

## **CABINET**

**Date and Time:** 5 January 2017 at 7pm

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

**Present:**

## **COUNCILLORS**

Burchfield, Crampton, Crookes, Forster, Gorys, Kennett, Morris, Parker (Chairman)

**In attendance:** Cllrs Axam, Cockerill, Dickens, Oliver, Neighbour, Radley (James)

### **Officers:**

Patricia Hughes	Joint Chief Executive
Daryl Phillips	Joint Chief Executive
Phil Turner	Head of Community Services

## **92 MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting of 1 December 2016 were confirmed and signed as a correct record.

Item 88, point 9 of the decision – a meeting had taken place to look at the criteria for good causes, which the Chairman of Overview and Scrutiny had approved. There appeared to be some delay on gaining the respective licences for the lottery, thus taking slightly longer than anticipated.

## **93 APOLOGIES FOR ABSENCE**

None received.

## **94 CHAIRMAN'S ANNOUNCEMENTS**

The Leader wished everyone a Happy New Year. The Leader also announced that Cabinet would defer item 105, the Update on the Creation of the Hart Trading Company. Further investigations were underway, including a visit to another Council who had taken this route. The report would therefore be deferred to a future meeting.

## **95 DECLARATIONS OF INTEREST**

None declared.

## **96 PUBLIC PARTICIPATION (ITEMS PERTAINING TO THE AGENDA)**

None.

## **97 LOCAL PLAN STEERING GROUP**

The minutes of the meetings of the Local Plan Steering Group meetings of 29 November 2016 and 13 December 2016 were noted.

With regard to the minutes of the meeting dated 13<sup>th</sup> December;

– A question was raised on point 1.3 of the minutes related to the testing of a new settlement. However, this had been part of an earlier resolution. The Leader responded that testing is a continual process as further information becomes available to us. The officers had tested a new settlement option, however officers had been asked to benchmark against work already completed for this site.

– A question was raised on point 1.2 of the minutes with regard to further clarification and the methodology of the affordable housing uplift. The Joint Chief Executive advised that a briefing paper was being prepared on this topic and a Members' group had been specifically created to consider this issue.

- A question was raised on the implications for timescales for delivery of the local plan, as further work was needed on the affordable uplift and testing of a new settlement. The set back could amount to 4-6 weeks.

- A question was raised regarding the final bullet point in 1.1 as it was understood that Officers would support each of the four options. In response, officers had stated that each of the options were deliverable but no commentary was provided as to soundness of these options.

## **98 HEALTH AND WELLBEING BOARD**

The minutes of the meeting of 8 December 2016 were noted.

## **99 LEISURE CENTRE WORKING GROUP**

The minutes of the meeting of 13 December 2016 were noted.

## **100 COUNCIL TAX SUPPORT SCHEME 2017/18**

Members considered the recently completed public consultation, with a view to determining a Council Tax Support Scheme for 2017/18.

### **DECISION**

Not to proceed with a new Council Tax Support scheme and that the existing Council Tax Support Scheme be continued.

## **101 FLEET BUSINESS IMPROVEMENT DISTRICT**

Cabinet agreement was sought as to how to vote in the forthcoming Fleet Business Improvement District (BID) ballot, considering the commitments in relation to the

operating process and baseline agreement of services that form part of the BID process.

Members considered and debated:

- the cost of the election per business,
- whilst recognising the positive business case for the BID, that there needs to be strong commitment and buy in from the businesses as it does add an additional burden of the additional business rates
- The ability to recoup the election and levy costs
- The number of votes that the Council has and whether this means financial implications are increased.

## **DECISION**

- 1 The Joint Chief Executive be authorised to vote 'yes' on behalf of the Council in the BID ballot;
- 2 The indicative content of the Draft Operating Agreement and Schedules, as set out in Appendices 1 and 2 are noted, and delegated authority be given to the Portfolio Holder for Economic Development and Corporate Finance working in conjunction with officers to finalise the details of the Operating Agreement and Baseline Services;
- 3 The addition to the 2016/17 budget of £2,804 (current estimate) to provide for payment of the council BID levy in the event of a 'yes' vote and £1,625 to cover the Ballot Cost (appointment of external ballot company) be approved;
- 4 In the event of a 'yes' vote, the Portfolio Holder for Town and Village Regeneration be nominated as the Council's BID Board representative.
- 5 The Council will seek to recoup all costs associated with the ballot and levy, where possible.

## **102 BRAMSHOT FARM SANG**

Cabinet were updated on the latest position with regard to the procurement of Bramshot Farm as a SANG and the next stages set out. Members sought clarification and gained confirmation on:

- The full cost of the SANG would be met by the loan
- The SANG would provide capacity to provide over 1600 houses
- That it does not compel or pressurize the Council to build houses, but through careful control, does facilitate a range of developments already anticipated both in Hart and Rushmoor
- The opportunities to further expand the SANG capacity in the areas adjacent to the land is under consideration
- That the Council could, in compliance with the requirements of Natural England, pre-allocate SANG for development and then reallocate to alternative SANG provision, as it comes on line

- The level of information required to allow for pre-allocation and re-allocation of such SANG capacity will be substantive to ensure effective use of each allocation.

## **DECISION**

- I The Joint Chief Executive be authorised to:
  - I.1 Agree the final Heads of Terms for the purchase of Bramshot Farm
  - I.2 Complete the purchase
  - I.3 Draw down the full interest free loan offered by the LEP to cover all associated costs.
  
- 2 The Joint Chief Executive be authorised to immediately draw down the use of the advance LEP £150k interest free loan allocation to cover the cost of initial work already spent on developing the project and to use the remaining advance LEP funds to cover all future work associated with the advance delivery of the project including the procurement of project management advice, as well as instructing WYG to secure planning permission and to prepare an initial SANG management plan.
  
- 3 The Capital works required to deliver the SANG be included in the Council's Capital Programme.

## **103 UPDATE ON USE OF S106 EDUCATION CONTRIBUTIONS**

Members considered the report, which aimed to bring to conclusion the outstanding issues with regard to S106 Education contributions that are held by Hart. Cabinet initially considered this matter on 6 October 2016 and the report addressed recommendations B, C, and D of the October report.

Members sought and gained clarification that:

- the reference in the letter from Brandon Lewis, to accommodating existing demand for school places is the responsibility of Hampshire County Council, not Hart District Council.
- That funding received is used for provision within the district now and in the future. Confirmation was given that as a signatory, Hampshire County Council would be party with developers and would have to be able to prove to that developer, how the project directly delivered education provision for that site in accordance with the CIL regulations. In addition changes to the collection methodology (from the 1<sup>st</sup> April 2016) and the methodology as identified in the October report means that future agreements must stipulate exactly where provisions will be spent (with a maximum of funds from 5 developments per project).

- The proposed protocol is to enable a working relationship to be developed with HCC to secure future educational infrastructure associated with new development. It cannot however be drafted to fetter the discretion of the District Council acting as local planning authority.
- This protocol would set the ground rules and principles, Planning Committee may need to consider this in more detail should a development proposal require delivery of education outside the district, on a case by case basis.

## **DECISION**

- 1 Standing Order 18.6 in relation to recommendations B, C, and D of the October 2016 Cabinet report be suspended in accordance with Standing Order 24;
- 2 The decisions made on recommendations B, C, and D contained in the 6 October 2016 Cabinet report: S106 Education Developer Contributions Developer Contribution Funds, be withdrawn.
- 3 That the following be agreed:
  - a All existing and future S106 developers contributions funds secured by Hart District Council on behalf of Hampshire County Council for educational purposes be paid over to the County Council;
  - b No S106 developer contributions funds secured by Hart District Council for educational purposes shall be retained or used by the District Council for any purposes associated with the future of the site of the current Hart Leisure Centre; and
  - c Hampshire County Council be invited to be signatories on any education related matters to be secured through S106 Planning Obligations; and
  - d Officers work with Hampshire County Council to draw up a suitable working Protocol for the County Council involvement in S106 Agreements emphasizing that any education contributions must be used for developments within the district and that this protocol be considered by Cabinet for approval.

## **104 EXCLUSION OF THE PUBLIC**

### **DECISION**

Item 105 was deferred and no exclusion decision was taken.

**I05 UPDATE ON CREATION OF HART TRADING COMPANY  
DECISION**

That the item be deferred to a future meeting.

**I06 CABINET WORK PROGRAMME**

The Cabinet Work Programme was considered and amended.

The meeting closed at 8.30 pm