

MINUTES OF THE MEETING OF THE COUNCIL HELD ON 14 JULY 2010

Attendance:

The Mayor (Councillor Allen) (P) (In the Chair);

The Deputy Mayor (Councillor Carter, C R) (P);

Councillors Mrs Bailey, Ms Ballard (P), Beavis (P), Bradley, Burgess (P), Carter C K (P), Chegwyn (P), Mrs Cully (P), Dickson (P), Edgar (P), Edwards (P), Mrs Forder (P), Forder (P), Foster-Reed (P), Geddes, Henshaw (P), Mrs Hook (P), Hook (P), Hylands (P), Jacobs (P), Jessop (P), Kimber (P), Lane (P), Langdon (P), Murphy (P), Philpott (P), Ronayne (P), Scard (P), Mrs Searle (P), Miss West and Wright .

Also in attendance: Honorary Aldermen Mrs Bailey, O'Neill and Train.

APOLOGIES

Apologies for inability to attend the meeting were submitted on behalf of Councillors Bradley, Geddes and Wright and Honorary Aldermen Foster, Hayward and Lucas.

MINUTES

COUNCIL RESOLVED: That the Minutes of the Annual and Adjourned Annual meetings of the Council held on 19 May 2010 be confirmed and signed.

MAYOR'S COMMUNICATIONS

(A) RETIREMENT OF CORPORATE SERVICES MANAGER

The Mayor stated that Mr Ken Lucking, Corporate Services Manager was to retire after 23 years service with the Council. Members conveyed their best wishes for his future retirement.

(B) ARMED FORCES DAY (27 JUNE)

The Mayor reported that The Commodore Fleet Air Arm, Commodore Martin Westwood, who was present at the above ceremony, had written to say how delighted he was with the arrangements for Gosport's Armed Forces Day Ceremony and requested that his congratulations be passed on to the staff involved with its organisation.

PART II MINUTES

COUNCIL RESOLVED: That the following Part II Minutes be received.

Policy and Organisation Board: 30 June 2010 (Minute Nos 11 – 23)

(NOTE:

(i) Councillors Mrs Hook and Hook declared personal and prejudicial interests in Min No: 15 (Sale of land adjacent to No 8 Ewer Common), left the Council Chamber and took no part in the discussion thereon.

(ii) Councillor Ronayne declared a personal and prejudicial interest in Min No: 18 (St Vincent College Capital Contribution for relining the Swimming Pool), left the Council Chamber and took no part in the discussion thereon.)

Community and Environment Board: 14 June 2010 (Minute Nos 12 - 17)

Housing Board: 16 June 2010 (Minute Nos 12 – 18)

STANDING ORDER 4.15.1

The Mayor reported that notice had been received requesting that Standing Order 4.15.1 be moved to enable the Chief Executive, Borough Solicitor and Deputy Chief Executive and Borough Treasurer to introduce their respective reports related to Rowner Compulsory Purchase Order, Petition Schemes, Independent Remuneration Panel and Review of Contract Standing Orders.

COUNCIL RESOLVED: That Standing Order 4.15.1 be moved to enable the Chief Executive, Borough Solicitor and Deputy Chief Executive and Borough Treasurer to introduce their respective reports related to Rowner

Compulsory Purchase Order, Petition Schemes, Independent Remuneration Panel and Review of Contract Standing Orders.

REGENERATION OF ROWNER – EXERCISE OF COMPULSORY PURCHASE POWERS – UPDATE REPORT

NOTE: Councillors Foster-Reed and Jessop declared personal and prejudicial interests in this item, left the Council Chamber and took no part in the discussion or voting thereon.

Consideration was given to a report of the Chief Executive on the above. The report informed the Council of the progress of the regeneration of the Rowner Estate and proposed an amendment to the boundaries of the proposed Compulsory Purchase Order as agreed at the Council meeting on 8 March 2010. The amendments were shown on Plan 1 attached to the Chief Executive's report and the new CPO Plan to be approved was attached as Plan 2.

COUNCIL RESOLVED:

That the Council:

Having noted this report the Council continues to support the proposal for a compulsory purchase order made on 8 March 2010 but considers that the boundaries of the order land should be amended as proposed in this report and should include the areas marked yellow on the enclosed Plan 1 and delete the areas shown hatched on the enclosed Plan 1 on the completion of the acquisition of the land referred to in this report by First Wessex Housing.

Accordingly the Council thinks the development is likely to contribute to the achievement of the following objects namely the promotion and improvement of the economic, social and environmental wellbeing of their area for the reasons set out in this report and the report to the Council on 8 March 2010 in accordance with Section 226(1)(A) of the Town and Country Planning Act 1990 and resolves to:

- (a) Make a compulsory purchase order pursuant to Section 226(1)(A) of the Town and Country Planning Act 1990 ("1990 Act") and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 to acquire the land and new rights shown coloured pink and blue respectively on the Plan No 2 attached which it thinks is necessary to facilitate for the carrying out of development for a mixed use development including a new neighbourhood centre, retail and**

residential uses with car parking at Rowner Village upon the completion of the acquisition of the land referred to in this report by First Wessex Housing; and

- (b) Note the progress of the regeneration of Rowner.**
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PETITION SCHEMES

The Borough Solicitor introduced her report on the above. It was reported that The Local Democracy, Economic Development and Construction Act 2009 included provisions related to the right of the public to present petitions to the Council and for the Council then to be under a duty to take action on them. The provisions related to petitions, save those in respect of the E Petition, that came into effect on 15 June 2010.

The Council's proposed Petition Scheme as set out in Appendix A to the Borough Solicitor's report satisfied the statutory requirements and also had regard to the guidance issued by the Department of Communities and Local Government. Further arrangements would now be put in place to ensure that the Council is able to comply (when in force) with the statutory requirements for E Petitions.

COUNCIL RESOLVED: That:

- (i) the Petition Scheme as set out in Appendix A to the Borough Solicitor's report be approved;**
 - (ii) the Borough Solicitor be authorised to finalise the arrangements for the implementation of the Petition Scheme including those related to E Petitions;**
 - (iii) delegated authority be granted to the Chief Executive as set out in Sections 2.7 and 2.8 of the Borough Solicitor's report;**
 - (iv) the changes to the Council's Constitution as set out in Section 2.9 of the Borough Solicitor's report be approved; and**
 - (v) the Borough Solicitor be authorised to make the necessary changes to the Council's Constitution to give effect to the decisions made above.**
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INDEPENDENT REMUNERATION PANEL

The Borough Solicitor had submitted a report on the above. The report advised the Council of the need to convene a meeting of the Independent Remuneration Panel and made recommendations as to its membership.

It was reported that the Council's Independent Remuneration Panel had met on a number of occasions over recent years although a number of its members no longer worked or lived in the Borough. Therefore there was a need for the whole Scheme of Allowances to be fundamentally reviewed this year and to convene a meeting of the panel as soon as possible. Regulations provided that the panel must have at least 3 members and they could not be elected members of any local authority.

It was proposed in paragraph 2.4 of the report that the Independent Remuneration Panel should be constituted as follows:-

- One member from the Education Sector (there is a group representing Head Teachers and the Principal of St Vincent College which meet with the Chief Executive and Leader of the Council and it is proposed to ask this group to make this nomination).
- One member from the Voluntary/Community Sector (it is proposed to ask Gosport Voluntary Action as the Umbrella organisation for this sector to seek a nomination from its members)
- Two members from the Business Community (it is proposed to ask the Gosport Business Forum to seek 2 nominations from its membership)
- One member representing the Residents. It is proposed to advertise this vacancy in a local newspaper and also on the Council's website and notice boards. The other 4 members of the panel would be asked to make this appointment from the applications received to the advertisement.

In conclusion paragraph 2.5 of the report recommended that the Council should undertake a fundamental review of its scheme of allowances every 4 years so it was suggested that the members of this Independent Remuneration Panel should be appointed for 4 years.

COUNCIL RESOLVED: That approval be given to the proposals set out in paragraphs 2.4 and 2.5 of the Borough Solicitor's report.

REVIEW OF CONTRACT STANDING ORDERS

Consideration was given to the report of the Deputy Chief Executive and Borough Treasurer on the above. He advised that the Council was requested to approve

a revised set of Contract Procedure Rules, replacing the Contract Standing Orders (Part 4 Schedule 13 of the Council's Constitution), to come into effect on 15 July 2010.

He reported that there was a need for the Contract Procedure Rules to be reviewed periodically to ensure that appropriate standards were maintained and that the procedures remained consistent with current business best practice. At the same time they must not be unnecessarily onerous and must allow authorised officers to have the freedom to operate in an effective and timely manner in the best interests of the Council. The Contract Procedure Rules were last reviewed in 2002 and it was therefore considered that a review was now advisable in order to ensure compliance with latest guidance on EU procurement regulations and minimise the risk of expensive challenge.

COUNCIL RESOLVED: That approval be given to the adoption of the Contract Procedure Rules as set out in Appendix 1 to the Deputy Chief Executive and Borough Treasurer's report with effect from 15 July 2010.

The meeting ended at 6.29pm