

12 JUNE 2015

NEW FOREST DISTRICT COUNCIL

General Purposes and Licensing Committee

Minutes of a meeting of the General Purposes and Licensing Committee held in Committee Room 1, Appletree Court, Lyndhurst on Friday, 12 June 2015

- * Cllr S J Clarke (Chairman)
- * Cllr L R Puttock (Vice-Chairman)

Councillors:

- G C Beck
- * G R Blunden
- * Ms L C Ford
- * R L Frampton
- * A T Glass
- * L E Harris
- * J M Olliff-Cooper

Councillors:

- * A K Penson
- D N Tungate
- A S Wade
- Mrs C V Ward
- * J G Ward
- * Mrs P A Wyeth

*Present

Officers Attending:

Mrs R Rutins, Mrs M Sandhu, Ms M Stephens and S Stone.

Apologies:

Cllrs Beck, Tungate, Wade and Mrs Ward.

5 MINUTES

RESOLVED:

That the minutes of the meetings held on 6 March and 18 May 2015 be signed by the Chairman as correct records.

6 DECLARATIONS OF INTEREST

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

7 PUBLIC PARTICIPATION

No issues were raised during the public participation period.

8 TERMS OF REFERENCE

The Committee noted its terms of reference, and the subject areas covered by the Committee.

The Head of Human Resources informed the Committee that fundamental changes and matters relating to the terms and conditions of staff were considered by the Committee. All staff matters were put before the Industrial Relations Committee for Employee Side comment and input before being considered by the Committee. The

pay policy statement for council employees was reviewed by the Committee every January. Most other staff matters were brought to the Committee on an ad hoc basis as and when necessary.

The Democratic Services Manager explained that electoral registration and elections fell within the remit of the Committee. The recent changes to the electoral registration through Individual Electoral Registration had had a significant impact on the work of the Council's Electoral Services with regard to the elections, while the Committee had no decision making powers in this regard, members were often kept abreast of the changes to the voting process. Election Services were responsible for managing all elections and referendums held within the District. The Council was required to bear the cost of the District Council elections. The Committee had a duty to review polling places every four years and had powers to review the electoral arrangements in towns and parishes. The Committee would soon be asked to comment on the Boundary Commission's review of electoral arrangements in Hampshire County Council.

The Environmental Health Manager informed members that the Committee was responsible for all environmental health commercial matters, health and safety and licensing. Licences issued by the Council included: - boatmen, gambling establishments, animal establishments, scrap metal dealers, premises and hackney carriage/private hire vehicles and drivers. The Council had 138 hackney carriages and 300 private hire vehicles with a total of 540 drivers. The Committee had powers to amend taxi tariffs in the District. The Committee would shortly be required to examine the Council's statement of licensing policy which had to be reviewed every four years.

9 DISMISSAL & DISCIPLINARY PROCEDURES - STATUTORY CHIEF OFFICERS

The Committee considered changes to the Council's Standing Orders regarding the processes that must be followed before one of the Council's three "statutory officers" (the Chief Executive, the Monitoring Officer and the Chief Finance Officer) could be disciplined or dismissed, as a result of amendments in legislation.

The new requirements removed the need for a (paid) Designated Independent Person (DIP) to be appointed to investigate and report to the Council on any allegations of misconduct. They also removed the mandatory requirement for the appointment of a DIP, and the initial steps of any potential disciplinary action were no longer prescribed.

Instead, the new Standing Order required a decision on dismissal of one of the statutory officers to be taken by the full Council, which must consider:

- a) any advice, views or recommendations from an Independent Panel (this Panel must include the Independent Persons appointed by the Council to consider complaints about Councillors, or if they do not accept an invitation to join the Panel, an independent person(s) appointed for the same purpose by another authority)
- b) the conclusions of any investigation into the proposed dismissal; and
- c) any representations from the officer concerned

The Industrial Relations Committee had considered and supported the proposals.

RECOMMENDED:

(a) *That Standing Orders for General Procedures be amended so as to remove references to a Designated Independent Person under Regulation 7 of the Local Authorities (Standing Order) (England) Regulations 2001, and to incorporate the provisions set out in the amended Schedule 3 to the Regulations (Appendix 1 to this report);*

(b) *That the following be added to the General Purposes and Licensing Committee's Terms of Reference:*

"Through a Panel of 3 members of the Committee and two Independent Persons appointed under section 28(7) of the Localism Act 2011, to carry out the functions required to be carried out under Schedule 3 to the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).

The membership of the Panel is to be determined by the Chief Executive unless the Chief Executive is to be the subject of the Panel's consideration, in which case the membership is to be determined by the Monitoring Officer";

(c) *That the disciplinary processes for the statutory Chief Officers prior to the Panel consideration as set out in Appendix 2 to this report be approved.*

10 HEALTH & SAFETY INTERVENTION PLAN 2015/16

The Committee considered the proposed Health and Safety Intervention Plan for the coming year. The plan reviewed the work of the service for the previous year and proposed a full range of work for the year ahead.

A number of queries and possible amendments to the Health and Safety Intervention Plan were raised; namely: -

- Members suggested that the Council levy a charge for the provision of advice to businesses who requested it. It was agreed that officers investigate this and report back in November.
- With regard to the removal of unsafe LPG pipework, members suggested that officers assess the pipework at Stillwater Park.
- Members requested that actions regarding asbestos be included under the prevention of industrial disease in table 2 of the Plan, the precise wording of which would be agreed with the Chairman outside the meeting.

The Committee thanked the Environmental Health Manager for a comprehensive report.

RESOLVED:

(a) That subject to an amendment to reflect the inclusion of asbestos under the heading 'Prevention of Industrial Disease' in Table 2, the Health and Safety Intervention Plan for 2015/16 be approved;

- (b) That officers investigate the possibility of the Council levying a charge for provision of advice to businesses and report back findings to the November Committee meeting; and
- (c) That officers be requested to assess the LPG pipework at Stillwater Park, Ringwood.

11 SKY LANTERNS TASK & FINISH GROUP

RESOLVED:

That Cllrs L E Harris and Frampton be appointed to serve on the Sky Lanterns Task & Finish Group, with the remaining place being offered to the absent members of the Committee.

12 PAY PANEL

RESOLVED:

That Cllrs J D Heron, Rickman and Wise be appointed to serve on the Pay Panel.

13 ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

Chairman