

Minutes of the Proceedings of the **Test Valley Borough Council**
held in the Council Chamber, Guildhall, High Street, Andover
on Wednesday 4 July 2012 at 4:00 pm

Details of Attendance	Cllr D Baverstock - The Worshipful the Mayor (Chairman)	(P)
	Cllr J Whiteley - Deputy Mayor (Vice-Chairman)	(P)
	Cllr I Carr (Leader of the Council)	(P)
Cllr J Anderdon	(A)	Cllr P Giddings (A)
Cllr I Andersen	(P)	Cllr K Hamilton (A)
Cllr G Bailey	(A)	Cllr M Hatley (P)
Cllr A Beesley	(A)	Cllr S Hawke (A)
Cllr K Bird	(P)	Cllr I Hibberd (P)
Cllr C Borg-Neal	(P)	Cllr A Hope (P)
Cllr P Boulton	(P)	Cllr P Hurst (P)
Cllr A Brook	(P)	Cllr A Johnston (P)
Cllr Z Brooks	(P)	Cllr P Lashbrook (P)
Cllr J Budzynski	(P)	Cllr N Long (P)
Cllr P Bundy	(P)	Cllr J Lovell (A)
Cllr D Busk	(P)	Cllr C Lynn (-)
Cllr E Charnley	(P)	Cllr J Neal (P)
Cllr C Collier	(A)	Cllr P North (P)
Cllr M Cooper	(P)	Cllr B Page (P)
Cllr S Cosier	(A)	Cllr I Richards (P)
Cllr A Dowden	(P)	Cllr I Robin (P)
Cllr C Dowden	(P)	Cllr G Stallard (P)
Cllr K Dunleavy	(P)	Cllr K Tilling (P)
Cllr B Few Brown	(P)	Cllr A Tupper (-)
Cllr A Finlay	(A)	Cllr A Ward (P)
Cllr M Flood	(A)	Cllr N Whiteley (P)
Cllr A Gentle	(A)	

75

Prayers

Prayers were led by Reverend Jill Bentall.

76

Apologies

Resolved:

That the apologies of Councillors Anderdon, Bailey, Beesley, Collier, Cosier, Finlay, Flood, Gentle, Giddings, Hamilton, Hawke and Lovell be noted.

The Worshipful the Mayor wished Councillor Hawke a speedy recovery on behalf of all Members.

77

Minutes

Resolved:

That the minutes of the meetings of the Council held on 17 April and 16 May 2012 be confirmed and signed as a correct record.

78

Mayor's Announcements

The Mayor reminded Members of the Civic Service that will be held in All Saints Church, North Baddesley on Sunday 8th July 2012. The Mayor also announced that new pages will be added to the Council's website which will mention the Mayor's appointments and other relevant information.

79

Committee Reports

79.1

Minutes of Meetings

Resolved:

That the minutes of the following Committees and Cabinet meetings be received.

Northern Area Planning Committee – 29 March 2012

Standards Committee – 2 April 2012

Southern Area Planning Committee – 3 April 2012

Planning Control Committee – 10 April 2012

Cabinet – 11 April 2012

Licensing Committee – 12 April 2012

Overview & Scrutiny Committee – 18 April 2012

Northern Area Planning Committee – 19 April 2012

Southern Area Planning Committee – 24 April 2012

General Purposes Committee – 25 April 2012

Cabinet – 9 May 2012

Northern Area Planning Committee – 10 May 2012

Southern Area Planning Committee – 15 May 2012

Overview & Scrutiny Committee – 17 May 2012

Planning Control Committee – 22 May 2012

Licensing Committee – 23 May 2012

Standards Committee – 31 May 2012

Northern Area Planning Committee – 31 May 2012

Cabinet – 6 June 2012

Southern Area Planning Committee – 7 June 2012

79.2 **Written Record of Decisions by the Leader**

Resolved

That the written record of the decisions by the Leader be received.

79.3 **Recommendations**

79.3.1 Cabinet – 6 June 2012

79.3.1.1 **Capital Outturn 2011/12**

Resolved:

1. **That the updated Capital Programme as shown in Annex 1 to the report be approved.**
2. **That the replacement system for Committee Minutes and Agendas be added to the Capital Programme.**

79.3.1.2 **Title of Honorary Aldermen/Alderwomen**

Resolved:

1. **That a Scheme to award the title of Honorary Alderman/Alderwoman of the Borough to past Councillors who have rendered eminent services to the Borough and community, as set out in paragraph 4.1 of the report, be agreed.**

2. **That the Scheme applies to past Councillors with effect from 18 April 2011 when the motion was agreed by Council.**

79.3.2 Cabinet – 20 June 2012

79.3.2.1 **Annual Governance Statement 2011/12**

Resolved:

That the Annual Governance Statement for 2011/12 be approved and that the Leader and Chief Executive be authorised to sign it on behalf of the Council.

80

Notice of Motion – Rule 12

Council considered the following motion moved by Councillor Budzynski and seconded by Councillor Richards:

Test Valley Borough Council write to her Majesty's Government requesting that the activities of those charity agents known as 'chuggers' have their activities brought within the appropriate controls afforded by Police, Factories etc (Miscellaneous Provisions) Act 1916 as amended by Section 251 and schedule 29 to the Local Government Act 1972.

Upon being put to the vote the motion was carried unanimously.

81

Appointment of Independent Persons

The Localism Act 2011(the Act) changed the ethical framework that applies to local authorities. The new provisions came into force on 1st July and included the requirement for the Council to appoint Independent Persons who can be consulted by both the Member against whom an allegation of failure to comply with the code of conduct has been made and by the Monitoring Officer and/or the member body considering the complaint.

Resolved:

That Michael Cronin, Mrs Vera Hughes and Mrs Denise Pike be appointed as Independent Persons pursuant to Section 28 of the Localism Act 2011 until 4 July 2016.

82

Code of Conduct

The Localism Act 2011 changed the ethical framework that applies to councils within England. Each council was free to adopt its own code of conduct and to set its own arrangements for dealing with allegations of failure to comply with the code of conduct.

The report provided for the Council to adopt its Code of Conduct, delegate the functions relating to ethical standards to the General Purposes Committee and ask Test Valley Association of Parish & Town Councils to appoint three parish councillors to be consulted in relation to complaints affecting parish and town councillors.

Resolved:

1. **That the Code of Conduct attached as Annex 1 to the report be adopted as the Code of Conduct to apply to Test Valley Borough Council Councillors.**
2. **That the functions set out in Annex 4 to the report and currently carried out by the Standards Committee are delegated to the General Purposes Committee.**
3. **That Test Valley Association of Parish & Town Councils be asked to appoint three parish councillors who may be consulted in connection with a complaint alleging failure by a parish or town councillor to comply with the code of conduct of a parish or town council within the borough.**
4. **That the Head of Legal & Democratic Services be delegated authority to make necessary amendments to the Constitution to take account of the changes that flow from recommendations 1 to 3.**
5. **That the Head of Legal & Democratic Services carry out a review of the Code of Conduct after twelve months**

83

Annual Report – Overview and Scrutiny Committee

Councillor North, Vice Chairman of the Overview and Scrutiny Committee, presented the Annual Report. The Leader thanked the Members of OSCOM for their work during the year.

Resolved:

That the Annual Report of the Overview and Scrutiny Committee be received and noted.

(The meeting ended at 5:00 pm)