BOROUGH OF RUSHMOOR

MEETING OF THE BOROUGH COUNCIL held at the Council Offices, Farnborough on Thursday, 10th July, 2014 at 7.00 p.m.

THE WORSHIPFUL THE MAYOR (CR. MRS. D.B. BEDFORD)
THE DEPUTY MAYOR (CR. M.J. TENNANT, B.Sc.)

CR. T.D. BRIDGEMAN, B.A. (Hons.)
CR. D. CAPPLEMAN, A.H.M.I.C.A.
CR. SUE CARTER
CR. A.M.J. CHAINEY
CR. M.S. CHOUHDARY, M.A.
CR. SOPHIA CHOUHDARY, L.L.B.
CR. LIZ CORPS, N.N.D., A.T.D.
CR. P.I.C. CRERAR, B.A. (Hons.), M.Arch., M.A.
CR. K. DIBBLE, M.A.F.M., B.I.F.M.
CR. SUE DIBBLE
CR. R.L.G. DIBBS
CR. BARBARA DONAGHUE
CR. JENNIFER M. EVANS, B.Sc., M.Sc.
CR. A.M. FERRIER
CR. D.S. GLADSTONE
CR. C.P. GRATTAN

CR. R. HUGHES
CR. BARBARA J. HURST, B.A., M.A.
CR. A. JACKMAN, B.Sc.
CR. G.B. LYON, B.A. (Oxon)
CR. P.J. MOYLE
CR. K.H. MUSCHAMP
CR. J.J. PREECE
CR. M.J. ROBERTS, B.Sc., F.R.S.A.
CR. P.F. RUST, A.I.M.E.E., M.I.S.M.
CR. M. SMALL
CR. M.D. SMITH
CR. M. STAPLEHURST
CR. A. THOMAS
CR. JACQUI VOSPER
CR. D.M. WELCH

9. MINUTES –

It was MOVED by Cr. K.H. Muschamp; SECONDED by Cr. R. Hughes and

RESOLVED: That the Minutes of the Annual Meeting of the Council held on 10th June, 2014 (copy having been circulated previously) be taken as read, approved and signed as a correct record.

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10. **MAYOR’S ANNOUNCEMENTS** –

(1) The Mayor reported that she had attended a Kids Out fun day held at the Army Rugby Club in Aldershot on 11th June, 2014. Members were advised that, every June, Rotary organisations throughout Britain and Ireland, together with Kids Out, took over 25,000 disadvantaged children on a great big day out. Rotary volunteers from across the Borough had made the day a great success for over 680 children, together with over 400 carers. The Mayor felt it had been a privilege to see so many caring people bringing fun and happiness into the lives of disabled and disadvantaged children of Rushmoor and surrounding areas.

(2) The Mayor reported that she had been invited by the Grenadier Guards from Lille Barracks in Aldershot to attend Trooping the Colour on 14th June, 2014.

(3) The Mayor reported that, on 22nd June, 2014, she had attended a Hampshire-wide Service of Remembrance to mark the Centenary of the Outbreak of the First World War at Winchester Cathedral. There had been several church services and events to mark the centenary and there were still more to come, like the service of commemoration on 10th August, 2014 at North Camp Methodist Church.

(4) The Mayor reported that, on 23rd June, 2014, a brief ceremony had been held at the Council Offices formally to raise the Armed Forces Day flag. The ceremony had been attended by the Garrison Commander (Colonel Charles Lambert), Inspector Matthew Reeves, the Leader of the Council, Members of the Council, the Mayor’s Chaplain and representatives of the Royal British Legion.

(5) The Mayor advised Members that she had attended the Open Day of the Aldershot Military Festival on Saturday, 28th June, 2014, which featured stands from all the units based at Aldershot as well as the Military Museum and First World War re-enactors. The Mayor had also presented the trophy to the winning team in the Rugby Sevens Tournament.

(6) The Mayor thanked all those who had attended and supported her first fundraising event for the Mayor’s Charities – a guided walk around Southwood Woodland, Farnborough held on 29th June, 2014. The event had raised over £110.

(7) The Mayor advised that her Mayoral Sunday Church Service would be held on 27th July, 2014 at St. Mark’s Church. All were welcome to attend.

(8) The Mayor advised that her Charity Golf Day would be held on 19th September, 2014. The annual golf tournament was always well supported by local businesses, the Military, groups and associations and was a great opportunity to enjoy a round of golf and raise money for local worthy causes at the same time.
The Mayor then presented Cr. Roland Dibbs and Cr. Keith Dibble with long service medals.

Cr. Roland Dibbs had completed 20 years’ service in local government with Rushmoor. He had been first elected as a Member of the St. Mark’s Ward in 1987 and had served until 1991. In 1997 he had returned to the Council as a Knellwood Ward Member where he had remained ever since. Under the previous decision making structure, Cr. Dibbs had served on many of the Council’s committees, most notably as Chairman of the Planning and Transportation Committee. Cr. Dibbs had served as Deputy Leader of the Council and had been the Cabinet Member for Environment and now Cabinet Member for Environment and Service Delivery. Cr. Dibbs had also sat on a number of outside bodies representing the Council, including Project Integra and a number of regional planning groups.

Cr. Keith Dibble had completed 30 years’ service in local government with Rushmoor. Cr. Dibble had been elected to the then Belle Vue Ward in 1984 – and now North Town Ward – which he had represented ever since. Over the years, Cr. Dibble had served on just about all of the committees and panels under the present and previous decision making systems and had also held the position of Chairman and then Vice-Chairman of the Environmental and Community Services Committee and Vice-Chairman of the Highways Committee. Cr. Dibble had also been Leader of the Labour Group. Cr. Dibble had represented the Council on several outside bodies in his time on the Council and the Mayor said that these organisations, as well as the Council, had benefitted from his depth of knowledge and great ability over the years.

The Mayor congratulated Cr. Dibbs and Cr. Dibble on achieving their milestones and thanked them for their service to their Wards and to the Borough as a whole.

11. RUSHMOOR COMMUNITY AWARD 2014 –

The Community Award recognised local people who had in some way made a significant contribution to the Borough’s community. The Council had agreed to present the Award to two people in 2014.

The first recipient was Mr. Walter Clift in recognition of litter clearing in the Pinewood Park area for more than eleven years and the second recipient was Mr. Ted Parker in recognition of his fundraising work for over 40 years, including 20 years as Chairman of Parkside (Aldershot and District Mencap).
Mr. Clift regularly walked the Sandy Lane/Minley Road and other places around a three miles radius of Pinewood Park. On every journey, Mr. Clift collected four or five carrier bags of litter and dog waste – left behind by people causing nuisance and harm to the more caring residents of the Borough. It was felt that Mr. Clift was a true ambassador for ‘Keep Britain Tidy’. He ensured that the footway outside his house that bridges Hawley Brook, running alongside Pinewood Park and Guillemond School, was a clear, tidy and safe place for schoolchildren to cross on their way into and out of school. Mr. Clift also patrolled the Pinewood Park and Sandy Lane areas around school run times, admonishing people who parked inconsiderately, for which he often received verbal abuse from perpetrators.

The Mayor then called Mr. Clift forward to receive the Rushmoor Community Award for 2014.

Mr. Parker had been the driving force behind Parkside, a local charity that provided a wealth of support services to children and adults with learning difficulties. Mr. Parker has taken an active role in the recruitment, vetting and training of paid and voluntary staff. He was also very involved in the provision of contract services to Hampshire and Surrey County Councils and had taken the lead in securing alternative ways of providing services where the funding had been withdrawn. Mr. Parker had led the successful implementation of the project to establish Parkside Café in the Park. As a result of his efforts, in May, 2011, the Parkside Café in the Park had opened its doors for the first time. Not only did the café provide an excellent opportunity for Parkside’s clients to obtain work experience, but also it gave them the chance to feel that they were contributing to the local community as it was adjacent to a very popular children’s play area that had opened in 2010. Families and agencies recognised Mr. Parker’s knowledge, commitment and resourcefulness. For several years, Mr. Parker had been an active member of the local charity, Lads of the Village, which had raised money for the Phyllis Tuckwell Hospice, local old people’s homes and individuals in the local community who had fallen upon hard times.

The Mayor then called Mr. Parker forward to receive the Rushmoor Community Award for 2014.

12. **STANDING ORDER 8 – QUESTIONS**

The Mayor reported that no questions had been submitted in pursuance of Standing Order 8(3).

13. **UPDATES TO THE CONSTITUTION – STANDING ORDERS FOR THE REGULATION OF BUSINESS**

It was noted that, in accordance with Standing Order Procedure Rule 29(1), the amendments to the Standing Orders for the Regulation of Business, had stood adjourned without discussion since the previous meeting on 10th July, 2014.

It was MOVED by Cr. M.J. Tennant; SECONDED by Cr. A.M. Ferrier that
the Council adopt the revised and updated Standing Orders for the Regulation of Business, for inclusion in Part 4 of the updated Constitution.

During discussion, questions were raised regarding Standing Order 27 (1) regarding Convening of Meetings and Standing Order 27 (11) Attendance of Members at informal discussions by the Cabinet. In response, Cr. Tennant advised that the Council had approved a change to the number of Council meetings per year following recommendations made by South East Employers. Informal meetings of the Cabinet were held to discuss policy and procedure changes which would be brought to a scheduled, full and minuted meeting of the Cabinet.


14. NOTICE OF MOTION – CONTROL OF PUBLIC NUISANCE –

The Council was asked to consider the following Motion, which had been submitted by Cr. Alex Crawford in accordance with the provisions of Standing Order 9 (1). It was MOVED by Cr. Alex Crawford; SECONDED by Cr. J.J. Preece that

“This Council calls upon the Government to delegate powers to Police and local authorities to control public nuisance in town centres arising from late-night opening of pubs and clubs, takeaways, outlets selling legal highs and street drinking.”

Speaking in support of his Motion, Cr. Crawford referred to a recent licensing hearing to consider an application to extend the opening hours for Yates’s in Aldershot town centre to 3.30 am. Following Cr. Charles Choudhary’s statement in the press opposing the application, residents near to Yates’s had contacted Cr. Crawford about the public nuisance that they experienced every weekend in their neighbourhood (Gordon Road, Birchett Road, Elms Road, Wolseley Road and Lysons Road) when their sleep was disturbed just after establishments such as Yates’s closed. Cr. Crawford outlined the sort of behaviour that was endured on their streets. The residents had feared that, if an extra hour of trading were to be granted, this public nuisance would be even worse because of the extra hour of drinking time. Cr. Crawford stated that Police records for Aldershot showed that there were five times as many offences committed in Wellington Ward (where Yates’s was located) compared with all other wards in Aldershot and that these offences were mainly anti-social behaviour and assaults.
Cr. Crawford was disappointed that, despite this evidence, the Police and the Environmental Health Service had not objected to Yates’s application to extend its opening hours. At the licensing hearing, the solicitor for Yates’s had stated that she had visited the Police who had not produced any evidence linking crimes and public nuisance directly to Yates’s.

Cr. Crawford also referred to the public nuisance caused by litter, particularly from late-night takeaways in the town centre in order to address this issue the Council had had to divert resources to clearing up Aldershot town centre early in the mornings following late-night openings.

In respect of legal highs, Cr. Crawford referred to the Council’s debate in February, 2012, when the Council had unanimously agreed a Motion proposed by Cr. Sue Carter calling for the control of the sale of drugs paraphernalia in the Borough. Cr. Crawford stated that the Borough appeared to be no further forward on this and that there was a UK Skunkworks premises in Grosvenor Road, one of the company’s nineteen retail outlets in the country for drugs paraphernalia and legal highs. It was noted that these legal highs were a source of public nuisance in the Borough. Earlier in the year, users of legal highs had installed themselves in the public toilets of the High Street car park, which had made the facilities unusable by members of the public. The Council had closed the toilets because that had been the only way of putting a stop to the problem.

Cr. Crawford expressed his concern that it appeared that the Police and the Council seemed powerless to control these sources of public nuisance effectively. Cr. Crawford called for new powers to be delegated so that these public nuisances could be dealt with effectively so that quality of life could be improved in the town centre.

In seconding the Motion, Cr. Preece stated that there were long-term consequences of allowing the first public house in the Borough to set a precedent and there would no doubt be others wishing to follow suit. Cr. Preece referred to current legislation whereby notice of a licence application had only to be given by the applicant. To give such notice, the applicant had only to put up a notice on A4 paper in the premises window and to take out an advert, once, in one local paper. To avoid accusations of soliciting objections, the Council’s policy was only to inform people who lived adjacent to the boundary of the premises subject to the licence application.

Cr. Preece was of the opinion that this was no way to treat the public and that, given this sort of outcome in licensing issues, it did nothing towards resolving the issue of the public feeling disconnected from civic issues and from being involved in the decision making process. Cr. Preece stated that there would be people in the town centre being kept awake at night who also faced the prospect of having their cars and streets vandalised and their gardens used as public toilets.
Cr. Preece stated that the current legislation was defective; it was stacked unfairly against the homeowner and flat resident. He therefore called on Members to support the Motion calling on the Government to change the law to prevent legal highs being sold at establishments like the UK Skunkworks in Grosvenor Road, Aldershot and also to support the introduction of new powers to be delegated so that public nuisances could be dealt with effectively to improve the quality of life of residents of the Borough.

During discussion, Members spoke of current licensing regulations and it was pointed out that it was possible to review a licence. There were laws and byelaws against some issues of anti-social behaviour, such as urinating in public places and drinking alcohol in public places. In respect of litter and public nuisance, these were issues that should be dealt with by the Environmental Health Service and the Police. It was noted that there were four Neighbourhood Watch groups in the Wellington Ward. In the case of Yates’s and an objection to the application, it would have to be proved that issues of public nuisance and anti-social behaviour were caused by people using that establishment. In respect of the sale of drugs paraphernalia, it was understood that there was currently a Government White Paper which would deal with this issue and would hopefully progress through Parliament and become law.

During the debate it was MOVED by Cr. G.B. Lyon and SECONDED by Cr. Jennifer Evans that the Motion be amended as follows:

“This Council calls upon the Government to delegate additional powers to Police and local authorities to control public nuisance in town centres, to include the introduction of legislation to control outlets selling legal highs, and calls for a review of the previous Government decision to allow for 24-hour licensing.”

Cr. Crawford, with the consent of the Seconder, accepted the Amendment and Members then proceeded to discuss the Amendment as the Substantive Motion. Reference was made to the need to review certain aspects of licensing processes. It was suggested that these issues should be reviewed by the Licensing and General Purposes Committee but it was noted that a new system would be introduced in the near future whereby all Members would be advised of licensing applications received.

The Amended Motion was then put to the meeting. There voted FOR: 35; AGAINST: 0, whereupon it was

RESOLVED: That this Council calls upon the Government to delegate additional powers to Police and local authorities to control public nuisance in town centres, to include the introduction of legislation to control outlets selling legal highs, and calls for a review of the previous Government decision to allow for 24-hour licensing.
44. **RECOMMENDATIONS OF THE CABINET AND COMMITTEES –**

**Local Code of Corporate Governance**

The Chairman of the Licensing and General Purposes Committee (Cr. M.J. Tennant) introduced the Report of the Licensing and General Purposes Committee meeting held on 10th July, 2014 which recommended the approval of the revised Code of Corporate Governance.

It was MOVED by Cr. M.J. Tennant; SECONDED by Cr. A.M. Ferrier - That approval be given to the adoption of the Code of Corporate Governance as part of the Council’s Constitution. There voted FOR: 35; AGAINST: 0 and the Recommendation was DECLARED CARRIED.

45. **APPOINTMENT OF MANAGEMENT BOARDS FOR COUNCIL TRUSTS –**

It was MOVED by Cr. M.J. Tennant; SECONDED by Cr. A.M. Ferrier that:

(i) Crs. Diane Bedford, K. Dibble and Barbara Donaghue be appointed to the Management Board of the Aldershot Recreation Ground Trust until the Annual Meeting of the Council in 2015 and be authorised to make decisions on behalf of the Council by majority vote in accordance with the purposes of the Trust;

(ii) a Management Board for the King George’s Field, Farnborough Trust be established to make decisions by majority vote on behalf of the Council as Trustee in accordance with the purpose of the Trust;

(iii) Crs. B. Jones, M. Staplehurst and R.L.G. Dibbs be appointed to the Management Board of the King George’s Field, Farnborough Trust until the Annual Meeting of the Council in 2015; and

(iv) Crs. A.H. Crawford, P.J. Moyle, M. Small and the Mayor (Cr. Diane Bedford) be appointed to the Management Board of the Alfred Henry Goode Will Trust and authorised to make decisions on behalf of the Council by majority vote in accordance with the purposes of the Trust.

There voted FOR: 32; AGAINST: 0 and the Motion was DECLARED CARRIED.

46. **QUESTIONS FOR THE CABINET –**

The Mayor reported that no questions had been submitted for Cabinet Members.
47. REPORTS OF CABINET AND COMMITTEES –

(1) Cabinet –

It was MOVED by Cr. P.J. Moyle; SECONDED by Cr. K.H. Muschamp and

RESOLVED: That the Report of the Meeting of the Cabinet held on 13th May, 2014 (Para. Nos. 1 - 11) be received.

(2) Cabinet –

It was MOVED by Cr. P.J. Moyle; SECONDED by Cr. Sue Carter and

RESOLVED: That the Report of the Meeting of the Cabinet held on 17th June, 2014 (Para. Nos. 12 - 21) be received.

(3) Licensing and General Purposes Committee –

It was MOVED by Cr. M.J. Tennant; SECONDED by Cr. A.M. Ferrier and

RESOLVED: That the Report of the Meeting of the Licensing and General Purposes Committee held on 28th April, 2014 (Para. Nos. 22 - 27) be received.

(4) Development Control Committee –

It was MOVED by Cr. G.B. Lyon; SECONDED by Cr. B.A. Thomas and

RESOLVED: That the Report of the Meeting of the Development Control Committee held on 7th May, 2014 (Para. Nos. 28 - 35) be received.

(5) Development Management Committee –

It was MOVED by Cr. G.B. Lyon; SECONDED by Cr. B.A. Thomas and

RESOLVED: That the Report of the Meeting of the Development Management Committee held on 11th June, 2014 (Para. Nos. 36 - 44) be received.

(6) Licensing and General Purposes Committee –

It was MOVED by Cr. M.J. Tennant; SECONDED by Cr. A.M. Ferrier and

RESOLVED: That the Report of the Meeting of the Licensing and General Purposes Committee held on 12th June, 2014 (Para. Nos. 45 - 51) be received.
(7) **Standards and Audit Committee** –

It was MOVED by Cr. J.H. Marsh; SECONDED by Cr. D. Cappleman and

**RESOLVED**: That the Report of the Meeting of the Standards and Audit Committee held on 16th June, 2014 (Para. Nos. 52 -58) be received.

The Meeting closed at 9.05 p.m.