

13 SEPTEMBER 2013

NEW FOREST DISTRICT COUNCIL

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of a meeting of the General Purposes and Licensing Committee held at Appletree Court, Lyndhurst on Friday 13 September 2013.

- p Cllr G C Beck (Chairman)
- p Cllr W H Dow (Vice-Chairman)

Councillors:

- p Mrs S V Beeton
- p S J Clarke
- p J D Heron
- ap Miss A J Hickman
- p A N G Kilgour
- p Mrs A E McEvoy
- p Mrs M McLean

Councillors:

- p J Penwarden
- ap L R Puttock
- p R F Scrivens
- ap S S Wade
- p Mrs C V Ward
- p P R Woods

Officers Attending:

Mrs R Rutins and Ms M Stephens and for part of the meeting, Miss T Harwood, Mrs M Sandhu, P Weston and Mrs A Wilson.

8. MINUTES.

RESOLVED:

That the minutes of the meeting held on 5 July 2013 be signed by the Chairman as a correct record.

9. DECLARATIONS OF INTEREST.

No declarations of interest were made by members in connection with an agenda item.

10. PUBLIC PARTICIPATION.

No issues were raised during the public participation period.

11. PAY PROTECTION (REDUNDANCY) (REPORT A)

The Committee considered offering pay protection to employees who were redeployed to a lower paid position when their previous positions were declared redundant. The Employee Side had requested that the Council provide pay protection in such cases.

Currently, individuals' pay was not protected. When employees were redeployed in lower-banded positions (where practicable) when their positions were made redundant, they were placed at the top of the band applicable to the new position to help minimise the impact on their pay. Individuals had the option of accepting this lower-paid redeployment (where available) or redundancy (in which case redundancy payments would be made in accordance with the Council's policy in force at the time).

The proposal set out in the recommendation below was supported by the Committee.

RECOMMENDED:

That the following policy on pay protection in cases of redundancy be approved to take effect from 1 November 2013:

(1) That:

- ***where the Council's agreed process/procedure for redeployment on redundancy has been followed; and***
- ***where an employee has been confirmed in a new role which is one or more bands lower than their previous post:***
 - (a) if the new post is one band lower, the employee's salary will be pay protected at their current salary for a period of 6 months; or***
 - (b) if the new post is more than one band lower, the employee's salary will be pay protected at the top of one band higher than the council's job evaluated grade for the new post for a period of 6 months.***

(2) After the period of 6 months set out in (1)(a) and (b) above, the employee's salary will be adjusted to the top of the band applicable to their new post; and

(3) Employees accepting redeployed posts on the conditions set out in (1) and (2) above, will lose their right to redundancy payments and entry in the Council's redeployment register.

Action: Manjit Sandhu

12. SCRAP METAL DEALERS ACT 2013 (REPORT B)

The Committee considered proposed arrangements in response to the provisions in the Scrap Metal Dealers Act 2013 which would come into force on 1 October 2013.

The Act created a revised regulatory regime for the scrap metal recycling and vehicle dismantling industries with a view to introducing improved regulation of the scrap metal industry. There would be two types of licences: a site licence and a mobile collector licence.

There was a requirement for the local authority to set fees for licences.

The Licensing Officer confirmed that the Council took a proactive approach to the enforcement of the current requirements for scrap metal dealers. This would continue under the new regime.

As from 1 October, application forms for licences under the new regime would be sent to all scrap metal dealers within the district. These needed to be returned to the Council, with the relevant fee, before December, in order for scrap metal dealers to continue to trade legally.

RESOLVED:

(a) That the following delegations to officers be approved:

Source	Power Delegated	Delegated To
The Scrap Metal Dealers Act 2013	To issue, refuse, vary, revoke and impose conditions on any licence, to serve any notice, to supply information, to enter and inspect a site and enforce the relevant legislation for the purposes specified in the Act which are delegated to the Committee	Head of Public Health & Community Safety Environmental Health Manager Environmental Health Officer Licensing Officer Licensing Enforcement Officer Licensing Assistant

(b) That, where it is proposed that a licence be refused, varied or revoked and the applicant or licensee makes representations, the matter be determined by way of a Licensing Sub Committee hearing.

(c) That the application fees be set as:

- £127 for a site licence; and
- £93 for a mobile collector's licence

Action: Paul Weston/Jan Debnam (for delegations)

13. INCREASE IN MEMBERS ON SWAY PARISH COUNCIL (REPORT C)

The Committee considered a request from Sway Parish Council to increase the number of members on the parish council. The process for undertaking a Community Governance Review in response to the request, which included significant consultation with the local community, was noted.

At this stage, members supported Sway Parish Council's request to increase their membership and would give further consideration to the matter in the light of responses to the consultations.

RESOLVED:

That a Community Governance Review be undertaken in Sway Parish with a view to increasing the number of parish councillors from 8 to 11, with the following terms of reference:

- (1) To review the number of members on Sway Parish Council in the light of the Parish Council's request to increase the numbers from 8 to 11 with a view to implementing any changes that might be agreed with effect from the next quadrennial elections in May 2015. set out in Appendix 2 to Report C to the Committee.
- (2) That the review be undertaken in accordance with the provisions of the Local Government and Public Involvement in Health Act 2007 and any statutory guidance.

Action: Rosemary Rutins

14. REVIEW OF POLLING DISTRICTS AND POLLING PLACES (REPORT D)

The Committee considered the proposal to commence a review of polling districts and polling places in the District.

All local authorities were under a legal duty to review their polling districts and polling places at least once every four years. The Council completed its last review in 2010 which meant that the next review should be completed by 2015.

The Government had however amended legislation to provide that Councils should begin and have completed their reviews during the period of 16 months beginning with 1 October 2013, and then every five years after that. The change in legislation had been made to ensure that any anomalies with polling districts and stations were addressed before the 2015 Parliamentary and local elections, which would be the first conducted using registers prepared under the new system of Individual Electoral Registration (IER).

Members agreed that a Working Party, consisting of five members, namely; Cllrs Beck, Clarke, Dow, Mrs McLean and Penwarden be established to progress the review.

RESOLVED:

- (a) That a Working Party be established to oversee the review of polling districts and polling places that must be completed within a period of 16 months from 1 October 2013, and to make recommendations to the Committee;
- (b) That the Working Party comprise five members, four from the Conservative Group and one from the Liberal Democrat Group;
- (c) That Cllrs Beck, Clarke, Dow, Mrs McLean and Penwarden be appointed to serve on the Working Party; and

(d) That the terms of reference of the Working Party be:

“To oversee the review of the polling districts and polling places in New Forest District under Section 17 of the Electoral Registration and Administration Act 2013 and to make recommendations to the General Purposes and Licensing Committee”.

Action: Tina Harwood/Rosemary Rutins

15. DATES OF MEETINGS 2014/2015.

RESOLVED:

That the Committee meets on the following dates in 2014/15 (all Fridays at 9.30 a.m.):-

13 June 2014
19 September 2014
14 November 2014
16 January 2015
6 March 2015

CHAIRMAN

(GPLC130913)