County Council Meeting on 23 February 2023.

The Leader was pleased to announce that in addition to the extra payments the County Council was making to the hosts of Ukrainian guests to cover energy and heating costs over the winter, the County Council intended to make a £200 payment to each guest and £250 per host to support them over the Christmas holiday period funded by the Government grant to support upper tier local authorities to implement the Homes for Ukraine scheme locally.

Finally, the Leader paid tribute to two Directors and the County Council's Monitoring Officer who would be leaving the County Council.

Felicity Roe, Director of Culture, Communities & Business Services joined Hampshire in 1993 working in senior roles in Performance, Communications and

Children's Services before her appointment as Director of CCBS in 2018. Felicity has managed more than 30 different services within the CCBS directorate over the last four years, which was testament to her leadership, dedication and determination to rise to every challenge.

Stuart Jarvis, Director of Economy, Transport & Environment has had a distinguished career in local government working in Dudley, Southampton, Pembrokeshire and Somerset before joining Hampshire County Council as Deputy Director of Environment in 2004. Stuart was appointed to his current role as Director of ETE in 2011, with his impact in that role reaching far beyond the County Council to many partner organisations and MPs.

Barbara Beardwell, the County Council's Head of Law & Governance and Monitoring Officer joined the County Council as a Senior Solicitor in the Planning team in 2002. Barbara was appointed Monitoring Officer in 2009, and took on responsibility for Governance and Legal Services in the years that followed. Many Members and officers past and present had benefited greatly from her encyclopaedic knowledge of local government law and legal expertise.

All three officers would leave with the County Council's gratitude for their years of excellent service and with very best wishes for the future.

#### 117. **QUESTIONS UNDER STANDING ORDER 16.1.1**

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

#### 118. **CONSTITUTIONAL MATTERS**

The Council considered the report of the Chief Executive regarding a number of Constitutional matters.

In presenting the report, the Leader outlined these matters, namely:

- 1) a change in responsibility for Executive Functions (taking effect on 1 January 2023);
- 2) consequential upon the changes in 1) above, a corresponding revision to Scrutiny functions, also taking effect on 1 January 2023;
- 3) a revision to the Terms of Reference for the Pension Fund Panel and Board and its sub-committees regarding deputations; and
- 4) the introduction of digital voting in certain circumstances, as detailed in the report.

The Leader clarified that the former Policy and Resources Select Committee will become the Hampshire 2050, Corporate Services and Resources Select Committee; the former Transport and Environment Select Committee will become Universal Services – Transport and Environment Select Committee, the former Countryside, Culture and Communities Select Committee will become Universal Services – Countryside and Regulatory Services.

In regard to 2) above, the Leader confirmed that membership of the above Select Committees would remain the same for now, however to enable all Political Group Leaders to make any changes from the date of this meeting and before 1 January 2023, the Leader proposed an additional recommendation as follows:

*“f) That the County Council delegates authority to the Monitoring Officer, in consultation with the relevant Political Group Leader, to make any changes to membership of the Select Committees as referred to at Appendix 2, between the date of this Council Meeting and 1 January 2023.”*

A correction to paragraph 3.3, line 4 of the report was noted and should read as follows:

*“Hampshire Pension Fund members who are **not** local government electors  
.....”*

RESOLVED:

That the County Council:

- a) Notes the revised Executive portfolios as referred to in this report and attached at **Appendix 1**, to be effective from 1 January 2023.
- b) Agrees the revised Select Committee responsibilities as referred to in this report and attached at **Appendix 2**, to be effective from 1 January 2023.
- c) Approves the changes to the County Council’s Standing Orders and to the Terms of Reference of the Pension Fund Panel and Board, set out at Appendices 1 and 2 respectively of the Cabinet report attached at **Appendix 3**.
- d) Agrees that Standing Order 22 be amended to include provision for digital voting.
- e) Authorises the Monitoring Officer to make necessary updates to the County Council’s Constitution to give effect to the recommendations at a), b), c) and d) of this report.
- f) Delegates authority to the Monitoring Officer, in consultation with the relevant Political Group Leader, to make any changes to membership of the Select Committees as referred to at Appendix 2, between the date of this Council Meeting and 1 January 2023.

## 119. **APPOINTMENTS**

The Council considered the report of the Chief Executive as presented by the Leader of the Council.

The Leader proposed an additional appointment of Philip Reynolds as a Substitute Scheme Member representative on the Pension Fund Panel and Board.

RESOLVED:

That the County Council approve the appointments set out in the report.

120. **APPOINTMENT OF MONITORING OFFICER AND APPOINTMENT OF DATA PROTECTION OFFICER**

The Council considered the report of the Chief Executive seeking approval of the appointment of the Monitoring Officer and the Data Protection Officer for the County Council.

In presenting the report, the Leader confirmed that these appointments would support the implementation of the new organisational structure and both would take effect on 1 January 2023.

RESOLVED:

That the County Council:

- a) Approves appointment of David Kelly as the County Council's Monitoring Officer with effect from 1 January 2023.
- b) Approves appointment of Steph Randall as the County Council's Data Protection Officer with effect from 1 January 2023.
- c) Authorises the Monitoring Officer to make the necessary amendments to the County Council's Constitution consequential upon these appointments.

121. **AMENDMENTS TO THE MEMBERS' ALLOWANCES SCHEME 2022/23**

The Council considered the report of the Employment in Hampshire County Council (EHCC) Committee seeking approval of amendments to the Members' Allowances Scheme for 2022/23 including a general adjustment to Basic Allowances and Special Responsibility Allowances (SRAs), following the recent staff pay award.

The Chairman reminded Members of the dispensation from the Conduct Advisory Panel allowing all Members to speak and vote on this item. It was taken as read that Members had declared an interest.

In presenting the report Councillor Gary Hughes, who chaired the EHCC Committee meeting on 8 November, summarised the proposals in the report including the revised formulas for calculations of SRAs for Minority Group Leaders and Minority Group Spokespersons, recognising the present political makeup of the Council, and at the same time future proofing calculation of the allowances for administrations in the future. Councillor Hughes confirmed that the proposed amendments had been considered by the Independent

Renumeration Panel in accordance with the requirements of the Members' Allowances Regulations and, if approved, would be backdated to the Annual General Meeting in May this year.

For the record it was noted that Councillors Prad Bains and Louise Parker-Jones voted against the recommendations.

RESOLVED:

That the County Council, taking into account the recommendations of the IRP, approves:

- a) An SRA for the Deputy Leader equivalent to 70% of the Leader's SRA be added to the Members' Allowances Scheme, to be backdated to the 2022 County Council AGM (19 May 2022). That this be subject to review in 12 months' time.
- b) That the SRA for Opposition Group Leaders should amount to 55% of the SRA for the Leader of the Council, divided proportionally between all Opposition Groups (consisting of two Members or more) according to the number of seats held by that Group on the County Council. That this be backdated to the 2022 County Council AGM (19 May 2022), but any detrimental impact should not result in any SRA already paid in 2022/23 by the time of the County council's decision being subject to repayment. That the SRA for Opposition Group Leaders be subject to review in 12 months' time.
- c) That the SRA for Opposition Group Spokespersons should be paid to Opposition Group Spokespersons on each of the County Council's ordinary Select Committees and the Health and Adult Social Care Committee and the Regulatory Committee. This should be calculated using a three-stage method (current figures included by way of illustration):
  - a. Number of Committees for which an Opposition Spokespersons role applies (currently 6) x 55% of an ordinary Select Committee Chairman SRA (currently £12,604) = Opposition Spokesperson Fund (currently £41,594)
  - b. Sum of number of appointed Opposition Spokespersons for each Political Group x number of Members in that Group (currently: (6x17) + (5x3) + (4x3) = 129)
  - c. For each Group: Fund (£41,594) divided by total from part b (129) x number of Members in Group (17, 3 or 3) = SRA per Opposition Spokesperson in that Group
    - o £41,594 / 129 x 17 = £5,482 (Liberal Democrat)
    - o £41,594 / 129 x 3 = £968 (Labour)
    - o £41,594 / 129 x 3 = £968 (Independent)

That this be backdated to the 2022 County Council AGM (19 May 2022), but any detrimental impact should not result in any SRA already paid in 2022/23



by the time of the County Council's decision being subject to repayment. That the Opposition Group Spokespersons SRA be subject to review in 12 months.

- d) That the SRA for the roles of Assistant to the Executive – Adult Services and Public Health and Assistant to the Executive – Children's Services and for the role of Chairman of the River Hamble Harbour Board continue at the previously agreed rates.
- e) That Members' Basic Allowances and Special Responsibilities be increased by 3.56% for the year 2022/23, backdated to the beginning of the present financial year.

## 122. **UPDATE TO THE LOCAL PROTOCOL FOR REGULATORY COMMITTEE**

The Council considered the report of the Regulatory Committee seeking approval of a Local Protocol for dealing with planning matters.

The report was presented by the Councillor Peter Latham, Chairman of the Regulatory Committee. In summarising the report, Councillor Latham confirmed that the Protocol had been given in-depth consideration by the Committee with several iterations leading to the final version that was agreed by all members of the Committee.

During the course of debate it was also noted that under the new Protocol, non-attendance by any member of the Regulatory Committee at site visits would be a matter for the respective Group Leader to deal with.

RESOLVED:

That the County Council:

- a) Agrees to the adoption of the updated Local Protocol on Planning, Rights of Way, Commons and Village Greens Registration for Members of Regulatory Committee, Substitute Members of Regulatory Committee and Officers appended to this report at Appendix 2.
- b) Authorises the Monitoring Officer to make necessary updates to the County Council's Constitution to give effect to the recommendation above.

## 123. **HAMPSHIRE AND ISLE OF WIGHT FIRE AND RESCUE AUTHORITY**

- a) H&IOWFRA Questions  
No questions had been received in accordance with Standing Order 16.3.
- b) H&IOWFRA Report  
There was no report of the Authority on this occasion.

124. **CONSTITUTIONAL ARRANGEMENTS - APPOINTMENTS TO THE HEALTH AND WELLBEING BOARD FOR HAMPSHIRE**

The Council received and noted the report of the Health and Wellbeing Board for Hampshire reporting 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.

125. **EXECUTIVE AND COMMITTEE REPORTS**

The Council received the following reports:

- a) The Leader/Cabinet
  - Driving towards Economic Strength
  - Corporate Risk Management
  
- b) Executive Lead Member for Children's Services
  - Henry Tyndale School provision at the former Park Primary Children's Centre, Aldershot
  
- c) Executive Member for Climate Change and Sustainability
  - Climate Change Annual Report

**The Meeting closed at 12 midday.**

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Chairman,