

## **COUNCIL**

**Date and Time:** Thursday, 25 July 2019 at 7.00 pm

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

**Present:**

### **COUNCILLORS –**

Wheale - (Chairman)

Ambler	Davies	Neighbour
Axam	Dorn	Oliver
Bailey	Drage	Quarterman
Blewett	Farmer	Radley
Butler	Forster	Smith
Clarke	Kennett	Southern
Cockarill	Kinnell	Wildsmith
Crampton	Lamb	Wright
Crookes	Makepeace-Browne	

Officers Present:

Daryl Phillips	Joint Chief Executive
Gill Chapman	Committee Services
Sabrina Cranny	Committee Services

### **13 MINUTES OF PREVIOUS MEETING**

The Minutes of the Meeting held on 16 May 2019 were confirmed and signed as a correct record.

### **14 APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors Collings, Crisp, Delaney, Tomlinson and Worlock.

### **15 DECLARATIONS OF INTEREST**

No declarations were made.

### **16 COUNCIL PROCEDURE RULE 12 – QUESTIONS BY THE PUBLIC**

Questions had been received from Mr Tristram Cary, Mr David Turver and Mr Christopher Riley, details of which are set out in Appendix A attached to these Minutes.

## 17 COUNCIL PROCEDURE RULE 14 – QUESTIONS BY MEMBERS

Questions from Members are detailed in Appendix B.

## 18 CHAIRMAN'S ANNOUNCEMENTS

The Chairman had attended the following events on behalf of the Council.

- 8 June Party in the Park – Victoria's Promise Cancer Charity at Hartletts Park, Hook
- 27 June Mayor Winchester Civic Day, Abbey House, Winchester
- 27 June 3 Royal School of Military Engineering Regiment, Minley Station cocktail party and beating retreat
- 29 June Odiham Parish Council Armed Forces Day Celebrations
- 29 June Annual Poppy Appeal Garden Party (Royal British Legion), Roughwood House, Fleet
- 30 June Lions Funfest at Yateley Manor School, Yateley
- 1 July St Michaels Hospice and Odiham Cottage Hospital celebrating 5 years of befriending service and commitment of volunteers at Odiham Cottage Hospital
- 3 July Lord Mayor Portsmouth Civic Head's Dinner at Lord Mayor's Suite, Guildhall, Portsmouth
- 6 July Fleet Carnival
- 10 July Robert May's School Founder's Day Service at Parish Church of All Saints, Odiham followed by afternoon tea

The **Vice Chairman** attended the following events on behalf of the Council:

- 13 June Hampshire Food Festival Launch at Newlyn's Farm Shop, Hook
- 5 July Duke of Edinburgh's Award 2019 Gold Award Holders' Reception, The Great Hall, Winchester
- 14 July East Hants Civic Service at St Mary's Church, Liss

The Chairman announced that her Charities for the year would be The Base Youth Centre in Hook, Men's Shed in Church Crookham and Fleet, Vision for Youth and Victoria's Promise. She looked forward to Members' support.

## 19 CABINET MEMBERS ANNOUNCEMENTS

The Leader of the Council, **Councillor Neighbour**, announced that he had been contacted by the new Leader of Hampshire County Council to attend a meeting, scheduled for 27 August, to discuss issues that affect Hampshire and Hart. Councillor Neighbour asked Members for their input. Members should let Councillor Neighbour know of any issues they would like to be raised at the meeting by 20 August.

The Cabinet Member for Finance and Corporate Services, **Councillor Radley**, reported:

We recently held our Year 6 Think Safe event for Hart schools, which saw almost 900 Hart pupils take part in safety scenarios including fire safety, rail safety, first aid, healthy relationships, stranger danger, cyber safety and range safety.

We have been working to take enforcement action against unauthorised Big Issue sellers in Fleet Town Centre following a number of complaints. Whilst the individuals concerned have not been in Fleet as frequently in the past weeks, work is ongoing to gather statements should they return.

I wanted to give you a quick update on our Community Court for Hart and Rushmoor. The panel has now heard 3 live cases, and last week held the first panel for a Hart case. It related to a young person who had been caught in possession of a quantity of cannabis and a grinder late at night with his friends whilst hanging around a war memorial which had caused residents some concern.

The young person was remorseful for his actions but did not really understand the consequences of cannabis use and possession. As such he was referred by the Panel to a drugs awareness course which was carried out earlier this week.

Working with the Police they look to use Community Court as an outcome for first time and minor offences so we're hoping it becomes part of the day to day work we carry out in partnership with them. We currently have 21 volunteers aged between 14 – 17 who rotate depending on availability.

Members asked questions on the Safer Neighbourhood team, additional police patrols, CCTV, Big Issues seller, anti-social driving and police priorities. The Portfolio Holder pointed out that although we do have problems in Fleet, they are not as bad as Aldershot and Farnborough and that is where the police are deployed.

The Cabinet Member for Community, **Councillor Bailey**, reported

In February I reported that we had been successful in a grant bid with Basingstoke and Deane for funding to increase access for those facing homelessness to private sector landlords. Now we are a few months into that project and the work done and results are encouraging. We have also received a modest grant from Sport England to work with Everyone Active to help people with mental health problems. Details will be available shortly.

The Cabinet Member for Place, **Councillor Cockarill**, announced

1 Members will be aware that we have received grant funding of £150k for the Garden Village Community bid, known as Shapley Heath. I would like to thank the Joint Chief Executive Ms Hughes and the Corporate Strategy and Policy Manager, Ms Bailey, for their hard work on the bid and congratulate them on its success.

2 We are in the process of recruiting a new Head of Place. We have had 10 strong candidates for the role. There will be an interview process for the short-listed candidates on 8 August. I, along with Councillors Kinnell and Kennett, will be meeting the short listed candidates, although the appointment will be made by the Joint Chief Executives.

3 We are also in the process of recruiting for roles within the Planning Policy team. We have again received some strong applications for the roles, so we should have a better resource policy team soon.

4 On the Development Management side of the Portfolio we have a Peer Review scheduled for the week of 11 November. This will be a good opportunity for us to find ways to improve our service delivery. Members may well be asked to provide input to the Review, so keep an eye on your emails.

5 We have a number of Neighbourhood Plans which are nearing completion. Hartley Wintney and Hook will be holding a referendum on 7 October, and subject to Cabinet agreement, Fleet will be added to that list. Crondall is at the Regulation 16 stage and we have submitted our comments.

6 Finally, Members may be interested to know that work had begun to scope out a new Parking Standards policy document, which will update the current guidelines. There are no timescales yet for how long it will take to complete and of course, it needs to fit around the other emerging Local Plan policies.

The Cabinet Member for Regulatory, **Councillor Kinnell**, reported

Hart's 2019 Air Quality Status Report has been drafted and will be submitted to Defra shortly. The report demonstrates that measured concentrations of Nitrogen dioxide or NO<sub>2</sub>, were below the National limit value at all monitoring sites within Hart. The report is produced to discharge our statutory duties for 'Local Air Quality Management', under Part 4 of the Environment Act.

A copy of the finished report will be sent out to all members for your perusal.

Members asked for clarification on particulates. The Portfolio Holder reported that Hart has no problem with particulate matter and the air quality is good.

The Cabinet Member for Commercialisation, **Councillor Quarterman**, reported

I am pleased to announce that following close working between the Leader and the Chairman of Overview and Scrutiny Committee the Council has now completed the development agreement with Berkeley Homes to deliver 41 apartments for affordable market rent at Edenbrook.

Work has already started on site and the project is scheduled to enable us to take possession in early 2021. Our own shared Building Control team has gained the building control work and we have employed Artelia to oversee the project on our behalf. As Members will know, the Artelia arrangement worked very well for us with both the new Leisure centre as well as the recently completed Calthorpe Park School Sports Hall project – both being delivered on time and within budget.

Not only will this development of 41 apartments deliver much needed affordable homes for rent but it will also give the Council a projected net income of £300k-£350k which represents a major step forward in helping us meet our future £2m income generation targets.

To check on the governance arrangement for future projects a learning exercise report will be prepared in due course for Overview and Scrutiny Committee to sense check the arrangements that were agreed to sign off this form of project.

## **20 JOINT CHIEF EXECUTIVES' REPORT**

The Joint Chief Executives' had nothing substantive to report.

## **21 MINUTES OF COMMITTEES**

<b>Meeting</b>	<b>Date</b>
<b>Staffing</b> No questions asked.	<b>29 April 2019</b>

### **Minute No 20 - Pay Policy Statement Financial Year 2019-20**

Councillor Kennett put the recommendation, seconded by Councillor Neighbour.

#### **RESOLVED**

That the Pay Policy be approved, subject to any minor amendments to be agreed by the Joint Chief Executive in consultation with the Chairman of Staffing Committee.

<b>Overview and Scrutiny</b> No questions asked.	<b>16 April 2019</b>
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<b>Overview and Scrutiny (Draft)</b> No questions asked.	<b>18 June 2019</b>
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<b>Audit (Draft)</b> No questions asked.	<b>28 May 2019</b>
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<b>Licensing (Draft)</b> No questions asked.	<b>4 June 2019</b>
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<b>Cabinet</b> No questions asked.	<b>6 June 2019</b>
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<b>Cabinet (Draft)</b> No questions asked.	<b>4 July 2019</b>
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## Minute 19 - Food Health and Safety Service Plan 2019/20

Councillor Neighbour put the recommendation, seconded by Councillor Kinnell.

### RESOLVED

That the Hart Food and Safety Service Plan be adopted.

#### Planning

22 May 2019

No questions asked.

#### Planning Committee (draft)

10 July 2019

No questions asked.

## 22 OUTSIDE BODIES - FEEDBACK FROM MEMBERS

Councillor Dorn reported on his work with the Military Covenant, and the new facility to enable the military to rent in the public sector. A one page briefing would be prepared and circulated to members.

## 23 MOTION TO COUNCIL

The following Motion had been received from Councillor Forster, and was seconded by Councillor Crampton.

*“This Council will provide up to 10 parking permits free of charge to Fleet Community Hospital for the Church Road long term car park to be available solely for registered permanent hospital staff. In addition a free designated drop off and collection area shall be provided for a shuttle minibus for patients and staff. These facilities are to be provided for a period of initially 3 years”.*

Councillor Forster introduced his motion.

Councillor Southern suggested an Amendment, to restrict the parking from Monday to Friday. This Amendment was accepted by Councillor Forster and Councillor Crampton. With the addition of the words ‘on weekdays’ the Motion then read:

*This Council will provide up to 10 parking permits free of charge to Fleet Community Hospital for the Church Road long term car park to be available solely for registered permanent hospital staff. In addition a free designated drop off and collection area shall be provided for a shuttle minibus for patients and staff. These facilities are to be provided **on Mondays to Fridays** for a period of initially 3 years.*

Councillor Oliver put an amendment, seconded by Councillor Radley, to take out the words ‘free of charge’ and to substitute ‘at standard fee rates’. The amended Motion would now read:

*This Council will provide up to 10 parking permits **at standard fee rates** to Fleet Community Hospital for the Church Road long term car park to be available solely for registered permanent hospital staff. In addition a free designated drop off and collection area shall be provided for a shuttle minibus for patients and staff. These facilities are to be provided on Mondays to Fridays for a period of initially 3 years.*

Members discussed the Amendment. Members were concerned with the issues and made the following points:

- General support for the intent
- General support for the minibus drop off point
- The minibus would be funded by the Friends of Fleet Community Hospital
- Alleviating parking on the residential roads around Fleet Community Hospital
- Fleet Community Hospital parking problem not solved by 10 spaces
- Further discussion needed with the CCG
- Setting a precedent for free parking for some organisations and not others
- Support for the NHS
- Support for Fleet Community Hospital and its future
- Church Road Car park only at 80% capacity
- Should this be considered as a matter of policy over the whole of Hart
- More information needed on how the scheme would work and the cost/benefit.

Members asked for a Recorded Vote on the amendment:

FOR the Amendment: Ambler, Bailey, Blewett, Butler, Clarke, Cockarill, Davies, Drage, Kinnell, Lamb, Neighbour, Oliver, Radley, Wildsmith (14)

AGAINST: Crampton, Crookes, Dorn, Farmer, Forster, Kennett, Southern, Wheale, Wright (9)

ABSTAINED: Axam, Makepeace-Browne, Quarterman, Smith (4)

The Amended Motion was therefore CARRIED

Members considered the Amended Motion. Members were concerned with the future plans for Fleet Community Hospital and giving it the support of the Council as a valuable asset to the community. It was agreed that further discussions with Fleet Community Hospital and the CCG were needed.

***The Chairman announced a 5 minutes recess between 9.00pm and 9.05pm***

After further discussion there was a vote and the substantive Motion was **NOT CARRIED**

In light of the Members discussions, and as a way forward, the Group Leaders agreed a statement:

*That this Council supports the CCG in its initiative to expand Fleet Community Hospital. Council requests that the Portfolio Holder for Communities and the Hampshire Wellbeing Champion engage directly with the CCG to see what Hart can realistically can do to enable the delivery of enhanced services at Fleet Community Hospital*

After a show of hands, this statement was supported by all Members.

The meeting closed at 9.15 pm

## COUNCIL PROCEDURE RULE 12

### QUESTIONS BY THE PUBLIC

**Mr Tristram Cary** asked:

The Council's bid for Shapley Heath Garden Village funding was based on the assumption that "the Local Plan is found sound (and Policy SS3 remains) by the Examiner by early 2019" [Bid Document para 10 b)]. On 27 June Simon Ridley of MHCLG wrote to Hart to say that Hart's bid had been successful. Has the Council informed Simon Ridley in writing that SS3 has been found unsound by the Examiner and is in the process of being removed from the Local Plan?

**Councillor Cockarill** responded that Mr Ridley had been properly informed and reminded everyone that the Local Plan had not been found unsound. As the examination was still continuing, the premise was incorrect. He agreed to forward information on any discussions the Council had with both MHCLG and Homes England to Mr Cary.

Questions have been received from **Mr David Turver**:

1. The Inspector has said that for the new settlement to be found sound, further SA work would need to be done in an impartial manner with sufficient evidence to support its findings and comparisons with alternative options. What is the scope and expected timeline for this work?

**Councillor Cockarill** responded:

The question is rather premature as we don't yet have the Examiners full report to digest the details of what he meant and we have not yet got a Local Plan in place. It therefore is very premature to start to discuss the next stages on something that has not yet been decided upon and only once the current Plan is through the process will we then turn to consider when best to start a new local plan.

2. How much of the £785,990 budgeted in 2018/19 for the new settlement will now be spent, and what is the timeline and task breakdown of that expenditure; in other words what happens over the next 9 months?

**Councillor Cockarill** responded:

The question again is rather premature. Now that we are part of the Government's Garden Communities Programme it is entirely appropriate to await the outcome of the meeting with Homes England on this topic, due in August, before making any decisions regarding any use of this budget.

The meeting with Homes England, will inform a report to Cabinet, anticipated to be in October, seeking approval to the future approach and will include an outline of the budgetary requirements, to deliver this strategy if that is what the Council wants.

**Mr Turver** asked a supplementary question:

The SA Report Addendum says that the AoS/DPD process will be replaced by a new Local Plan process. So, what is the justification for retaining any funds in the current FY to work on the unsound new settlement?

**Councillor Cockarill** responded:

The Examiner did not say that a new settlement was unsound. His criticism was of the way that we were approaching it through Policy SS3. What he did not rule out was the possibility of a new settlement in the future. Indeed, he gave some very clear guidance on one way we may choose to proceed when he pointed out that it was open to us to undertake an immediate review of the Plan if we wished to pursue the proposed new settlement in the near future, which would not have a significantly different timescale to the production of a New Settlement DPD, as originally proposed through Policy SS3. We of course will be mindful of that advice, but until the current Plan is adopted it would be quite wrong to speculate.

3. It is noted that HDC has won £150K of funding from the Government to support the new settlement. HDC's bid for garden community funding stated that with government support, a consultation on a draft new settlement DPD would happen in December 2019. Is this still the case, or what is the current expected timeline and task breakdown for this expenditure?

**Councillor Cockarill** responded:

In light of the examination there are currently no plans for a New Settlement DPD. This is reflected in the current Local Development Scheme published on our website.

Any further actions associated with the Garden Communities programme will be subject to the meeting to be held with Homes England in August, which will inform a report to Cabinet in October seeking approval to any future strategy and approach.

**Mr Turver** asked a supplementary question:

Given that circumstances have changed, is there now a risk that HDC has inadvertently obtained the garden community funding under false pretences?

**Councillor Cockarill** responded:

No. Homes England, who manage the Garden Communities programme on behalf of MHCLG had been made aware of the change in the Councils policy position on the 1st May, in advance of the announcement of the bid's success on the 28th June.

4. The Local Plan acknowledged that the challenge for Fleet will be secure funding to compete with comparable neighbouring towns. Cabinet resolved to consider making a bid in February 2019. The Government has recently announced that 50 towns have won support to develop detailed plans as part of Phase 2. Sadly, Hart was not among them. Did HDC make a bid, and if so, were any reasons given for failing to win Phase 2 funding?

**Councillor Cockarill** responded:

Strictly speaking the plan says the challenge will be to secure 'investment' (not funding) to compete with comparable towns in neighbouring districts. I think what was in mind was investment by retailers coming to Fleet rather than the Government funding itself. Anyway, back to the point of the question - Yes we did make a bid, and No, we like all the many other unsuccessful bids have not yet received feedback as to why we were not successful.

**Mr Turver** asked a supplementary question:

Wouldn't it be better to re-direct some of the £786k to work up plans for urban regeneration?

**Councillor Cockarill** responded:

No, because the budget was specifically created to fund work on a new settlement. Now that we are part of the Government's Garden Communities Programme it is entirely appropriate to await the outcome of the meeting with Homes England on this topic, due in August, before making any decisions regarding this budget.

I would support any future decision of the Council if it were to separately decide to release some additional funding towards town centre regeneration which would hopefully bring forward some additional housing, helping to deliver a mixed housing strategy across the district for the next local plan. In this regard I hope that we can help with the emerging Hook Neighbourhood Neighbour Plan aspiration for a village centre masterplan and of course we ourselves will be working with Fleet Town Council and Hampshire County Council to deliver their emerging aspiration to secure the Civic Quarter regeneration, which will shortly be the subject to a report to Cabinet.

5. It is noted that the consultation on the main modifications to the Local Plan is underway. Can you please confirm the detailed steps and timeline to adoption?

**Councillor Cockarill** responded:

The consultation closes 19 August 2019. Thereafter we are in the Inspector's hands regarding timelines. The next stage should be receipt of his report, unless he deems further hearings to be necessary. We hope to adopt by the end of this year.

**Mr Turver** asked a supplementary question:

How do you reconcile the timelines of the Local Plan, the Garden Communities funding and the new Local Plan process to properly assess the alternatives to the new town for future growth.

**Councillor Cockarill** responded:

You have sought to draw a tenuous link between two entirely separate considerations. The grant of money under the Garden Communities Programme clearly does not rely on the new settlement being identified in the emerging local plan, or for alternatives to have been considered through the plan making process. It has been awarded on its own

merits under the Garden Communities Programme. In other words it has a legitimate life of its own, certainly at this stage, but we will of course look at the relationship with the local plan and the timing of any future local plan reviews.

**Mr Christopher Riley** asked:

Hart's response to a question on the Housing Delivery Test raised by the Examining Inspector for the Local Plan noted that, while by 2025/26 Hart may start to dip below 95% and fall further thereafter, "the new settlement at Winchfield/Murrell Green would address the HDT shortfall."

With Policy SS3 for the new settlement now removed, Hart apparently is relying on a 'mixed portfolio of smaller and medium-sized sites' to overcome the shortfall.

Can the Cabinet Member for Place advise how this HDT challenge will be met; particularly which developments provide sufficient timely delivery to overcome the shortfall from about 2025/26?

**Councillor Cockarill** responded:

I thank you for an interesting question although I must again repeat the point that we have not yet received the Inspector's report and there is a danger that we are starting to prematurely speculate about how the Inspector deals with the Housing Delivery Test question and the future of a Local Plan which is still not yet in place.

Just for the record I need to explain what the Government's intention is behind having such a test - the HDT works by comparing how many homes have been delivered over the previous three years to the number of homes required. Councils that deliver 95% or less have to complete an Action Plan to show how they propose to increase delivery to reach the 100% threshold. One implication could be that Councils may need to demonstrate a housing land supply of six years rather than five for example.

Our soon to be adopted Plan is essentially a commitment plan with much of our housing need already granted permission – it gives us in the short to medium term a very healthy land supply and good protection against unwanted development outside the local plan proposals – the robustness of our defence against the west of Hook proposals demonstrates this exact point.

The long term issues for us, and the Inspector at the recent Local Plan examination was alive to it, is that taking the HDT in isolation the Council may need to be identifying future housing sites from 2026 onwards unless the trajectory shifts (and there are a number of variables which mean that it is hard to predict the future). There is nothing unusual in this. We know that one often needs to start the review of current plans and delivery well before the actual need arises simple because getting a review plan in place will take some time. It clearly is not sensible to simply wait until it is too late and start planning by appeal again. Mr Riley's question therefore is well considered and a timely, albeit a little early, reminder that we cannot stand still.

As for the mixed strategy point, any review will inevitably need to have a mixed strategy to comply with the new NPPF. We flagged this up in our earlier response to the inspector. Where are the sites? Well that is precisely what the ongoing review will have to address,

and it will have to demonstrate a 5 year supply of sites at that time. Again, there is nothing unusual in this.

The Government itself highlights the supply of new homes can often be best achieved through planning for larger scale development, such as new settlements, provided they are well located and designed and supported by the necessary infrastructure and facilities. It is the growth option most supported by our residents. Working with the support of our communities we can identify suitable locations for such development where this can help to meet identified needs in a sustainable way. Our success in securing Garden Community funding certainly helps us along that road.

It is too early however, to say whether a new settlement in itself is the final answer – there is still much work to be done but the sooner we start planning it the more housing it could possibly deliver and undoubtedly it could mean less pressure to release deeply unpopular strategic urban extensions options. Just as bad from our residents point of view, and unfortunately it has been promoted by some interest groups, we must avoid being drawn into agreeing to the concept of high density town cramming without proper infrastructure particularly in the form of what has proved to be slump housing created by the office conversion permitted development rights. I am pleased to learn that because of its abject failure to provide a decent living environment the Government is looking to withdraw these rights.

**Councillor Crookes** asked:

Could the responsible Cabinet Member please give members an update on the situation and discussions around the 5 Councils contract?

**Councillor Radley** responded:

Capita has accepted that they have provided an unacceptable service for Finance to us. They are bringing in additional CIPFA qualified accountants to rectify this and are carrying out a strategic review of the service to not only consider the short term problems associated with the statement of accounts - but long term resourcing of the services.

However, we recognise a key need to continually scrutinise the performance of Capita and reminded them yesterday that we will expect them to be present at the next Overview and Scrutiny Committee meeting which will consider Capita's performance on 20<sup>th</sup> August.

**Councillor Crookes** asked a supplementary question:

Referring to the performance of Capita providing financial information, for example at the last meeting of Overview and Scrutiny Committee the Committee were disappointed with the format and the incomprehensible report. Did Councillor Radley read and approve the report before it was published as it was in his name?

**Councillor Radley** responded that no secret had been made of the fact that Capita contact obligations placed challenges on securing the information that we need to make informed decisions.