



# SUMMONS

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE HART DISTRICT COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, HARLINGTON WAY, FLEET ON THURSDAY 28 MARCH 2013 AT 7.00 PM

Geoff Bonner  
Chief Executive

CIVIC OFFICES, HARLINGTON WAY  
FLEET, HAMPSHIRE GU51 4AE

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## AGENDA

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AND BRAILLE ON REQUEST**

### PRAYERS

**1 MINUTES OF PREVIOUS MEETING**

To confirm the Minutes of the Meeting held on 28 February 2013.

**2 APOLOGIES FOR ABSENCE**

**3 DECLARATIONS OF INTEREST**

To declare disclosable pecuniary, and any other, interests.

**4 COUNCIL PROCEDURE RULE 12 – QUESTIONS BY THE PUBLIC**

To receive any questions from members of the public submitted pursuant to Council Procedure Rule 12.

*Note: The text of any question under Council Procedure Rule 12 must be given to the Chief Executive not later than **Noon on Friday, 22 March 2013.***

## 5 COUNCIL PROCEDURE RULE 14 – QUESTIONS BY MEMBERS

To receive any questions from Members submitted pursuant to Council Procedure Rule 14.

*Note: The text of any question under Council Procedure Rule 14.3 must be given to the Chief Executive not later than 5.00 pm on Monday, 25 March 2013.*

*The text of any question under Council Procedure Rule 14.4 must be submitted to the Chief Executive before 10.00 am on Thursday, 28 March 2013.*

## 6 CHAIRMAN'S ANNOUNCEMENTS

## 7 CABINET MEMBERS' ANNOUNCEMENTS

## 8 CHIEF EXECUTIVE'S REPORT

## 9 MINUTES OF COMMITTEES

The Minutes of the following Committees, which met on the dates shown, are submitted.

In accordance with Council Procedure Rule 14.1, Members are allowed to put questions at Council without Notice in respect of any matters in the Minutes to the Leader of the Council or any Chairman of the relevant meeting at the time those Minutes are received by Council.

Meeting	Date	Minute Numbers	For Decision
Overview and Scrutiny	19 February	86-97	
Cabinet	7 March	128-140	135 – Food Law Enforcement Service Plan 139 – Review of Constitution – Financial Regulations and Contract Standing Orders (NB Under the Constitution this will stand deferred until the April Council meeting)
Staffing	11 March	1-5	5 -Pay Policy Statement Financial Year 2013-14 (NB Updated Policy attached to Minutes)
Licensing	12 March	28-34	
Planning	13 March	68-72	

## **10 DATE OF MAY COUNCIL MEETING**

The Council normally holds its ordinary meetings on the last Thursday of each month. Under the terms of the constitution, in those years in which there is a District Council election, the Annual Meeting of the Council has to be held on the third Thursday in May. However, in those years (like 2013) in which there is no District Council election, the constitution merely stipulates that the meeting will be held on “a Thursday in May”.

In putting together the draft programme of meetings for 2013/14, the date of the Annual Council has been suggested as Thursday 30 May. However, because this date coincides with school half term, and because Members are used to having the Annual Council meeting on the third Thursday of May, it has been suggested that this year’s meeting should take place on Thursday 16 May.

Council is asked to choose which date it wishes to have the meeting.

## **11 OUTSIDE BODIES – FEEDBACK FROM MEMBERS**

To allow the Council’s representatives on Outside Bodies to report back, and to allow questions of the representatives from other members. See list of Outside Bodies attached.

Members wanting to ask questions of representatives on Outside Bodies are requested to give advance notice of their questions by 5pm on the Monday preceding the meeting to allowing responses to be prepared. Where advance notice is not given the member may still ask the questions, but the representative may choose not to answer at the meeting, but instead give a subsequent written answer.

**Date of Despatch: 19 March 2013**

## HART REPRESENTATIVES ON OUTSIDE BODIES 2012/13

Outside Bodies	1. NO. OF REPRESENTATIVES	Nominee(s)
Age Concern	1 Councillor	Crookes
Basingstoke Canal Joint Management Committee	2 Councillor	1. Ambler 2. Kinnell
Blackbushe Airport Consultative Committee	2 Councillor 1 Reserve	1. Billings 2. Harward Reserve: Murphy
Blackbushe Metals Liaison Panel	2 Councillor	1. Billings 2. Harward
Blackwater Valley Advisory Committee for Public Transport	2 Councillors 1 Reserve Councillor	1. Glen 2. Appleton Reserve: Harward
Blackwater Valley Recreation & Countryside Management Committee	2 Councillors (1xCabinet Member)	1. Kinnell 2. Neighbour
Citizens Advice Hart	1 Councillor (1xCabinet Member)	Crookes
Community Safety Partnership	1 Councillor (1xCabinet Member)	Kennett
Crookham Almshouse Charity (Trustee)	1. Councillor	Butler
Farnborough Aerodrome Consultative Committee (FACC)	2 Councillors 1 Reserve Councillor	1. Simmons 2. Radley JE Reserve: Ambler
Fleet Hospital & Community Friends	1 Councillor	Barrell
Fleet Neighbourhood Watch	1 Councillor	Radley JR
Fleet Pond Society	1 Councillor 1 Reserve Councillor	1. Wheale Reserve: Lewis
Hampshire Buildings Preservation Trust	1 Councillor	Bennison
Hampshire Senate	1 Councillor, 1 Reserve (Leader & Deputy Leader)	1. Crookes Reserve: Parker
Hampshire Police and Crime Panel	1 Councillor	Kennett
Hart Access Group (representing interests of disabled in Hart)	1 Councillor	Butler
Hart Neighbourhood Centre Charity	1 Councillor	Crookes
Hart Voluntary Action	1 Councillor (1xCabinet Member)	Crookes

LGA General Assembly (Annual Event)	1 Councillor (Leader or Deputy Leader)	Crookes Deputy: Parker
Local Government Authorities Hants & IOW	1 Councillor 1 Reserve (Leader & Deputy Leader)	I. Crookes Reserve: Parker
North East Hampshire CPRE	1 Councillor (Observer)	Clarke
North Hampshire Road Safety Council	1 Councillor	Crampton
Project Integra Strategy Board	1 Councillor 1 Reserve Councillor (2xCabinet Members)	I. Glen Reserve: Crookes
Sentinel Housing Association	1 Councillor	I. Crampton Reserve: Crookes
South East England Councils (SEEC)	1 Councillor 1 Reserve Councillor	I. Crookes Reserve: Parker
Thames Basin Heaths – Joint Strategic Partnership	1 Councillor 1 Reserve Councillor	I. Radley JE Reserve: Parker
Thames Basin Heaths – Strategic Access Management and Monitoring Project Board	1 Councillor 1 Reserve Councillor	I. Parker Reserve: Radley JE



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Pay Policy Statement  
Financial Year 2013-14

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<b>Date created</b>	1 March 2013	<b>Department</b>	Human Resources
<b>Review date</b>	28 February 2014	<b>Version</b>	0.1
<b>Effective date</b>	1 April 2013		

***Hart District Council believes that interests of staff and the Council are best served by the formulation and implementation of clear and consistent employment policies and procedures. This policy statement details the Authority's policy on pay. It takes into consideration all legal requirements and will be applied in accordance with the Authority's Equality and Diversity Commitment to treat all its employees with dignity and respect.***

# HART DISTRICT COUNCIL

## PAY POLICY MARCH 2013

### 1. PURPOSE

- 1.1 This Pay Policy Statement is provided in accordance with Section 38(1) of the Localism Act 2011 and will be updated annually from 1 April each year.
- 1.2 The Pay Policy Statement sets out Hart District Council's policies relating to the pay of its workforce for the financial year 2013-14, in particular:
1. the remuneration of its Chief Officers
  2. the remuneration of its "lowest paid employees"
  3. the relationship between:
    - a. the remuneration of its Chief Officers and
    - b. the remuneration of its employees who are not Chief Officers
- 1.3 The purpose of the statement is to provide an open and transparent framework that ensures clarity, fairness and consistency in the remuneration of Chief Officers. This includes officers designated as Chief Executive, Corporate Directors, Statutory Chief Officers and Non Statutory Chief Officers. It also ensures that employees at all levels of the council are paid on a fair and equitable basis in accordance with equality legislation.

### 2. DEFINITIONS

- 2.1 For the purpose of this statement the following definitions will apply:
- 2.2 **"Pay"** in addition to salary will also include charges, fees, allowances, benefits in kind, increases in/enhancements to pension entitlements, and termination payments.
- 2.3 **"Chief Officer"** refers to the following roles within Hart District Council:
- The Chief Executive (Head of Paid Service)
  - The Monitoring Officer<sup>1</sup> and the Chief Finance Officer (Section 151 Officer) as the council's statutory Chief Officers
  - Corporate Directors as non-statutory Chief Officers
- 2.4 **"Lowest paid employees"** refers to those staff employed on Grade A of the council's pay framework (ie those posts assessed through the job evaluation scheme as having the least amount of complexity and responsibility and therefore attracting the lowest salary).

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<sup>1</sup> The Monitoring Officer role is performed as part of the duties of one of the Corporate Director posts

### **3. PAY FRAMEWORK**

#### **3.1 General approach**

3.1.1 Remuneration for all employees needs to be at the appropriate level to secure and retain high-quality employees dedicated to fulfilling the council's business objectives and delivering services to the public. This has to be balanced by ensuring remuneration is proportionate and appropriate for the role. Each council has responsibility for balancing these factors and faces its own unique challenges and opportunities in doing so. As a small council with limited staff resources it is important that Hart District Council retains flexibility within its pay framework to cope with a variety of circumstances that might necessitate the use of market supplements or other such mechanisms for individual categories of posts where appropriate. Using such solutions should only be short term and reviews should ensure that they are discontinued when circumstances change.

#### **3.2 Responsibility for decisions on remuneration**

3.2.1 It is essential for good governance that decisions on pay and reward packages for Chief Executives and Chief Officers are made in an open and accountable way.

3.2.2 Pay for employees at all grades is based on the national agreements on pay as follows:

- National Joint Council for Local Government Services (for Grades A to M and Heads of Service),
- Joint Negotiating Council for Chief Officers (for Corporate Directors and Chief Finance Officer)
- Joint Negotiating Council for Chief Executives (for Chief Executive).

3.2.3 The pay and remuneration packages (including pension issues) for the Chief Executive, Corporate Directors, Monitoring Officer and Chief Finance Officer, and any other post with a remuneration package in excess of £100,000 per year, are set by Council on the advice of Staffing Committee, which comprises elected Councillors from the main political parties.

3.2.4 Responsibility for setting the pay and remuneration of all other officers is delegated to the Chief Executive (or his/her nominee), and is carried out in accordance with national agreements and the council's local employment policies and practices as appropriate.

#### **3.3 Salary grades and grading framework**

3.3.1 Grades for all posts governed by the National Joint Council for Local Government Services (ie Grades A to M and Heads of Service) are determined by the council's job evaluation process. This followed a national requirement for all Local Authorities and other public sector employers to review their pay and grading frameworks to ensure fair and consistent practice for different groups of workers with the same employer.



- 3.3.2 The council uses the Hay Job Evaluation Scheme. Job Evaluation is a systematic process for ranking jobs within an organisation ensuring consistency of approach and outcomes appropriate to the complexity and accountability of the role.
- 3.3.3 The council's pay structure is based on the pay spine issued by the National Joint Council (NJC) as part of the National Agreement for Local Government Services. This incorporates posts on Grade A to M and Heads of Service. There are 14 grades in total. Each grade contains no more than five points to provide incremental pay points within the grade. The incremental rises occur on each 1 April, subject to satisfactory performance in the role, until the maximum pay point for the grade is reached. Annual increments will not be awarded to employees who commence employment on or after 1 October. Increments will be withheld where performance has not met the required standard and where the issue has been raised with the employee formally.
- 3.3.4 Chief Officers are appointed to a fixed salary point so incremental progression does not take place for these posts. The precise salary level is determined at the time of appointment by negotiation with the successful candidate, taking account of their skills and experience and market conditions at the time.
- 3.3.5 The current pay and grading structure was agreed by the Council in 2009 following a review, in order to ensure compliance with equal pay legislation.
- 3.3.6 Pay awards are normally made in line with the national agreements detailed in 3.2.2 on an annual basis for all employees, in conjunction with the nationally recognised trade unions. In the financial year 2010/11 the council did not pay the nationally agreed award due to the financial constraints it was facing; instead staff were given an additional day's annual holiday.
- 3.3.7 There has been no 'cost of living' pay award to any group of staff since April 2009 other than a one-off payment of £250 gross, pro rata, made to those employees earning a full time equivalent salary of £21,000 per annum or less during 2011/12 and 2012/13.
- 3.3.8 Full details of the Councils pay structure (A to Heads of Service) is attached as Appendix I.
- 3.3.9 In addition to posts covered by the various NJCs, the council has recently started running an apprenticeship program, in conjunction with Inclusion Hampshire (formerly Hart Neighbourhood Centre), with apprentices currently employed in Leisure Services, Environmental Health and Business Support. Contracts are awarded for twelve months and are paid an hourly rate of £2.65. Hart will be seeking to employ up to 10 apprentices in 2013/14.

### **3.4 Market Comparison**

- 3.4.1 The council benchmarks its pay and benefits by comparing pay and rewards for similar posts in neighbouring areas. The council seeks to position itself

within the median salary levels in order to keep costs down while still being able to attract a good range of suitable candidates for posts.

#### 4. REMUNERATION

4.1 Remuneration details including benefits in kind are set out in the council's published Annual Statement of Accounts.

4.2 **“Chief Officers”**, as defined in paragraph 2.3 of this statement, are paid within the council's pay framework which applies to all other employees. Typically, Chief Officers have received the same percentage pay award as other managers and staff groups within the council. Current chief officer remuneration levels are shown in the following table:

<b>ROLE</b>	<b>REMUNERATION RANGE*</b>
<b>Chief Executive (1 post)</b>	<b>£103,578</b>
<b>Corporate Directors (2 posts)</b>	<b>£81,300</b>
<b>Chief Finance Officer (0.4 post+)</b>	<b>£ 35,000</b>

\* Includes all charges, fees, allowances and benefits in kind  
+ Part time post, 2 days per week

#### 4.3 **“Lowest paid employees”**

4.3.1 The lowest paid employees are paid within the salary range for Grade A which covers seven salary points ranging between £12,495 and £14,203.

#### 4.4 **Honoraria and Acting Up Allowances**

4.4.1 The Chief Executive (or his/her nominee) has the discretion to award an honorarium payment to recognise temporary increased responsibility or work of a particularly high standard. Generally it should be the case that this must have been carried out for at least one month before an honorarium payment will be considered. The amount awarded should reflect the nature and duration of the work or responsibility and not normally exceed the value of an increment point in the employee's salary scale.

4.4.2 Where the employee has been covering in the absence of a more senior officer (eg maternity leave cover or long term sickness absence), honoraria payments are calculated based on the difference between the employee's scale point and the bottom scale point of the role they are covering. Temporary acting-up arrangements of this nature will not exceed more than 12 months duration and should generally be undertaken for at least one month before payment will apply.

## **4.5 Other pay elements**

- 4.5.1 Chief Officers are subject to the same performance management process as all other employees. The Chief Executive has an appraisal involving the Leader of the Council in consultation with all Political Group Leaders.
- 4.5.2 Targets and objectives are set and performance is assessed through an appraisal process. All employees apart from Chief Officers receive incremental progression until the top of their grade is reached, unless they fail to perform adequately against targets and objectives.

## **4.6 Charges, fees or allowances**

- 4.6.2 Any allowance or other payment will only be made to an employee in connection with their role or the patterns of hours they work and must be in accordance with the council's employment policies.
- 4.6.2 No fees for election duties are included in the salaries of any employee. Any additional fees payable for such responsibilities are calculated in accordance with the statutory rules and recommendations of the Hampshire and Isle of Wight Election Fees Working Party for all local government elections and by central government for Parliamentary elections. Special fees are paid for Returning Officer duties which are not part of the post holder's substantive role. These fees are payable as required and can be made to any senior officer appointed to fulfil the statutory duties of this role.
- 4.6.3 The Returning Officer is an officer of the District Council who is appointed under the Representation of the People Act 1983. Whilst appointed by the District Council, the role of the Returning Officer is one which involves and incurs personal responsibility and accountability and is statutorily separate from his/her duties as an employee of the District Council. As Returning Officer, he/she is paid a separate allowance for each election for which he/she is responsible.
- 4.6.4 The council pays a market supplement to certain posts where it has not proved possible to recruit staff at the salary level resulting from Job Evaluation of the post.
- 4.6.5 The council pays overtime for grades A to F. Paid overtime will be paid if the equivalent of 37 hours per week has been completed at a rate of time and a half for any day other than a Sundays and public holidays and a rate of double time on Sunday. Special rates apply on public holidays.
- 4.6.6 The council offers car allowances to staff who are required to use their cars for business purposes, in accordance with the appropriate NJC/JNC schemes
- 4.6.7 The contractual remuneration package for Chief Officers includes either a lease car allowance or essential users allowance. This benefit also applies to all staff at Grades HSI and HS2 who are not Chief Officers.

4.6.8 The Council pays a standby allowance to certain key posts to ensure 24 hour emergency cover for the provision of vital public services.

4.6.9 For certain posts the council pays the membership subscription fees to recognised professional bodies, where the employee's continued membership of that body is in the council's interests.

#### **4.7 Performance related pay**

4.7.1 The council does not offer performance related pay to any employee.

#### **4.8 Benefits in kind**

4.8.1 The council provides free workplace parking to all its staff.

4.8.2 The council offers its staff subsidised access to council owned sports facilities via its "365 Card"

#### **4.9 Pensions**

4.9.1 All employees, as a result of their employment, are eligible to join the Local Government Pension Scheme (LGPS). Employee contribution rates vary depending on their whole-time equivalent pay, as follows:

<b>Whole-time equivalent pay band</b>	<b>Employee contribution rate from 1 April 2013</b>
Up to £13,500	5.5%
£13,501 to £15,800	5.8%
£15,801 to £20,400	5.9%
£20,401 to £34,000	6.5%
£34,001 to £45,500	6.8%
£45,501 to £85,300	7.2%
More than £85,300	7.5%

4.9.2 In addition to the employee's own contribution, the council makes a contribution of 13.1% towards the pension of each member of the LGPS scheme.

#### **4.10 Termination of employment**

4.10.1 The LGPS requires employers to prepare and publish a written statement of policy in relation to pensions. The council's policy on pensions and discretionary redundancy payments is set out in the 'Early Retirement & Discretions Policy'

4.10.2 The policy for the award of any discretionary payments is the same for all staff regardless of their pay level. The following arrangements apply:

#### 4.10.3 Approval of Full Council

In accordance with Section 40 of the Localism Act 2011, any proposal to grant a severance package in excess of £100,000 is subject to Full Council approval.

#### 4.10.4 Early termination of employment (for reasons other than redundancy)

The council may award additional years service in cases of early termination of employment in exceptional circumstances, in accordance with the Early Retirement & Discretions Policy.

#### 4.10.5 Compromise agreements

In exceptional circumstances, and specifically so as to settle a claim or potential dispute, the Chief Executive can agree payment of a termination settlement sum for any post. In such cases, each decision as to the level of payment will be taken on its individual merits and with the advice of the Chief Finance Officer.

#### 4.10.6 Re-employment of officers

The council needs to retain the flexibility to respond to unforeseen circumstances as regards re-employing former local government employees. Such an occurrence would be considered very much the *exception* rather than the *rule*. If the council were to re-employ a previous local government employee who had received a redundancy or severance package on leaving, or who was in receipt of a pension covered by the *Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999* (known as the Modification Order) (with the same or another authority), then the council's policy is to ensure that the rules of the Modification Order are applied. In addition, the council will ensure that an open and fair selection process has taken place before any appointment is confirmed. The same principle would be applied to such a person if they were to be engaged by the council on a 'contract for services' basis.

### **4.11 Remuneration on appointment and promotion**

4.11.1 The starting salary on appointment or following promotion will normally be at the lowest incremental level on the salary scale. In exceptional circumstances, a Head of Service can approve appointment on a higher incremental point within the salary scale, following consultation with the relevant Corporate Director, based on the appointee's level of relevant experience, difficulty in recruiting to a post or other relevant factors.

4.11.2 As regards Chief Officer posts, pay and remuneration is determined by council at the time of appointment, following negotiation with the successful candidate, taking account of their skills and experience and market conditions at the time.

## 4.12 Annual Leave entitlement

4.12.1 The following table shows the annual leave entitlement to all Hart employees

Salary Point	Period of continuous service		
	0-5 years	after 5 years	After 10 years
Heads of Service and above	31 days	31 days	34 days
SCP 40 and above	30 days	30 days	33 days
SCP 29 to SCP 39	28 days	29 days	31 days
SCP 22 to SCP 28	26 days	29 days	29 days
Up to and including SCP 21	24 days	29 days	29 days

## 5. RELATIONSHIP BETWEEN REMUNERATION OF CHIEF OFFICERS AND OTHER EMPLOYEES

5.1 The Local Government Association has offered advice on the Government's requirement in reporting remuneration relationships. The advice is that the measure of the relationship between Chief Officers and other employees be considered by the ratio between the highest paid employee and the median earnings across the organisation as a multiple. This has been calculated as follows:

Remuneration for the Chief Executive (excluding pension contributions)	£98,840
Median remuneration for all employees at the council	£28,946
Ratio Chief Executive to Median	3.41

5.2 The ratio between the Chief Executive's remuneration and that of the council's lowest paid employee is 8.45

## 6. DATA TRANSPARENCY

6.1 Under the Code of Recommended Practice for Local Authorities on Data Transparency, pay and benefits information for staff paid over £58,200, are required to be published. This information is contained on the "Your right to know" page on the council's external website. Information on senior employees' remuneration can also be found in the annual Statement of Accounts.

6.2 In addition to the Chief Officer posts listed in paragraph 4.2 above, the following posts have remuneration levels in excess of £58,200:

ROLE	REMUNERATION RANGE*
Heads of Service (3 posts)	£66,176

\* Includes all charges, fees, allowances and benefits in kind

**Hart District Council**  
**March 2013**

## Appendix I

### Salary Scales 1st April 2013

Job Evaluation Score	GRADES	SCP	Salary	per month	per hour
	<b>A</b>	4	12495	1041.28	6.48
		5	12660	1054.98	6.56
		6	12834	1069.54	6.65
99 or below		7	13129	1094.08	6.81
		8	13527	1127.22	7.01
		9	13921	1160.10	7.22
		10	14203	1183.56	7.36
	<b>B</b>	11	15087	1257.28	7.82
100-122		12	15391	1282.54	7.98
		13	15791	1339.14	8.33
		14	16070	1318.31	8.20
	<b>C</b>	15	16395	1366.29	8.50
123-134		16	16778	1398.14	8.70
		17	17163	1430.25	8.90
		18	17491	1457.56	9.07
	<b>D</b>	19	18126	1510.48	9.40
		20	18770	1564.16	9.73
135-191		21	19437	1619.74	10.07
		22	19927	1660.58	10.33
		23	20498	1708.19	10.62
	<b>E</b>	24	21152	1762.64	10.96
192-227		25	21306	1775.52	11.04
		26	22001	1833.40	11.40
		27	22730	1894.20	11.78
	<b>F</b>	28	23473	1956.10	12.17
228-268		29	24402	2033.51	12.65
		30	25220	2101.67	13.07
		31	26016	2168.03	13.49
	<b>G</b>	32	26784	2231.99	13.88
269-313		33	27573	2297.75	14.29
		34	28353	2362.74	14.70
		35	28947	2412.23	15.00

	<b>H</b>	36	29714	2476.19	15.40
314-370		37	30546	2545.46	15.83
		38	31439	2619.95	16.30
		39	32475	2706.26	16.83
	<b>I</b>	40	33328	2777.33	17.28
371-438		41	34207	2850.54	17.73
		42	35079	2923.24	18.18
		43	35953	2996.10	18.64
	<b>J</b>	44	36838	3069.83	19.09
439-509		45	37665	3138.76	19.52
		46	38575	3214.62	19.99
	<b>K</b>	47	39460	3288.34	20.45
510-559		48	40338	3361.47	20.91
		49	41204	3433.65	21.36
	<b>L</b>	50	42284	3523.64	21.92
560-639		51	43361	3613.38	22.48
		52	44441	3703.45	23.04
		53	45515	3792.93	23.59
	<b>M</b>	54	46592	3882.67	24.15
640-739		55	47660	3971.63	24.70
		56	48734	4061.19	25.26
	<b>HSI</b>	57	49817	4151.44	25.82
740-900		58	50894	4241.18	26.38
		59	51972	4331.00	26.94
		60	57911	4825.91	30.02
		61	59227	4935.60	30.70
	<b>HS2</b>	62	60543	5045.28	31.38
900-1100		63	61860	5154.97	32.06
		64	63176	5264.65	32.75



## **COUNCIL**

**Date and Time:** Thursday, 28 February 2013 at 7.00 pm

**Place:** Council Chamber, Civic Offices, Fleet

**Present:**

## **COUNCILLORS –**

Axam - (Chairman)

Ambler	Collett	Lit
Appleton	Crampton	Morris
Bailey	Crookes	Murphy
Barrell	Evans	Neighbour
Bennison	Gani	Parker
Billings	Glen	Radley JR
Blewett	Gorys	Radley JE
Burchfield	Harward	Simmons
Butler G	Ive	Southern
Clarke	Kennett	Wheale
Cockarill	Kinnell	

Officers Present:

Geoff Bonner	Chief Executive
Martine Fullbrook	Committee Services
Tony Higgins	Head of Finance
Sam Costello	Chief Accountant

## **PRAYERS**

The Chairman led a short prayer.

### **92 MINUTES OF PREVIOUS MEETING**

The Minutes of the Meeting held on 31 January 2013 were confirmed and signed as a correct record.

### **93 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Lewis and Oliver

### **94 DECLARATIONS OF INTEREST**

No declarations were made.

## 95 COUNCIL PROCEDURE RULE 12 – QUESTIONS BY THE PUBLIC

A question was received from Chris Cornwell, details of which are set out in Appendix A attached to these Minutes.

## 96 COUNCIL PROCEDURE RULE 14 – QUESTIONS BY MEMBERS

Questions put by Councillors are detailed in Appendix B attached to these Minutes.

## 97 CHAIRMANS ANNOUNCEMENTS

The Chairman had attended the following events on behalf of the Council.

- 1 February Mayor of Rushmoor Charity Ball, Aldershot
- 6 February Freedom of Southampton Service for Dame Mary Fagan attended by Chairman's Lady
- 8 February Mayor of Test Valley Charity High Tea at Romsey Town Hall
- 28 February Basingstoke and Deane Charity lunch at BCoT

The Vice Chairman had attended the following events on behalf of the Council:

- 23 February Fleet Pond AGM, Fleet
- 24 February Mayor of Havant Charity Concert, Havant
- 26 February Focus on India, Rushmoor Borough Council offices, Farnborough

## 98 CABINET MEMBERS ANNOUNCEMENTS

The Leader of the Council, **Councillor Crookes**, announced

- 1 On 13<sup>th</sup> February I attended the regular meeting of the Hampshire Senate in Winchester. The meeting included an item on the work which the County Council is leading on caring for older people. Through Hart's Older Person's Forum we are well connected with these initiatives. We also heard about the successful Insulate Hampshire project which has now closed. Residents of Hart have benefited from the scheme with nearly 1500 insulation measures such as cavity wall and loft insulation, being installed in the district. A new "Collective Energy Switching Scheme" is being developed which will enable residents to obtain better deals with energy suppliers. Hart is engaged in that scheme details of which should be announced in the near future. Papers presented at the meeting are available on request.
- 2 On 28<sup>th</sup> February I attended the Enterprise M3 Local Enterprise (LEP) annual conference. The LEP presented its "Strategy for Growth" which was discussed and endorsed by the conference. In Hart we have recently stepped up our activities in economic development which are aligned with the LEP's strategy and actions. Contact Jennifer Atherton for more information. [Jennifer.atherton@hart.gov.uk](mailto:Jennifer.atherton@hart.gov.uk)

The Cabinet Member for Planning, **Councillor Parker**, reported:

In company with officers I held a meeting with my counterpart at Waverley Borough Council under the Duty to Cooperate provisions of the Localism Act in preparation for the submission of the Local Plan: Core Strategy. I also conducted a meeting with officers and Cllr. Radley in his capacity as Shadow Cabinet Member for Planning with the putative developers of the Watery Lane SHLAA site. Notes of that meeting will be available on the Council website.

On Tuesday there was a meeting of the Local Plan Steering Group to update members on the progress to date, and to share with members the project plan to deliver submission to the Secretary of State by the end of March. Copies of the Gantt Chart were made available to those members who felt the need for it, and if any other members wish to see a copy, please let me know.

Finally, Cllr. Radley along with officers met with Ms. Rickard at Surrey Heath Borough Council offices to bottom out the issues arising from the Thames Basin Heaths Special Protection Area for Birds in the light of withdrawal of the South East Plan and the implications for our Local Plan: Core Strategy.

The Cabinet Member for Housing & Health, **Councillor Crampton**, announced:

The consultation regarding the Allocations Policy has started. 2000 letters would be sent to residents, Councillors and Parishes and she urged members to complete the on line version.

The Cabinet Member for Leisure & Recreation, **Councillor Kinnell** had no announcements.

The Cabinet Member for Environment, **Councillor Glen** announced:

1. Flood Risk in Hart event, looking at how the local area may be affected by flooding and how Hart prepares for emergency responses to look after our local community takes place on Tuesday 5<sup>th</sup> March at 7pm in the Council Chamber and urged members to attend.
2. Project Integra Board meeting taking place on 21<sup>st</sup> March – and added that he would ensure that the query regarding co mingling of recyclables would be raised
3. QEB 106 Steering group meeting now to take place on 25<sup>th</sup> March
4. Fairtrade Fortnight runs from 25<sup>th</sup> Feb to 5<sup>th</sup> March and urged members to support Fairtrade as much as they could.

The Cabinet Member for Community Safety, **Councillor Kennett** had no announcements.

The Cabinet Member for Corporate Services, **Councillor Burchfield**, announced:

With regard to Purchase Orders, we now have a policy in place which will enable the Council to track 80% of our procurement spend through the use of a purchase order. This will help us track procurement spend more effectively as well as put safeguards in place to deter unauthorised purchases. It will further enable the Council to identify areas of potential savings if required.

The new contract standing orders (coming to Cabinet in March) are explicit about when purchase orders should be used (and exemptions to this.). Additionally, a new financial system is being implemented in April/May 2013. This system will make the raising of purchase orders much simpler (an issue which has reduced the use of PO's previously) and will enable us to monitor our performance more regularly. Councillor Burchfield thanked Patricia Hughes and her team for putting this process in place so quickly."

The Cabinet Member for Fleet Town Centre, **Councillor Evans**, had no announcements.

## **99 CHIEF EXECUTIVE'S REPORT**

Nothing to report.

## **100 MINUTES OF COMMITTEES**

### **Meeting**

### **Date**

**Cabinet**

**7 February 2013**

**Minute No 125 – see Minute 101 below**

**Minute No 126 – Draft Treasury Management Strategy and Annual Investment Strategy**

### **RESOLVED**

That the Treasury Management Strategy Statement for 2013/14 be approved, including:

- i) The Investment Strategy for 2013/14, and
- ii) The Prudential Indicators for 2013/14 and 2015/16

### **Planning Committee**

**13 February 2013**

No questions asked

## **101 BUDGET 2013/14**

The meeting was advised of some corrections to the submitted report:-

1. paragraph 2.8 on page 3 of the report should read "*detailed in paragraph 14*";
2. paragraph 8.1 on page 7 of the report, under Green Waste should read "*small increase*" instead of "*no increase*".
3. Appendix 4, the figure of 305 against "Corporate Services" should read 0, and the Total Capital Programme figures should read 560 rather than 865.

The Leader of the Council, Councillor Crookes, then introduced the budget report, pointing out that there would be no changes to residents of Hart as under the proposed budget there would be no cuts to services and there would be some small

growth items. There would be no change to voluntary sector grants and the proposed freeze on Council tax would be implemented as the budget would provide a surplus allowing the council to increase reserves to £3 million.

He added that changes to the repatriation of business rates mean that HDC will receive £1.2 million of the £24.8 million it collects and although there are some incentives to encourage business growth these will not be as many as previously hoped. The overall figure that HDC gets back will be £300,000 less than previously which amounts to an 11% reduction. The reduction for next year is expected to be £15%.

He then formally moved the recommendation in the report, and was seconded by Councillor Morris.

Responding to the budget proposal, Councillor Bailey pointed out that there were a few inconsistencies and referred to Canterbury City Council who are one of a few councils looking at making small increases to their council tax bills in order to protect services for the future by increasing their Council tax base. He added that this was a safe budget but that it lacked ambition and missed opportunity to invest for the future for the benefit of residents.

Councillor Appleton, seconded by Councillor Neighbour, moved an amendment:

“That £160,000 be moved into the Capital Programme in 2013/14 for the purpose of introducing "pay on foot" charging for the council's car parks in Fleet town centre.”

Councillor Crookes as mover of the Motion accepted the amendment

Councillor James Radley, seconded by Councillor Ambler, moved a second amendment:

“That the introduction of "pay on foot" parking be subject to receipt of an holistic business case/review that showed the cost to the Council as well as the benefits to the businesses, shoppers and residents of Fleet, and that Cabinet be asked to use its best endeavours to implement this in the next 2013/14 financial year.”

Councillor Crookes as mover of the Motion accepted the amendment.

The amended Motion was then put to the vote and agreed unanimously.

## **RESOLVED**

- I. That the Council Tax Base for 2013/14 be noted
  - (a) for the whole Council area as 37,212.78 [Item T in the formula in Section 31B(1) of the Local Government Finance Act 1992, as amended (the "Act")]; and

- (b) for dwellings in those parts of its area to which a Parish precept relates as in the attached Appendix IA.
2. Calculate that the Council Tax requirement for the Council's own purposes for 2013/14 (excluding Parish precepts) is £5,650,373.
3. That the following amounts be calculated for the year 2013/14 in accordance with Sections 31 and 34 to 36 of the Act:
- (a) **£38,916,698** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
- (b) **£31,052,672** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- (c) **£7,864,026** being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B(1) of the Act).
- (d) **£211.33** being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
- (e) **£2,213,653** being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per Column 2 of Appendix IA).
- (f) **£151.84** being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
- (g) The amounts set out in column 6 of Appendix IA for each part of the Council's area being the amounts given by adding to the amount at 3(f) above the amounts of the special items relating to dwellings in those parts of the Council's area mentioned in Appendix IA divided in each case by the amount at 1(b) above, calculated by the Council in accordance with Section 34 of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.
- (h) The amounts set out in columns 1 to 9 of Appendix IB for each part of the Council's area being the amounts given by multiplying the amounts at 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable

to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- 2 That it be noted that for the year 2013/14 the Hampshire County Council, and the Police & Crime Commissioner for Hampshire and the Hampshire Fire and Rescue Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings below:

Valuation Band	Hampshire County Council (£)	Hampshire Fire & Rescue (£)	Police & Crime Commissioner for Hampshire (£)
A(R)	576.60	34.10	84.03
A	691.92	40.92	100.83
B	807.24	47.74	117.64
C	922.56	54.56	134.44
D	1,037.88	61.38	151.25
E	1,268.52	75.02	184.86
F	1,499.16	88.66	218.47
G	1,729.80	102.30	252.08
H	2,075.76	122.76	302.50

- 3 That, having calculated the aggregate in each case of the amounts at 3(h) and 2.2 above, the Council, in accordance with section 30(2) of the Local Government Finance Act 1992, hereby sets the amounts shown in Appendix 1D as the amounts of Council Tax for the year 2012/13 for each of the categories of dwellings in each of the Parishes.
- 4 That for the purposes of section 35 (2) (d) of the Local Government Finance Act 1992, any expenses incurred by the District Council in the financial year 2012/13 in performing functions in a part of the district which elsewhere in the district are performed by a Parish Council, shall not be special expenses of the District Council.
- 5 The revenue estimates including contributions to and from reserves as summarised in Appendix 2.
- 6 The fees and charges for 2013/14 as set out in Appendix 3.
- 7 The revised Capital Programme for 2012/13 to 2014/15 as detailed in Appendix 4, with the following amendment:
- i. That £160,000 be moved into the Capital Programme in 2013/14 for the purpose of introducing "pay on foot" charging for the council's car parks in Fleet town centre; that the introduction of "pay on foot" parking be subject to receipt of an holistic business case/review that

showed the cost to the Council as well as the benefits to the businesses, shoppers and residents of Fleet; and that Cabinet be asked to use its best endeavours to implement this in the 2013/14 financial year.

- 8 That the Section 151 officer's statutory report regarding the robustness of the estimates and the adequacy of reserves detailed in paragraph 14 be noted.

## **102 OUTSIDE BODIES – FEEDBACK FROM MEMBERS**

Councillor Ambler reported:

At this morning's meeting of the Basingstoke Canal Joint Management Committee it was reported that the decline in the state of the canal had been reversed. It is hoped that for the first time in a number of years the canal will be open for navigation for its full length, barring unforeseen problems this should be achieved by Easter.

The currently on-going program of maintenance work is possible due to a capital funding program from both Hampshire and Surrey CC totalling over £4m. In light of the news that this provides improved facilities and brings the canal into a state which can be enjoyed by boaters, a proposal was agreed to increase fees to make them comparable to those on the adjacent Wey Navigation. This increase in fees will, in the long term help towards the funding of maintenance in the future. It was highlighted that research has recently been carried out in Scotland following a £100m restoration programme on their waterways, which revealed that the economic benefit to the surrounding areas is in excess of four times the investment. The Canal manger, Fiona Shipp has already agreed to visit some of the Riparian authorities to give a presentation about the work of the Canal Authority. She extended the offer to any other Authorities who would like to see the presentation. I have discussed this with the Leisure Portfolio holder who has agreed to arrange such a meeting for both members and riparian Parish Councils.

Recent repair work on one of the listed bridges in Hart has causes some concern regarding the aesthetics of the repair. At Councillor Radley's request, the JMC agreed that a report for discussion should be brought to the next meeting looking at the state of repair of all the 26 listed bridges on the length of the canal.

Councillor Appleton asked Councillor Crampton about the North Hampshire Road Safety Partnership and asked what was being done to make sure that Road Safety doesn't suffer as a result of the cuts to Policing budgets. Councillor Crampton said she would respond by email and this would be forwarded to all members.

The meeting closed at 8:35pm



## COUNCIL PROCEDURE RULE 12

### QUESTIONS BY THE PUBLIC

Chris Cornwell asked:

'Why has Hart District Council consistently over many years under-enforced on the Internet Showroom site in Hartley Wintney and allowed development for which there was no planning permission?'

Councillor Parker responded:

“It is never right that someone should benefit from unauthorised development. Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is however, by statute discretionary, and the Council is obliged to act proportionately in responding to suspected breaches of planning control. We also have adopted policies on where and when we will take enforcement action. We follow these policies at all times. The ultimate test however, is success when challenged on appeal. Enforcement Notices that are quashed or substantially varied by the Planning Inspectorate to essentially allow what has been enforced against are signs of possible inappropriate use of enforcement powers.

It is fair to say that the Council does not have a proud record of enforcement at Wintney Barn Farm but it has been faced with an owner who has taken every opportunity to either ignore or deliberately exceed many of the planning limitations and conditions imposed through legitimate grants of planning permission on the site. Nevertheless, there are no circumstances under which this Council should personalise the making of planning decisions or judgements. At all times the Council must ensure that decisions on planning applications and enforcement matters in particular are made solely on planning merits based upon objective decision making. No decision should look at the character or past actions of the applicant – that clouds minds and judgement and as we know to our cost – leads to planning decisions being struck down, enforcement notices quashed, and costs inevitably being awarded against the Council.

In 2009, following the receipt of an independent consultant's report which was presented to the Enforcement Sub-Committee, the Council drew a line under the past history of the site. It agreed a consolidated approach to move things forward. I do not intend to rerun the deliberations of that sub-committee four years ago; the reports submitted to the sub-committee and the minutes of those discussions are on the public record. Since 2009 no breaches of planning control have been condoned or entertained. Officers have pursued enforcement action as instructed by Members. The owner of the site has been successfully prosecuted for breach of conditions and further enforcement notices served. The disappointing thing is that the Planning Inspectorate has substantially varied notices to allow what was enforced against but at least it has made the unauthorised development less unacceptable through the imposition of conditions. However, that has recently been undone. In a significant decision, the Planning Inspectorate has quashed our latest two Enforcement Notices, and has overridden our decision to refuse what we considered were unacceptable details submitted pursuant to planning conditions. In doing so the Planning Inspectorate has

made a determination that we were acting unreasonably and has made a substantial award of costs against us.

The Corporate Director is investigating why this should have happened because we need to learn from this to make sure it does not happen again in the future. The proper body within Hart to deal with this is the Enforcement Sub-Committee. However in addition to that, once his report has been completed, I will be meeting with the ward members and others to consider its contents.

The point to be remembered is that whilst the failure to persuade an Inspector on appeal to uphold an Enforcement Notice is disappointing, it is emphatically not a sign of us condoning the actions of a landowner or failing to take enforcement action. It is nevertheless, a painful reminder that there are limits to our powers and that at all times we must make objective decision making central to the way we work”.

**COUNCIL PROCEDURE RULE 14**

**QUESTIONS BY MEMBERS**

**Councillor Radley** asked:

“What are the portfolio holder for Fleet’s views on the news that the major supermarket retailer that was looking to build a big store at the western end of Fleet Road has pulled out of the project on the grounds that it was uneconomical?”

**Councillor Evans** responded:

“This project had the potential to deliver significant improvements to Fleet town centre. There were questions to answer on the impact such a development might have on the town and also on its viability in the current economic environment, but it is unfortunate that the opportunity can no longer be explored. However, Hart is continuing to investigate a range of options that could deliver improvements to the town centre.”

**Councillor Radley** asked a supplementary question:

"Given the urgency to support Fleet town as a viable retail centre does Councillor Evans propose to use the opportunity of the budget debate this evening to move any measures which would be of direct benefit to the retailers and shoppers in Fleet?"

**Councillor Evans** responded that he was not minded to move any amendments.

**Councillor Appleton** asked:

"In the last year has Project Integra considered or discussed requiring householders to separate waste into multiple recycling streams rather than the current use of a single co-mingled blue bin?"

**Councillor Glen** responded:

“This has not been discussed by the Project Integra Board, but Project Integra Strategy Officers have been briefed and are monitoring the potential implications of a judicial review hearing which is scheduled this week in Cardiff. The hearing will consider whether the collection of co-mingled recycling is contrary to the requirements of the EU Waste Framework Directive”.

**Councillor Appleton** asked a supplementary question:

“I noted reports of this judicial review in last Friday’s Local Government Association (LGA) daily briefing. It pointed out that the judicial review considers that the 272 councils who currently collect recyclables in a single waste stream should change their systems it will cost those councils a large amount of money. Why should householders in Hart pay more Council Tax to satisfy the petty dictats of Brussels bureaucrats that we should separate recyclable waste into separate streams? As I consider that this should not be an issue for the EU, could the Cabinet member satisfy me that he has already written to Mr Cameron

demanding that the Government includes decisions over the method of waste collection to be included in the powers that he will repatriate from Brussels?

**Councillor Glen** responded:

“A three-day hearing has been scheduled at Cardiff Administrative Court for 26-28 Feb 2013 to hear the case in which it is argued that Defra and the Welsh Government have wrongly transposed the requirements of the EU Waste Framework Directive. The judicial review was prompted by a challenge from a private interest which wishes to see higher quality recycled material produced, and claims that co-mingled waste (Hampshire's collection process for dry mixed recyclables) cannot be classified as separate collection.

The outcome of this is currently uncertain, but it seems extremely unlikely that a ruling will be given whereby the many waste disposal authorities across the UK that handle co-mingled waste will need to alter their practises at great expense.

Should it be resolved at the end of February, local authorities should gain more clarity over the collecting of recyclables in a commingled process for sorting at a materials recycling facility. While Defra considers that it has made it clear that co-mingling is acceptable under the revised directive, members of the Campaign for Real Recycling still believe that the UK has not interpreted the legislation correctly and have therefore restarted their legal challenge.

Should it be determined that it is no longer possible to collect co-mingled recycling then hundreds of authorities across the country will be faced with significant bills to convert existing infrastructure, and the implementation of kerbside sorting in built up urban areas is likely to cause traffic congestion problems.

The existing co-mingled collection of domestic recycling was agreed prior to the construction of Hampshire's two Material Recycling Facilities (MRFs) which are operated under contract by Veolia Environmental Services (this contract is due to expire in 2025). The separate collection of recycling would require the existing MRFs to be altered at significant cost and new containers delivered to all residents as well as changes to the existing collection arrangements across the County.

Project Integra carried out a review of the range of recycling material collected in 2009-10, which was just prior to the refurbishment of the Portsmouth MRF. For environmental and economical reasons it was agreed that the existing range and method of collecting co-mingled recycling should continue”.