



## **NOTICE OF MEETING**

<b>Meeting:</b>	<b>Overview and Scrutiny Committee</b>
<b>Date and Time:</b>	<b>Tuesday, 12 December 2017 at 7.00 pm</b>
<b>Place:</b>	<b>Committee Room 1, Civic Offices, Fleet</b>
<b>Telephone Enquiries to:</b>	<b>01252 774141 (Mrs G Chapman)</b> <a href="mailto:gill.chapman@hart.gov.uk">gill.chapman@hart.gov.uk</a>
<b>Members:</b>	<b>Axam, Burchfield, Clarke, Crisp, Crookes (Chairman), Gray, Harward, Leeson, Makepeace-Browne, Morris, Wheale</b>

Joint Chief Executive

CIVIC OFFICES, HARLINGTON WAY  
FLEET, HAMPSHIRE GU51 4AE

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## **AGENDA**

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### **I MINUTES**

The minutes of the meeting of 21 November 2017 are attached to be confirmed and signed as a correct record. **Paper A**

### **2 APOLOGIES FOR ABSENCE**

### **3 CHAIRMAN'S ANNOUNCEMENTS**

#### **4 DECLARATIONS OF INTEREST**

To declare disclosable pecuniary, and any other, interests.

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

Anyone wishing to put a question or statement to the Committee should contact the Committee Services Officer by phone or email (see front page of this Agenda) at least two clear working days prior to the meeting. Further information can be found at

[https://www.hart.gov.uk/sites/default/files/4\\_The\\_Council/Council\\_meetings/Public%20Participation%20leaflet%202017%20A4.pdf](https://www.hart.gov.uk/sites/default/files/4_The_Council/Council_meetings/Public%20Participation%20leaflet%202017%20A4.pdf)

#### **6 UPDATES FROM SERVICE BOARDS**

#### **7 CORPORATE RISK REGISTER**

As part of the Council's governance framework is essential that it identifies and manages risk that it is exposed to. The Council has a Corporate Risk Register which should be reviewed by management on a regular basis and reported to members to provide assurance that appropriate arrangements are in place to mitigate identified risks. **Paper B**

##### **RECOMMENDATION**

That the Committee reviews the content of the Corporate Risk Register.

#### **8 CORPORATE PLAN CONSULTATION FEEDBACK**

To be appraised of the comments received during consultation on the draft Corporate Plan as attached at Appendix 2. **Paper C**

##### **RECOMMENDATION**

To note the outcome of consultation on the draft Corporate Plan.

#### **9 PUBLIC SPACE PROTECTION ORDERS**

To inform members that the Anti-Social Behaviour, Crime and Policing 2014 has replaced the Criminal Justice and Policing Act 2001 and the implications of this change in relation to Designated Public Place Orders (DPPO) in Hart, and to identify future opportunities that these changes will bring and potential financial and resource implications. **Paper D**

##### **RECOMMENDATION**

That the Overview and Scrutiny committee considers and provides views to Cabinet on the existing Designated Public Place Orders in Hart being discharged and recommends that Public Space Protections Orders should only be sought where there is evidence to support their introduction.

## **I0 HARLINGTON REDEVELOPMENT**

To make recommendations to Cabinet on the attached draft report for January's Cabinet meeting. **Paper E**

### **RECOMMENDATION**

That the Overview and Scrutiny Committee reviews the issues raised in the draft report attached as Appendix I and makes recommendations to Cabinet.

## **I1 CABINET WORK PROGRAMME**

The Cabinet Work Programme is attached for information. **Paper F**

## **I2 OVERVIEW AND SCRUTINY WORK PROGRAMME**

The Overview and Scrutiny Work Programme is attached for consideration and amendment. **Paper G**

**Date of Despatch: 5 December 2017**

## **OVERVIEW AND SCRUTINY COMMITTEE**

**Date and Time:** 21 November 2017 at 7pm

**Place:** Committee Room 1, Civic Offices, Fleet

**Present:**

### **COUNCILLORS**

Axam, Burchfield, Clarke, Crisp, Crookes (Chairman), Gray, Harward, Leeson, Makepeace-Browne, Forster (for Morris), Parker (for Wheale)

In attendance: Councillors Bailey, Collett, Oliver, Neighbour, Radley

Officers:

Patricia Hughes Joint Chief Executive

Andrew Vallance Head of Finance

Kirsty Jenkins Interim Head of Community Services

### **60 MINUTES**

The minutes of the meeting of 17 October 2017 were confirmed and signed as a correct record.

### **61 APOLOGIES FOR ABSENCE**

Apologies had been received from Councillors Crisp, Makepeace Brown, Morris and Wheale. Councillor Forster substituted for Councillor Morris and Councillor Parker substituted for Councillor Wheale.

### **62 CHAIRMAN'S ANNOUNCEMENTS**

None.

### **63 DECLARATIONS OF INTEREST**

None declared.

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

In relation to Minute 66 below, a member of the public referenced a deterioration of standards associated with Moo Moo's nightclub and associated noise concerns, and felt that there was a lack of regular visits from Licensing Officers/Police Officers. In particular, he noted that Temporary Event Notices can lead to exceptionally intensive use in terms of customers and noise.

### **65 FEEDBACK FROM SERVICE BOARDS**

Councillors reported on the following Service Board meetings:

Technical Services – effective service board, no issues arose.

Corporate Services – covered aspects of the year to date budget.

Regulatory Services – Meeting scheduled for 9 December may be delivered via electronic means.

Community Services – postponed from next week – date to be agreed.

## **66 PORTFOLIO HOLDERS**

Councillor Bailey reported on progress in the Housing department:

- Hart was awarded the Gold Standard in the Summer for the homelessness service (only 7 Authorities across the country have achieved this).
- Hart is facing a 20% cut in the social inclusion budgets, which will have impacts on service delivery.
- Homelessness Strategy is backed by evidence which provides a holistic view of the needs of the district.
- 1325 on the Housing Register, 140 lets so far this year, around 25-40 applications for the register each month.
- 100 affordable homes within the Corporate Plan - Hart is on target to deliver this, and the disabled facility grant provision.
- Hart is looking at the opportunity of working with Registered Social Landlords in delivering affordable housing. Less revenue may be received, but this could decrease risk. There is also an opportunity to actively consider delivery of housing through this mechanism and the commensurate impacts on the housing numbers required in the Local Plan.
- Written response would be provided to Members on Rural Exception Schemes coming forward.

Councillor Collett reported on progress within his portfolio:

- CCTV – Cabinet approved a review of camera locations to ensure that they are in the right place, based on the evidence of criminality in the district.
- Anti-social behaviour – our partnership with Rushmoor jointly employs staff in our Safer North Hampshire team, with staff based at each Council offices. They work on a range of different issues, such as those associated with the night time economy and domestic abuse
  - There is no evidence to suggest an increase (above marginal) in anti-social behaviour. However, there has always been an active night life in Fleet and Police are now working with Hart on the issues of pre-loading of alcohol.
  - There is a suggestion to engage Members with the owners of Moo Moos to talk through incidents and opportunities to improve the position.
  - Training sessions being rolled out to schools regarding pre-loading and spiking of drinks.
  - Criminal statistics would suggest other crimes are also not on the increase, albeit recognising that every crime is one too many.
- Bramshill Planning inquiry continues, with a potential that it will now extend into January or even February.

- Building Control is shared with Rushmoor Borough Council and in discussions for reallocation of overhead costs and improved IT solutions to enable better mobile working.
- Licensing Services is shared with Basingstoke and Deane Council. Work is ongoing with Basingstoke to consider the future for this service.
- A query was raised regarding the approach on issues around conservation, to enable the continued protection of listed homes.

## **67 2017-18 BUDGET MONITORING – TO END OF SEPTEMBER**

Members were advised of the position on revenue and capital expenditure at the end of September, and considered any comments it wished to make to Cabinet when it considered the information at its meeting on 7 December 2017.

### **DECISION**

The Committee asked Cabinet to consider the following points:

- To note that the capital identified for the Sports Hall is shown as £4 million, HDC's total liability is £1.875 million
- Spend against the £10K for work on the Harlington.

## **68 2018/19 BUDGET**

The Committee welcomed the opportunity for early consideration of the emerging budget for 2018/19 and the scenarios presented, affecting budget prospects for the next two years.

### **DECISION**

The information was considered and noted.

## **69 LOCAL GOVERNMENT INSURANCE MUTUAL**

Members considered the report proposal of becoming a founding member of a local government mutual insurance scheme raising queries about:

- How Councils would 'on board' the mutual scheme
- The ability to influence improved behaviours across Councils
- The resource requirements for Members
- How losses would be capped to retain the viability of the scheme

### **DECISION**

It be recommended to Cabinet that the Council become a founding member of a local government mutual insurance scheme.

## **70 QUARTER 2 PERFORMANCE INFORMATION – 2017/18**

Members were updated on the Council's performance indicator results for the second quarter of 2017/18 (1 July 2017 - 30 September 2017).

### **DECISION**

That the information be noted.

## **71 PREVENTING HOMELESSNESS STRATEGY 2018-2021**

The Committee considered the Preventing Homelessness Strategy 2018-2021, before Cabinet approval was sought for its adoption.

Members discussed the issues and recommended that the following matters be included in the Cabinet report:

- The linkage between the strategic policy and the very detailed action plan, and how the framework be put in place to ensure all agencies would be working together. Partnerships are in place, moving from an existing strategy and building on the work of the Trailblazers, working with agencies across the delivery plan.
- An estimation of the amount of resources required to deliver the strategy. It was a challenging action plan, there was a frozen post, and consideration should be given to how it could be best applied in delivering the strategy, as well as the four staff within the Trailblazer programme.
- The timeliness of the financial resilience work in the light of the timescales for Universal Credit
- Identification of an appropriate review point, to understand the lessons learnt and performance.
- Was there a need for SLA's/management protocols to be in place with external partners and stakeholders, to enable HDC to hold them to account for activities which are relied upon for delivery of the Homelessness Strategy.

### **DECISION**

That the new Preventing Homelessness Strategy be endorsed and recommended for adoption by Cabinet subject to consideration of the above points.

## **72 EXCLUSION OF THE PUBLIC**

The following item contained Confidential information. Members considered whether the public interest in maintaining an exemption outweighed the public interest in disclosing the information. It was suggested that, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the item below.

## **DECISION**

That in accordance with Section 100A of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the item below, on the grounds that it involved the likely disclosure of exempt information, as defined in paragraph 3 of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

### **73 FIVE COUNCILS CORPORATE SERVICES CONTRACTS**

Members considered the CONFIDENTIAL report and approved consideration by Cabinet subject to ensuring as a local authority Hart had;

- Flexibility built into the Inter Authority Agreement to enable Councils to choose innovation either individually or as a partnership.
- The continuance of the intelligent client team
- Recognition that innovation is now owned by the Partnership and therefore onus is on the Councils to bring forward initiatives.

### **74 CABINET WORK PROGRAMME**

The Cabinet Work Programme was considered.

### **75 OVERVIEW AND SCRUTINY WORK PROGRAMME**

The Overview and Scrutiny Work Programme was considered

The meeting closed at 9.10pm



## **OVERVIEW AND SCRUTINY COMMITTEE**

**DATE OF MEETING:** 12 DECEMBER 2017

**TITLE OF REPORT:** CORPORATE RISK REGISTER

**Report of:** Internal Audit Manager

**Cabinet member:** Councillor David Neighbour, Finance

### **1. PURPOSE OF REPORT**

- 1.1 As part of the Council's governance framework is essential that it identifies and manages risk that it is exposed to.
- 1.2 The Council has a Corporate Risk Register which should be reviewed by management on a regular basis and reported to members to provide assurance that appropriate arrangements are in place to mitigate identified risks.

### **2. Officer Recommendation**

- 2.1 That the Committee reviews the content of the Corporate Risk Register.

### **3. BACKGROUND**

- 3.1 In the past the Audit Committee has been provided with a regular update on how risks identified in the Corporate Risk Register are being managed. However, it was rightly pointed out that the role of the Audit Committee is to obtain assurance on the effectiveness of the Council's risk management arrangements, not scrutinise how risks are being managed, it is the role of Overview and Scrutiny to carry out that role.
- 3.2 This report provides members with an update on the content of the Corporate Risk Register for the Committee to review. A report on the effectiveness of the risk management framework will be reported to the Audit Committee.

### **4. FINANCIAL IMPLICATIONS**

- 4.1 There are no financial implications directly associated with this report.

**Contact Details:** Neil Carpenter, Ext 4140, [neil.carpenter@hart.gov.uk](mailto:neil.carpenter@hart.gov.uk)

**Appendices:** Appendix I, Corporate Risk Register

## CORPORATE RISK REGISTER

RISK	RISK OWNER	INHERENT RISK	INTERNAL CONTROLS	EFFECTIVENESS OF INTERNAL CONTROLS	RESIDUAL RISK	DATE OF REVIEW
<p><b>Financial Resilience</b></p> <p>Reductions in Central Government Funding. Resulting in reduced levels of services to customers.</p> <p>Risk to New Homes bonus funding due to no adopted Local Plan.</p> <p>The increasing reliance on income from the outsourced leisure function to balance the revenue budget also needs to be considered.</p> <p>Risk of Contractor going out of business.</p>	Head of Corporate Services	<p><b>RED</b></p> <p><b>Impact:</b> Significant</p> <p><b>Likelihood:</b> Very High</p>	<p>Revised Medium Term Financial Plan agreed by Cabinet</p> <p>Budget Agreed</p> <p>Monthly budget monitoring and reporting</p> <p>Exploring new ways to provide services</p>	<p>Fully effective</p> <p>Partially effective</p> <p>Partially effective</p> <p>Partially effective</p> <p><b>Note:</b> Controls are considered to be sufficient to reduce the risk in the short to medium term</p>	<p><b>AMBER</b></p> <p><b>Impact:</b> Significant</p> <p><b>Likelihood</b> High</p>	November 2017

RISK	RISK OWNER	INHERENT RISK	INTERNAL CONTROLS	EFFECTIVENESS OF INTERNAL CONTROLS	RESIDUAL RISK	DATE OF REVIEW
<b>Unable to adopt the Local Plan by the Summer of 2018</b>  Unwanted development  Unable to Produce an Infrastructure Schedule that meets the needs of the community  Risk to New Homes Bonus funding  Unable to effectively meet Corporate Plan objectives  Potential increase in planning appeals	Joint Chief Executive	<b>RED</b>  <b>Impact:</b> Significant  <b>Likelihood:</b> Very High	Project risks and mitigations are identified  Project management approach now being taken.  Regular team/project meetings that also involve the Corporate Project Manager and the Corporate Policy Manager  Local Plan Project Board Monitoring progress  Reg19 Consultation to start January 18  Increased resource in place	Fully effective  Fully effective  Fully effective  Partially effective  Partially effective  Partially effective	<b>RED</b>  <b>Impact:</b> Significant  <b>Likelihood:</b> Very High	November 2017

RISK	RISK OWNER	INHERENT RISK	INTERNAL CONTROLS	EFFECTIVENESS OF INTERNAL CONTROLS	RESIDUAL RISK	DATE OF REVIEW
			Local Plan Steering Group monitor progress	<p>Partially effective</p> <p><b>Note:</b> Controls are not currently considered to be sufficient to reduce the risk. It is more likely that the plan will be adopted towards the end of 2018 or early 2019. This is due to the dependence on the Planning Inspectorate and how quickly they can carry out the examination into the plan and report back.</p>		

RISK	RISK OWNER	INHERENT RISK	INTERNAL CONTROLS	EFFECTIVENESS OF INTERNAL CONTROLS	RESIDUAL RISK	DATE OF REVIEW
<b>5 Councils Joint Procurement</b>  Expected savings are not achieved  Risk to provision of key services  Delivery of the process  Financial impact of contract changes	Joint Chief Executives	<b>RED</b>  <b>Impact:</b> Significant  <b>Likelihood:</b> Very High	Governance arrangements are in place to manage the transition  Project Plans in place for each workstream  Risk Registers in place for each workstream  Project is properly resourced.  Monitoring of potential financial impact by Head of Corporate Services and Joint Chief Exec	Fully effective  Partially effective  Partially effective  Not effective  Partially effective  <b>Note:</b> Controls are not currently considered to be sufficient to reduce the risk.	<b>RED</b>  <b>Impact:</b> Significant  <b>Likelihood:</b> Very High	November 2017

RISK	RISK OWNER	INHERENT RISK	INTERNAL CONTROLS	EFFECTIVENESS OF INTERNAL CONTROLS	RESIDUAL RISK	DATE OF REVIEW
<b>Cyber Security Risks</b>  Unauthorised access to the network  Unable to use devices on network  Security of data is at risk  Risk of financial loss  Impact on provision of services	Joint Chief Executives	<b>AMBER</b>  <b>Impact:</b> Significant  <b>Likelihood:</b> Possible	Security patches are up to date  PSN Assessment up to date  Firewalls in place  Up to date virus protection  Penetration testing on passwords	Partially effective  Fully effective  Fully effective  Fully effective  Partially effective	<b>AMBER</b>  <b>Impact:</b> Significant  <b>Likelihood:</b> Possible	November 2017
<b>Resilience</b>  Single points of failure  Continuity issues  Reputation Risk  Risk to service provision to customers	Joint Chief Executives	<b>AMBER</b>  <b>Impact:</b> Significant  <b>Likelihood:</b> Significant	Explore new way of working  Cross skilling	Partially effective  Partially effective	<b>AMBER</b>  <b>Impact:</b> Marginal  <b>Likelihood:</b> Significant	November 2017

RISK	RISK OWNER	INHERENT RISK	INTERNAL CONTROLS	EFFECTIVENESS OF INTERNAL CONTROLS	RESIDUAL RISK	DATE OF REVIEW
<b>Unable to Implement new Corporate Plan 2017 - 2022</b>  Political risks associated with decision making process  Impact on provision of services as priorities may not be agreed.	Joint Chief Executives	<b>AMBER</b>  <b>Impact:</b> Significant  <b>Likelihood:</b> Possible	Progress monitoring by Joint Chief Executives  Consultation on the plan has been carried out  Close liaison with Group Leaders	Partially effective  Fully effective  Partially effective	<b>AMBER</b>  <b>Impact:</b> Significant  <b>Likelihood:</b> Possible	November 2017
<b>Legal Framework is not Adhered to</b>  Customer requirements are not met  Risk of DCLG intervention  Reputational risk  Legislation not complied with	Joint Chief Executives	<b>GREEN</b>  <b>Impact:</b> Significant  <b>Likelihood:</b> Very Low	Resources in place to meet statutory requirements, albeit resilience can be an issue at times.  Fully aware of statutory obligations  Shared Legal Services  Legislation adhered to	Partially effective  Fully effective  Partially effective  Fully effective	<b>GREEN</b>  <b>Impact:</b> Significant  <b>Likelihood:</b> Very Low	November 2017

RISK	RISK OWNER	INHERENT RISK	INTERNAL CONTROLS	EFFECTIVENESS OF INTERNAL CONTROLS	RESIDUAL RISK	DATE OF REVIEW
Statutory Officers are not in post  Risk of financial penalties  Reputational risk			Statutory Officers are in post  Corporate training programme	Fully effective  Partially effective		
<b>Reliance on Key Contractors</b>  Reliance on 3 key contractors to provide services Capita, Everyone Active and Veolia.	Joint Chief Executives	<b>GREEN</b>  <b>Impact:</b> Significant  <b>Likelihood:</b> Low	Monitor financial performance of contractors	Fully effective	<b>GREEN</b>  <b>Impact:</b> Significant  <b>Likelihood:</b> Low	November 2018



**OVERVIEW AND SCRUTINY COMMITTEE**

**DATE OF MEETING:** 12 DECEMBER 2017

**TITLE OF REPORT:** CORPORATE PLAN CONSULTATION FEEDBACK

**Report of:** Corporate Strategy and Policy Development Manager

**Cabinet Member:** Councillor David Neighbour, Leader

**1. PURPOSE OF REPORT**

- 1.1 To be appraised of the comments received during consultation on the draft Corporate Plan as attached at Appendix 2.

**2. OFFICER RECOMMENDATION**

- 2.1 To note the outcome of consultation on the draft Corporate Plan.

**3. BACKGROUND**

- 3.1 The current Corporate Plan was adopted in February 2016 and covers the period 2016 – 2018. In September 2017 Cabinet agreed a revised Corporate Plan covering the period 2017 – 2022 for consultation.

**4. CONSULTATION**

- 4.1 Consultation was undertaken on a draft Corporate Plan for 4 weeks during September/October 2017. A copy of the draft Plan is attached as Appendix 1.
- 4.2 Consultation was undertaken via:
- the Plan was available on the website and identified on the front-page banner;
  - emails to all Town and Parish Councils;
  - emails to voluntary and community groups via Hart Voluntary Action;
  - press release;
  - emails to all Councillors; and,
  - email to all officers.
- 4.3 An on-line response form asked whether respondents agreed or disagreed with the following.
- agreed/disagreed with the Corporate Plan in principle;
  - agreed/disagreed with the Vision; and,
  - agreed/disagreed with each of the strategic priorities.

Comments boxes for additional text were available with each of the questions.

- 4.4 32 on-line responses were received. In addition, 6 email or paper responses were received.

- 4.5 Of those responding on-line, the proportion of respondents that agreed or disagreed with the draft Corporate Plan in principle was evenly split with a slightly higher proportion saying that they disagreed (47% disagreed/44% agreed). Similarly, with the Vision, a slightly higher proportion on on-line respondents disagreed with the Vision (40% agreed/47% disagreed).
- 4.6 In relation to the Strategic Priorities, a considerable proportion on on-line respondents agreed with each of the Strategic Priorities ranging from 62% for 'A Thriving Local Economy' to 75% for both 'A Clean, Green and Safe Environment' and 'Healthy Communities and People'.

### **General Comments**

- 4.7 Detailed responses were received to most elements of the Plan as set out in Appendix 2. In summary, these included:
- Support for reinstating proposals for a Trading Company;
  - Scepticism as to whether anything will change/how success will be measured;
  - Plan is not sufficiently ambitious;
  - Concern about proposed levels of development and support for a lower housing number;
  - Support for more focus on urban regeneration;
  - Concern about impact of development on infrastructure;
  - Insufficient emphasis on 'vulnerable' groups, including those with autism and ADHD;
  - Comments about monitoring of the Plan; and
  - Suggestions as to how parts of the Plan could be clarified.

## **5. FINANCIAL AND RESOURCE IMPLICATIONS**

- 5.1 The Plan does not have any immediate financial implications outside existing budgets.

## **6. ACTION**

- 6.1 The comments on the Corporate Plan, along with a final version of the Plan will be considered by Cabinet and Council in January 2018.

**Contact Details:**    **Katie Bailey** [Katie.bailey@hart.gov.uk](mailto:Katie.bailey@hart.gov.uk) ext 4146  
                              **Daryl Phillips** [daryl.phillips@hart.gov.uk](mailto:daryl.phillips@hart.gov.uk) ext 4492

## **APPENDICES**

Appendix 1 – Draft Corporate Plan

Appendix 2 – Consultation responses to the Draft Corporate Plan



# HART CORPORATE PLAN

## 2017 – 2022



***A document that sets out our vision and priorities for 2017-2022, with key actions that will be taken to achieve them over the next 5 years.***

## Foreword

Welcome to our Corporate Plan which sets out our vision and priorities for 2017-2022, together with the key actions that will be taken to achieve them over the next 5 years.

It provides a focus for our activities and services and will inform decision making and allocation of resources across the Council.

With a decreasing pot of government funding and greater pressure on our services the Plan is an ambitious programme of activity for a relatively small Council. To make savings, whilst continuing to provide high quality services, will require us to do things differently. We will ensure that the decisions we take achieve the best outcome for those who live, visit and work in Hart.

We have identified a range of key activities set out under four priorities:

- A Thriving Local Economy
- A Clean, Green and Safe Environment
- Healthy Communities and People
- Becoming a More Efficient and Effective Council

Measures we intend to deliver include finalising a new waste contract, supporting local communities to have more say in the future of their area, promoting the delivery of affordable housing in new developments, and initiatives to ensure that as a Council we can achieve a greater level of financial self-sustainability.

The Corporate Plan provides the context for other plans and strategies that we produce and whilst it does not intend to cover all of the wide range of services we provide it does focus on the priority areas.

We will continue to work in partnership with other public and private sector partners to make sure that we can influence change and deliver local priorities. We recognise that conditions change and we will therefore conduct an annual review of the Corporate Plan to ensure that it is fit for purpose. Most importantly, we will continue to listen and engage with our residents.

**David Neighbour**  
**Leader of the Council**





## Issues facing Hart

In preparing this Corporate Plan we have had regard to the characteristics of the district and to the opportunities and challenges facing our residents and those who work in the district. The following sets out a high level summary of some of these:

- Hart experiences low levels of crime;
- Hart is defined as 'significantly rural' by Defra;
- Whilst Hart residents are living longer (the proportion of older people is increasing more quickly than the national rate), there is an increasing difference in life expectancy between the least and most deprived areas in the district;
- Levels of physical activity are decreasing for some populations in Hart including women, people from lower socioeconomic groups and those living with a long term illness or disability;
- Whilst Hart residents typically report high levels of wellbeing, local services report that poor mental health and wellbeing is a growing issue in the district, particularly for children and young people;
- There are challenges for Hart residents in accessing health and social care services;
- House prices are significantly higher than national and regional averages, being over 11 times annual earnings. This creates substantial need for affordable housing and although there are high levels of home ownership and low levels of homelessness in Hart we still have 1320 (August 2017) people who are on the housing register awaiting affordable homes;
- There is a high level of educational attainment in the district but challenges in future primary and secondary capacity;
- There is a need to accommodate additional development, particularly housing, to meet future needs in Hart, whilst taking account of important ecological and historical assets and ensuring the delivery of supporting infrastructure;





- Hart's retail centres compete with other larger town centres in neighbouring authorities with a significant amount of retail expenditure being lost outside the district. Investment in town and village centres is needed to ensure that they continue to meet the needs of Hart residents.
- Hart is well located to the strategic road network but suffers from peak hour congestion on both road and rail networks with 38% of those who live in Hart working in Hart and the remainder commuting to work in other areas. Parts of the District have relatively limited public transport availability.
- Hart has the highest proportion of the working age population in employment in the South East (2017) with residents of Hart earning more than those who work in Hart and a significant proportion of residents commute out of the District to work;
- Despite high levels of employment and high wages across the district, there are about 7% of the 37,000 households on housing benefit; and,
- Hart has one of the lowest funding levels per capita of all local authorities.



## Our Vision for Hart

Working with our local communities and other stakeholders, we want to make sure that Hart remains an attractive place to live where:



These are the 'golden threads' that link our Vision, and Strategic Priorities to each Service Plan and our day-to-day working priorities.

## Our Strategic Priorities

Our four Strategic Priorities to achieve our vision are:

- **A Thriving Local Economy**
- **A Clean, Green and Safe Environment**
- **Healthy Communities and People**
- **Becoming a More Efficient and Effective Council**



## A Thriving Local Economy

We will:

### Support our town and village centres

By:

- Supporting communities to develop and implement local initiatives such as Fleet Business Improvement District;
- Supporting Small Business Saturday;
- Taking account of the different roles and character of places within Hart and promoting the vitality of our towns and villages through implementing policies in the Hart Local Plan, and in Neighbourhood Plans;
- Working with Fleet Town Council to deliver a new or refurbished Harlington; and,
- Working in partnership with Parish and Town Councils to tailor services wherever possible to meet local aspirations.

### Support the local economy

By:

- Working with rural communities;
- Implementing and monitoring the Hart Economic Development Strategy and Action Plan;
- Actively engaging with local businesses, both large and small to understand business needs;
- Working with partners such as the Enterprise M3 Local Economic Partnership to promote inward investment and enable access to funding;
- Introducing a Community Infrastructure Levy to help fund appropriate infrastructure; and,
- Implementing the Small Business Rates Relief scheme.







## Support residents in becoming economically active

By:

- Partnership working with the Citizens Advice Bureau, Hart Voluntary Action, Department of Work and Pensions and skills training providers;
- Supporting a successful welfare reform transition for residents; and,
- Working through the Hart Community Covenant Partnership and with other agencies to support the re-settlement of military personnel.



## Ensuring an appropriate supply of employment land and premises

By:

- Allocating sufficient land in the Hart Local Plan which is suitable for development, taking account of the needs of the residential and business communities;
- Considering all options for the appropriate protection of employment land such as the use of measures to remove 'permitted development' rights.



## A Clean, Green and Safe Environment

We will:

### Enhance access to open space and recreation facilities

By:

- Providing accessible green spaces, countryside, leisure and cultural facilities and opportunities including managing six existing and new Country Parks at Hawley Meadows, Edenbrook, Bramshot Farm, Watery Lane, North East Hook, and at Hawley Park Farm;
- Ensuring we retain all Green Flag status on our open spaces; and,
- Ensuring new developments have adequate provision of public open spaces including play provision.

### Protect and enhance biodiversity

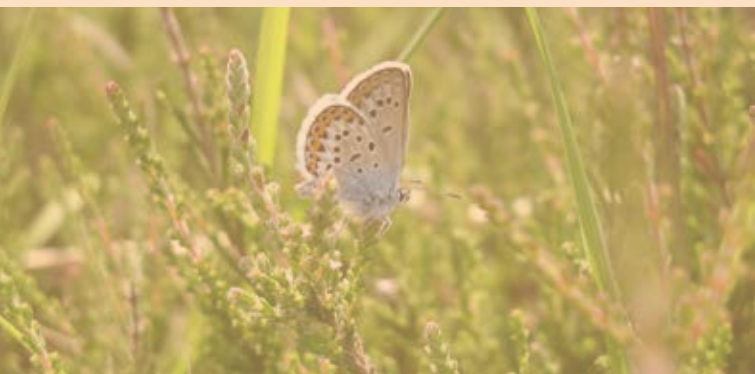
By:

- Introducing a biodiversity off setting scheme;
- Updating the Hart Biodiversity Action Plan; and,
- Working with local communities to deliver local biodiversity improvement projects.

### Improve energy efficiency

By:

- Assisting residents to secure financial assistance for energy efficiency measures;
- Continuing to introduce measures to reduce carbon emissions in Council owned buildings.







## **Reduce the likelihood of crime and the perception of crime**

By:

- Providing Council maintained streets and open spaces which are clean and safe;
- Continuing to working closely with partners to reduce crime and anti-social behaviour through delivering the Safer North Hampshire initiatives;
- Ensuring future developments are planned to prevent crime and disorder; and
- Continue joint working with partners to ensure effective use of Closed Circuit Television (CCTV).



## **Promote a clean environment**

By:

- Supporting the transition to a low carbon future, making efficient use of resources, increasing levels of recycling, encouraging an increase in journeys made by cycling and walking, and encouraging the use of renewable resources;
- Finalising and implementing a new joint waste contract;
- Working with Town and Parish Councils to identify other cleanliness initiatives;
- Implementing initiatives to reduce dog fouling and litter; and
- Reducing incidences of littering through targeting of enforcement work.



## **Promoting high quality design and a good standard of amenity**

By:

- Always seeking high quality design and a good standard of amenity for all existing and future occupants of land and buildings in determining planning applications; and,
- Implementing a system of design awards for all new development.



# Healthy Communities and People

We will:

## Support residents in shaping their local communities

By:

- Empowering local people to shape their surroundings through the development of Neighbourhood Plans;
- Working with partners to identify and produce an infrastructure schedule to meet community infrastructure needs; and
- Working with Town and Parish Councils to help them explore youth provision in their area;
- Supporting community development and enabling the voluntary and community sector to develop; and
- Enabling people to live independently through the provision of adaptations and accessible housing.

## Work with partners to keep Hart healthy and active

By:

- Taking account of and supporting local strategies to improve health, social and cultural wellbeing and supporting the delivery of sufficient community and cultural facilities and services to meet local needs (such as a new or refurbished Harlington for example);
- Including the delivery of infrastructure that encourages people to walk and cycle;
- Increasing usage of leisure facilities including Hart Leisure Centre and Frogmore Leisure Centre;
- Implementing the Health and Wellbeing Plan;
- Implementing the Food and Health and Safety Enforcement Plan.



## Ensure access to housing

By:

- Adopting the Hart Local Plan: Strategy and Sites to boost significantly the supply of both affordable and market housing and housing for specialist needs;
- Adopting and implementing a Preventing Homelessness Strategy;
- Supporting the delivery of rural exception schemes;
- Encouraging the effective use of land by re-using land that has been previously developed (brownfield land); and,
- Continuing to work with partners to develop joint approaches to support residents.

## Ensure access to education

By:

- Delivering a site for a new Secondary School in the District;
- Working with Hampshire County Council to ensure the appropriate delivery of primary and early years educational facilities alongside new development;
- Working with education providers and other partners to promote learning and skills programmes; and,
- Continuing to support as an organisation apprenticeships for young people who would most benefit.





## Becoming a more Efficient and Effective Council

We will:

### Explore options to increase financial self-sustainability

By:

- Ensuring our Medium Term Financial Strategy is focused on strategic priorities;
- Maximising income opportunities, identifying new opportunities for income generation;
- Increasing efficiency by the use of Information Technology;
- Supporting a Corporate Peer Challenge through the Local Government Association;
- Where possible, migrating customers to lower cost online services as the service of choice;
- Having a more engaged and motivated workforce;
- Continuing to reshape the way the Council works to realise our savings target and improve performance;
- Maximising Council income through effective asset management and collection activities; and,
- Continuing to work with partners to deliver joint services.



## Measuring Success

Service Plans are produced annually and will contain key actions for delivery of the Corporate Plan's priorities in the coming year. They will also set out key performance targets and indicators.

We will provide annual reports on the performance of actions in the Service Plans to assess and monitor our progress.

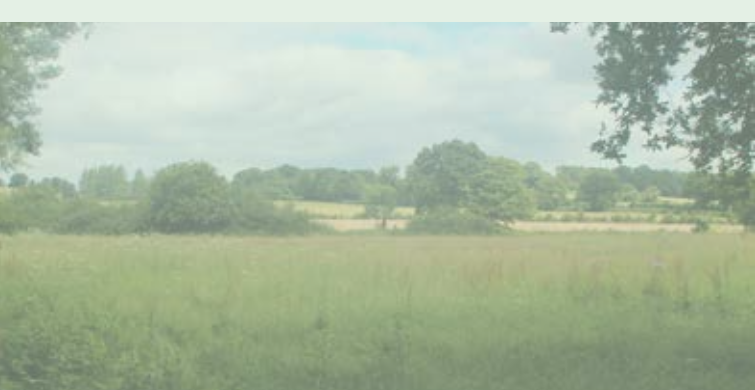
## Our Values

As a Council we are committed to ensuring that we embed the following values in all that we do:

- Putting our residents first
- Providing real opportunities for engagement with residents and other stakeholders
- Being open to change
- Taking responsibility for our actions
- Being fair, open and transparent

In your day to day dealings with our officers we will ensure that they operate with the following values:

- H - being helpful**
- A - being approachable**
- R - being responsive**
- T - taking ownership**





## Find out more about what we do

We want to keep you informed about our work and what is happening locally. To do this we produce Hart News, a newspaper delivered to all households twice a year.

We also provide a lot of information on our website **[www.hart.gov.uk](http://www.hart.gov.uk)**. Online services include:

- Apply for it - Housing Benefits, Council Tax and Planning applications
- Pay for it - Council Tax, Business Rates and Garden Waste collections
- Report it - Missed bin collections, Environmental Health and litter hotspots
- Check your waste collection calendar
- View and comment on Planning applications

For a full list of online services please visit **[www.hart.gov.uk/my-services](http://www.hart.gov.uk/my-services)**

Call us on **01252 622122**

Email us at **[enquiries@hart.gov.uk](mailto:enquiries@hart.gov.uk)**

Visit us at **Hart District Council, Harlington Way, Fleet, GU51 4AE**

You can also keep in touch with us on:



[www.hart.gov.uk](http://www.hart.gov.uk)



[/Hart-District-Council](https://www.linkedin.com/company/hart-district-council)



[/HartDistrictCouncil](https://www.facebook.com/HartDistrictCouncil)



[/hartcouncil](https://www.instagram.com/hartcouncil)



[@HartCouncil](https://twitter.com/HartCouncil)



[Hart District Council](https://www.youtube.com/HartDistrictCouncil)

In delivering the Corporate Plan we will provide fair and accessible services and employment opportunities that meet the needs of everyone, and positively promote inclusion, in line with the Equality Act.



## **Hart Draft Corporate Plan consultation: Summary of Comments**

### **On-Line Responses (32 responses):**

**Do you agree or disagree with our draft corporate plan 2017-22, in principle?**

Agree	14
Disagree	15
Don't know	3

**Do you agree or disagree with our vision for Hart?**

Agree	13
Disagree	15
Don't know	4

**Do you agree or disagree with our strategic priorities?**

	<b>Agree</b>	<b>Disagree</b>	<b>Don't know</b>
A Thriving Local Economy	20	4	8
A Clean, Green and Safe Environment	24	2	6
Healthy Communities and People	24	4	4
Becoming a More Efficient and Effective Council	23	2	7

## On- Line Responses:

**Do you have any comments to make about our plan, for example, the impact it may have on communities and businesses in the district, or ways that we can improve our plan?**

<b>Topic</b>	<b>Comment</b>
Development and Infrastructure	Public transport is a priority
	Contradictions with emerging Local Plan regarding loss of land for development.
	Should drop obstruction of brownfield land through SANG allocation.
	Should use new Government housing target and restore focus on urban regeneration.
	Should manage the supply of affordable housing for local residents.
	Lack of focus for protecting Fleet from overdevelopment.
	Housing projections should be reduced to reduce the infrastructure funding gap.
	Need greater involvement of Town and Parish Councils in the provision of community facilities on new developments.
	The prices of affordable homes are still well beyond many people trying to get on the housing ladder. Increases commuting.
	Need further analysis of the traffic impacts of new development on Hart.
	Make robust defence against taking housing from neighbouring authorities.
	Need to take greater account of adverse impact of e.g. noise, traffic on local communities.
	Would like to see additional highway improvement measures.
Healthy Communities and People	Very little support for implementing the healthy communities priority e.g. no grants for sports clubs, no sports development officer. Sports clubs need more support.
	No recognition of future financial support for SSSI's.
	Under 'Healthy Communities' should broaden the term 'vulnerable', should include those on the autistic spectrum. No mention of hidden disabilities.
Efficient and Effective	Should reinstate idea of a Trading Company.
General	Do not think anyone would pay attention if made comments.
	Too high level.
	No reference to finding alternative sources of revenue.

	No mention of Hart Business Centre.
	Plan is not sufficiently ambitious.
	Documents should be more accessible

### **Do you have any comments to make about our Vision?**

<b>Topic</b>	<b>Comment</b>
General	May blur with lack of finance.
	Wide vision – how will it be prioritised?
	Insufficient emphasis on how Hart will be kept ‘rural’
	Should listen to residents.
	Lacks real ambition, should look at some of the initiatives in Rushmoor.
Infrastructure and development	Must prioritise brownfield sites and ensure schools and surgeries in place before development.
	Hart has no influence on provision of affordable housing.
	Armed forces covenant gives priority to those with no local connection housing priority.
	Should be more emphasis on sustainable, energy efficient developments.
	Housing numbers are too high, have skewed the Plan, should adopt new Government housing figures.
	Lacks any proper focus on town centre regeneration/should be more focus on urban regeneration.
	Should not be excluding brownfield developments from SANG allocation.
	Need to be specific about infrastructure needs, especially in Fleet.
	Parking is a major issue.
	Not enough attention to the impact of development in infrastructure.
	Support vision requiring good design, supported by infrastructure and provides a choice of new homes. Schemes should provide 40% affordable homes.
Healthy Communities and People	Need wider range of sports on offer.
	Need to take into account the needs of those with autism, ADHD, more special needs activity sessions.
Efficient and Effective	Should be negotiation a rigorous waste contract bid.

**Do you have any comments to make about our strategic priorities or the actions within them?**

<b>Topic</b>	<b>Comment</b>
General	Consider the Council has been efficient and effective in the past.
	No real detail/specific goals.
	Does not say what is going to happen.
	Not real principles – won't be followed up by action.
	How will you measure whether are efficient and effective?
	Questions all priorities as not clear whose needs they serve.
Healthy Communities and People	Restore the proposals for a trading company.
	Focus infrastructure spending on areas most in need.
A Thriving Local Economy	Stop restricting access to SANG for brownfield developments.
	Restore the focus on urban regeneration.
	Need measures to improve Fleet.
	Development will exacerbate the infrastructure funding gap.
	Cannot retain a green environment if you build on it.
Omission	No mention of heritage assets and the historic environment.
	Must adopt Governments lower housing figures.
	Nothing mentioned about the vulnerable community including those with mental disabilities, autism or ADHD. Need more awareness and activities for this community.
	No mention of Public or Community Transport which is under threat but will become more important with an ageing population.
	Focus should be on infrastructure improvements.
	Useful to set milestone targets against priorities.
	Should let old employment sites be redeveloped.
	Not clear what will happen if deadlines/targets not met.
	A Clean, Green and Safe Environment - new developments should be policy compliant with regards to open space, design and accessibility. Agree with strategic priority.

## Do you have any comments on the Equalities Impact Assessment?

Comment
There has never been total equality.
Equality is important but need to look at homes, economy, infrastructure and planning.
There must be a section about the vulnerable.

## Paper/email Responses – 6 responses

Plan Section	Comments
General	Support Plan in principle
	Plan thoughtful and well-meaning but concerned that there are no measurable objectives and therefore more difficult to control.
	Queries whether there are other Plans that the Council has that need to be implemented and should be referenced.
Foreword	Suggest reference to voluntary sector partners mentioned in last paragraph.
	Suggests some amendments to Foreword for clarity.
	Not clear that Healthy Communities and People includes planning and development
Issues facing Hart	Support bullet point 5.
	Reference to Mental Health is not supported in the following sections of the Plan.
	6 <sup>th</sup> bullet – suggest elaborate on challenges for residents accessing health and social care.
	12 <sup>th</sup> bullet re working age population and earnings – suggest reword.
	Last bullet – is this clear for residents.
	A number of suggestions for amendments to the Issues to provide further detail and clarity.
Vision	Agree with the proposed Vision.
Strategic Priorities	Agree with the proposed Strategic Priorities.
<b>A Thriving Local Economy</b>	Should there be reference to attracting businesses as well as supporting local businesses.
Support our town and village centres	Suggests explaining Small Business Saturday
Support the local economy	1 <sup>st</sup> bullet - Seeks examples of working with rural communities

	Suggests additional explanation for the Small Business Rates Relief Scheme
Support residents in becoming economically active	1 <sup>st</sup> bullet - Support reference to partnership working and identifies way in which HVA supports this.
	Identifies a gap in provision for a supported volunteering programme for adults with mental health needs, learning disabilities or autism as a stepping stone into employment or training. Seeks further discussion with HDC re restoring the supported volunteering element of the service.
	1 <sup>st</sup> bullet - Reference to more than one CAB suggested.
	Suggest add reference to the Housing Service 'Engagement and Support Model'.
	Suggests reference the Homelessness Reduction Act.
	2 <sup>nd</sup> bullet – suggests explaining welfare reform transition.
Ensuring an appropriate supply of employment land and premises	2 <sup>nd</sup> bullet – Suggests explaining why removing permitted development rights is necessary.
<b>A Clean, Green and Safe Environment</b>	Welcome the opportunity to work with the District Council by helping to identify and source additional funding for projects to enhance biodiversity and improve energy efficiency.
Protect and enhance biodiversity	1 <sup>st</sup> bullet – suggests explaining biodiversity off setting.
	Queries why the Biodiversity Plan is to be updated.
	Should include a Plan to positively manage our Sites of Special Scientific Interest, to show commitment from the Council supporting the efforts of other bodies.
Reduce the likelihood of crime and the perception of crime	1 <sup>st</sup> bullet - Questions clarity of reference to 'Council maintained streets..'
	Some rewording suggested to bullet point 2 regarding Safer North Hampshire.
	Suggests two additional actions: <ul style="list-style-type: none"> <li>- Support for Youth Services</li> <li>- Support for Vulnerable people</li> </ul>
Promote a clean environment	1 <sup>st</sup> bullet – add reference to public transport
	2 <sup>nd</sup> bullet – suggest adding recycling initiatives.
Promoting High Quality Design and a good standard of amenity	2 <sup>nd</sup> bullet - Suggests clarify reference to Design Awards.
	1 <sup>st</sup> bullet – suggest rewording for clarity

**PAPER D**  
**Appendix 2**

<b>Healthy Communities and people</b>	Two suggestions made for implementing this Priority, potentially related to implementation of the Health and Wellbeing Plan.
Support residents in shaping their local communities	3 <sup>rd</sup> bullet - Suggest amendments to add reference to voluntary sector partners.
	1 <sup>st</sup> bullet – suggest add ‘and other community schemes’
	4 <sup>th</sup> bullet – queries the use and meaning of ‘develop’
	Suggests additional actions relating to Supporting Youth Services and Day Centres for Older and Vulnerable residents.
Work with partners to keep Hart healthy and active	Questions whether need additional reference to Harlington here as already mentioned under Thriving Local Economy.
Ensure Access to Housing	Bullet point 2 Suggest additional words relating to other initiatives to tackle causes of homelessness.
	2 <sup>nd</sup> bullet – add ‘and use buses’
	5 <sup>th</sup> bullet – queries whether any examples of joint approaches to supporting residents
Ensure access to education	1 <sup>st</sup> bullet re Secondary School, suggests adding: ‘ready in time to provide necessary capacity for local children’.
Becoming a more Efficient and Effective Council	Doesn’t cover reference to exploring funding opportunities which could be linked to becoming a more efficient and effective Council.
	3 <sup>rd</sup> bullet – notes must also reach those on computer
	4 <sup>th</sup> bullet – suggest explaining the Peer Challenge
	6 <sup>th</sup> bullet – Questions how there will be a more engaged and motivated workforce.
Measuring Success	Clarify ‘We will provide..’ Who to?
	Suggests reference that the annual reports will be published.

## **OVERVIEW AND SCRUTINY COMMITTEE**

**DATE OF MEETING: 12 DECEMBER 2017**

**TITLE OF REPORT: PUBLIC SPACE PROTECTION ORDERS**

**Report of: Community Safety Manager**

**Cabinet member: Councillor Adrian Collett**

### **1 PURPOSE OF REPORT**

- 1.1 To inform members that the Anti-Social Behaviour, Crime and Policing 2014 has replaced the Criminal Justice and Policing Act 2001 and the implications of this change in relation to Designated Public Place Orders (DPPO) in Hart.
- 1.2 To identify future opportunities that these changes will bring and potential financial and resource implications.

### **2 OFFICER RECOMMENDATION**

- 2.1 That the Overview and Scrutiny committee considers and provides views to Cabinet on the existing Designated Public Place Orders in Hart being discharged and recommends that Public Space Protections Orders should only be sought where there is evidence to support their introduction.

### **3 BACKGROUND**

- 3.1 DPPOs give the Police and enforcement officers' additional powers to deal with anti-social behaviour fuelled by alcohol in public areas. A DPPO enabled officers to confiscate alcohol where there was, or was likely to be, associated anti-social behaviour.
- 3.2 In practice, this meant that where a DPPO was in force, if a family were enjoying a picnic and a glass or two of wine but were not behaving or likely to behave in a way that caused harassment, alarm of distress to anyone else, then they would be left to enjoy their picnic. If, however, a group of friends had gathered in the park and consumed alcohol and, as a result had become loud, using foul language and being verbally abusive, then their alcohol could be seized.
- 3.3 In 2014 The Anti-Social Behaviour, Crime and Policing Act came into force with an entirely new suite of tools and powers. This new legislation saw DPPOs being replaced by PSPOs.
- 3.4 PSPOs are a Local Authority power which is supported at a local level by the Police through consultation. PSPOs have a much broader scope than DPPOs and are centred on:
  - Anti-social behaviour



- A PSPO can address problems that are specific to that area, for example problems associated with the use of new psychoactive substances or aggressive begging.
- An exclusion zone that encompasses the area of the issue
- Fixed penalty notices can be issued to those who breach orders and there is no right of appeal.
- Failure to pay a fine result in court summons for the original breach of the PSPO.
- A PSPO is implemented for three years
- A review after 3 years will ensure that either an order is still required and proportionate or that it should be discharged
- A review can be undertaken at any time within three years to vary the terms of the PSPO or change the exclusion zone

Existing DPPOs were given three years from the date of enactment of the new legislation for review at which point they either need to be repealed by the Local Authority or they will automatically commute to PSPOs.

The 2014 legislation is based on proportionality and evidenced led enforcement, it allows swifter access to the criminal justice system and dynamic response to issues.

## **4 CONSIDERATIONS**

- 4.1 PSPOs which can be tailored to address specific issues, have a far broader scope and offer the use of fixed penalty notices.

A review of incidents and reports from a range of sources was conducted across Hart and there is no current evidence to support PSPOs except for one hotspot area (a verbal update of progress on this can be provided to the committee on the night).

Evidencing the need for a PSPO is straightforward and the process clear and including statutory consultation and appeal time would take 3-5 months to implement. The PSPO process has been designed and mapped and would be managed by Safer North Hampshire (SNH).

PSPOs have proven to be contentious elsewhere in the Country and we need to ensure that when a PSPO is sought, that it is centred on behaviours and not individuals or groups or individuals, that it proportionate and supported by data, that it includes all necessary restrictions and complies with statutory guidance around consultation, due process, publicising, signage and process.

PSPOs offer an additional power to target specific problems that are persistent and having a detrimental effect on the surrounding area. PSPOs are there to strengthen and support ongoing activity, they will not solve problems in isolation of other measures. PSPOs send a clear message that anti-social behaviour fuelled by alcohol, drugs or other factors will not be tolerated.

### **4.2 Implications of converting from DPPO's to PSPO's**

If DPPOs commute to PSPOs the following considerations need to be made:

- Is there sufficient current evidence to support the need for a PSPO?
- Are the conditions of the DPPO enough to tackle current issues as they will commute as is?
- The PSPO cannot be extended without formal consultation
- Existing orders such as dog control orders would be lost in the exclusion zone and should therefore be included in the PSPO. This would require consultation.
- PSPOs have been contentious elsewhere in the Country so they must be centred on behaviours and not individuals or groups or individuals, proportionate and supported by data, include all necessary restrictions and comply with statutory guidance around consultation, due process, publicising, signage and process.
- Every time an order is varied it is laid open to appeal to the High Court from any interested party for a six-week period.

#### **4.3 Supporting data and evidence:**

- The law states that the behaviour being restricted must have a detrimental effect on the quality of life of those in the locality, be persistent and continuing and be unreasonable.
- Data from a range of services and agencies, local businesses and residents and must include public consultation is used.
- Safer North Hampshire reviewed data over the past year on: recorded incidents, confiscation of alcohol and complaints to the council that related to exclusion zones and found insubstantial evidence to support commutation of DPPOs.
- Where concerns are raised about a specific area/location, SNH will actively collect and collate data to support the consultation and implementation process and to ensure that the restrictions imposed in the PSPO are appropriate and will address the issues
- When a PSPO is sought, SNH has process maps and procedures in place to support them

#### **4.4 Enforcing PSPOs**

- PSPOs can be enforced by the Police or any officer designated by the authority to do so.
- Opportunities to enforce need to be tempered against limitations around resources but could include the use of Civil Enforcement Officer, Environmental Health Enforcement Officers or the use of schemes such as the East Hants Litter Enforcement.
- Enforcing PSPOs will have implications for: staff issuing Fixed Penalty Notice (FPNs) in the exclusion zone and administration of the FPN fines, although arrangements could be sought to replicate the Litter Enforcement scheme which has no financial outlay attached to it.

As this is a Council power, it would be the responsibility of the council to prosecute any breaches.

## **5 PARISH CONSULTATION**

- 5.1 Safer North Hampshire consulted with Town and Parish Councils as key stakeholders to capture all evidence, including anecdotal with the following responses:

Fleet Town Council

- Extensive discussion around the implications of commuting DPPOs
- Recognition of hotspot area
- Agreement to recommended approach

Yateley Town Council

- Concerns were discussed
- 'Broadly' in agreement with proposed approach – noted in the minutes

Blackwater and Hawley Parish Council

- Agreed

Church Crookham Parish Council

- Approach agreed

Crookham Village Parish Council

- Approach agreed

**6 FINANCIAL IMPLICATIONS**

- 6.1 Where evidence supports a PSPO and before it can be enforced, signage would need to be erected and whilst the number of signs would be dependent on the nature of the exclusion zone, indicative costs are £5,000 per PSPO.
- 6.2 There will also be financial implications for enforcing PSPOs and administering back office functions (See paragraph 4.3).

**Contact Details:** Caroline Ryan / [caroline.ryan@communitysafetynh.org](mailto:caroline.ryan@communitysafetynh.org)

**APPENDICES:**

**Appendix I** Public Space Protection Order Summary, Statutory Guidance

**Appendix I**

**Public Space Protection Order Summary, Statutory Guidance**

Safer North Hampshire will follow statutory guidance for frontline professionals published by the Home Office in July 2014 (see table on final page). This guidance was produced to assist professionals in delivering new tools and powers because of the Anti-Social Behaviour, Crime and Policing Act 2014: Reform of anti-social behaviour powers.

Whilst the final decision to implement a Public Safety Protection Order (PSPO) rest with each local authority, Safer North Hampshire will work with partners to gather evidence and liaise with relevant council officers; to ensure locally agreed protocols and Home Office guidance have been followed.

Key points to note when considering the implementation of a PSPO include:

- The council can make a PSPO on any public space within its own area.
- Before making a PSPO the council must consult formally with the local police through the chief officer of police and the Police and Crime Commissioner.
- The council must also consult whatever community representatives they think appropriate. This will include ward members and other relevant stakeholders i.e. faith groups, community associations, business representatives and local interest groups.
- Before the PSPO is made, the council also must publish the draft order in accordance with the regulations published by the Secretary of State.
- The maximum duration of a PSPO is three years. Orders can be varied and discharged during this period.
- Breach of this order is an offence and can be dealt with by way of Fixed Penalty Notice or a through the courts.
- Any challenges to the PSPO must be made through the high court within 6 weeks of it being made.
- Enforcement should be the responsibility of a wider group. A police officer, person authorised by the local authority, PCSOs and if designated, officers accredited under the community safety accreditation scheme can enforce the order.

Public Space Protection Orders can be made by the council if they are satisfied on reasonable grounds that the activities carried out, or likely to be carried out, in a public place:

- have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
- is, or like to be persistent or continuing in nature;
- is, or likely to be unreasonable: and
- justifies the restrictions imposed.

**Local Implementation**

Safer North Hampshire has developed a process to ensure a consistent approach to the implementation and decision recording, regardless of where in the 3 districts the application

is being made. Evidence, minutes of meetings and officer notes will all be placed on SafetyNet<sup>1</sup> and accessible to all authorised professionals. (Process attached, see appendix 2)

The test for a PSPO is designed to be broad and focus on the impact antisocial behaviour is having on victims and communities. Each case will be assessed individually and restrictions will be proportionate to the problems being experienced.

It is anticipated that geographical boundaries to the orders will be defined by existing landmarks, such as roads and fields but will always be dictated by the extent of the problem. All restrictions will be identified by the PSPO Task and Finish group before being presented for consultation and to the appropriate local authorities decision maker.

All live PSPOs will be reviewed at an operational level every month (this will be delivered through the Vulnerability Operational Group<sup>2</sup> with input from members of the PSPO Task and Finish Group) Details of enforcement activity and community impact will be recorded on the SafetyNet Patrol Activity Log.

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<sup>1</sup> SafetyNet is a secure multi-agency database for professionals to exchange and store information relating to antisocial behaviour

<sup>2</sup> Vulnerability Operational Group is a multi-agency forum focussing on issues that affect or result in vulnerable people

**Anti-social Behaviour, Crime and Policing Act 2014**  
**Reform of anti-social behaviour powers**

Statutory guidance for frontline professionals. Home Office July 2014

**PUBLIC SPACES PROTECTION ORDER**

<b>Purpose</b>	Designed to stop individuals or groups committing anti-social behaviour in a public space
<b>Who can make a PSPO</b>	<ul style="list-style-type: none"> <li>Councils issue a public spaces protection order (PSPO) after consultation with the police, Police and Crime Commissioner and other relevant bodies.</li> </ul>
<b>Test</b>	Behaviour being restricted must: <ul style="list-style-type: none"> <li>be having, or be likely to have, a detrimental effect on the quality of life of those in the locality;</li> <li>be persistent or continuing nature; and</li> <li>be unreasonable.</li> </ul>
<b>Details</b>	<ul style="list-style-type: none"> <li>Restrictions and requirements set by the council.</li> <li>These can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times.</li> <li>Can restrict access to public spaces (including certain types of highway) where that route is being used to commit anti-social behaviour.</li> <li>Can be enforced by a police officer, police community support officers and council officers.</li> </ul>
<b>Penalty on breach</b>	<ul style="list-style-type: none"> <li>Breach is a criminal offence.</li> <li>Enforcement officers can issue a fixed penalty notice of up to £100 if appropriate.</li> <li>A fine of up to level 3 on prosecution.</li> </ul>
<b>Appeals</b>	<ul style="list-style-type: none"> <li>Anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue.</li> <li>Further appeal is available each time the PSPO is varied by the council.</li> </ul>
<b>Important changes/ differences</b>	<ul style="list-style-type: none"> <li>More than one restriction can be added to the same PSPO, meaning that a single PSPO can deal with a wider range of behaviours than the orders it replaces.</li> </ul>

## **OVERVIEW AND SCRUTINY COMMITTEE**

**DATE OF MEETING:** 12 DECEMBER 2017

**TITLE OF REPORT:** HARLINGTON REDEVELOPMENT

**Report of:** Joint Chief Executive

**Cabinet member:** Councillor David Neighbour, Finance  
Councillor Simon Ambler, Partnerships

### **1. PURPOSE OF REPORT**

- 1.1 To make recommendations to Cabinet on the attached draft report for January's Cabinet meeting.

### **2. OFFICER RECOMMENDATION**

- 2.1 That the Overview and Scrutiny Committee reviews the issues raised in the draft report attached as Appendix I and makes recommendations to Cabinet.

### **3. BACKGROUND**

- 3.1 Fleet Town Council (FTC) has embarked upon an ambitious project to deliver either a new Harlington on part of Gurkha Square, or to refurbish the existing Harlington. A draft report on the way forward has been draft and is attached at Appendix I. It will be considered by Cabinet in January 2018.
- 3.1 The purpose of the report to Cabinet is to give clarity as to the nature of the Council's support for the FTC project set in the context of best use of District Council assets. Therefore, to avoid ambiguity the report is structured in a way that poses a series of important questions/issues that need to be addressed so that both FTC and Officers have a clear understanding about what needs to be agreed.

### **4 ACTION**

- 4.1 The Committee is invited to review the issues raised in the report and to make recommendations to Cabinet.

**Contact Details:** Daryl Phillips, Ext 4491, [daryl.phillips@hart.gov.uk](mailto:daryl.phillips@hart.gov.uk)

**Appendices:** Appendix I: draft Harlington Cabinet report

**CABINET**

**DATE OF MEETING:** 11 JANUARY 2018

**TITLE OF REPORT:** THE HARLINGTON

**Report of:** Joint Chief Executive

**Cabinet members:** David Neighbour, Finance and  
Simon Ambler, Partnerships

**I PURPOSE OF REPORT**

- 1.1 Fleet Town Council (FTC) has embarked upon an ambitious project to deliver either a new Harlington on part of Gurkha Square, or to refurbish the existing Harlington.
- 1.2 The purpose of this report, is to give clarity as to the nature of the Council's support for the FTC project set in the context of best use of District Council (Hart) assets. Therefore, to avoid ambiguity the report is structured in a way that poses a series of important questions/issues that Cabinet needs to address so that both FTC and Officers have a clear understanding about what is the agreed approach.

**2 OFFICER RECOMMENDATION**

That Cabinet provides details of its priorities in relation to the key choices associated with the delivery of a new Harlington and provides clarity on the following:

**Recommendation A:** The Joint Chief Executive in consultation with the Portfolio Holder for Services be authorised to enter into an interim short term 'two year rolling' lease with FTC

**Recommendation B:** That Cabinet confirms its position with regard to:

- (i) The redevelopment of the wider Civic Campus area and in particular
  - how the Council should address the issue of third party service access across Hart land; and
  - the relocation of existing Harlington tenants who have a lease with Hart
  - should Hart regain control over the Harlington Way link access to Victoria Road car park.
- (ii) the replacement of the Harlington on part of Gurkha Square:
  - freehold/leasehold disposal and on what terms – if less than at full market value an approach must be made to seek consent from the Secretary of State for a below market disposal;
  - the nature of any compensatory revenue income stream to replace any potential loss of parking income as a result of the redevelopment of part of Gurkha Square; and
  - agreement over servicing arrangements from Victoria Road car park.
- (iii) Option 1 repair of the Harlington – is a 99 year lease appropriate and on what terms?



- (iv) Option 2 major refurbishment of the Harlington:
- who should fund the relocation of the existing tenants who have leases with Hart and where to?
  - is a 99 year lease appropriate and on what terms?
  - the arrangements to be made to secure a 99 year reassignment of the current lease with Hampshire County Council to Fleet Town Council

**Recommendation C:** That the Joint Chief Executive be authorised to seek further legal advice with regard to any disposal at less than full market value and the possible implications of state aid.

### **3 BACKGROUND**

#### **The existing Harlington situation**

- 3.1 FTC occupies and manages the main part of The Harlington. There is however, no formal lease. There are also tenants in the building which include Fleet Phoenix and WRVS. These tenants have a long standing agreement with Hart. The tenants currently pay rent to FTC and in return receive services (gas, electricity, water, rates etc.). The area essentially comprising the coffee shop side of The Harlington linked to the Library is subject to a separate lease between Hampshire County Council (the land owner) and Hart. The situation is further complicated by the Library having its heating supplied from boilers in The Harlington.

#### **Cabinet's past decisions on a possible new or refurbished Harlington**

- 3.2 Cabinet lent support in principle for the option of a new Harlington on Gurkha Square in July 2016. This established the principle that there should be no adverse financial (capital and revenue) cost to Hart or result in any new burden on Hart's revenue account (full July 2016 Cabinet Resolution attached at Appendix I).
- 3.3 In early 2017 FTC consulted on 3 options to repair, refurbish, or to replace (on Gurkha Square) The Harlington.
- **Options 1 – Repair:** Leaving the existing Harlington essentially as it is, with replacement of obsolete services.
  - **Option 2 - Major Refurbishment:** Essentially a major refurbishment including extensions. It would result in the extension of the building beyond its current envelope and the reconfiguration and replacement of a number of parking spaces.
  - **Option 3 - New Build scheme on part of Gurkha Square:** Replacing the existing Harlington with a purpose built facility along the north side of Gurkha Square. It would result in the loss of 20 of the 51 Gurkha Square parking spaces.
- 3.4 Cabinet, in responding to the consultation, expressed concern that two of the options (Options 2 and 3) did not deal at the outset with any associated long term loss of land value, financial loss of income, and overall loss of parking to Fleet (full March 2017 Cabinet Resolution attached at Appendix I).

## **4 CONSIDERATIONS**

### **Short term considerations - Interim FTC lease**

- 4.1 Irrespective of FTC's longer term ambitions it is essential that interim lease arrangements are put in place to protect everyone's interests. In principle this should:
- (i) take the form of a two year 'rolling lease';
  - (ii) set out FTC's rights and responsibilities (including any day-to-day maintenance obligations);
  - (iii) confirm the relationship with existing tenants (the respective Hart tenancies would remain Hart's responsibility but the current rental and service charge arrangements between the tenants and FTC will need to be changed. Alternatively the tenancies will need to be reassigned to FTC); and
  - (iv) confirm contingency measures in the event that Hampshire County Council (HCC) gives notice to Hart of its intention to revoke the lease over its freehold area of land.
- 4.2 Cabinet also needs to confirm the rental arrangements, but in practice with such a short term arrangement, a peppercorn rent would not be unusual. However, Cabinet must confirm that this is to be the case.
- 4.3 Agreeing the final terms of this short term lease should be delegated to the Joint Chief Executive in consultation with the Portfolio Holder for Services (see report Recommendation A).

### **Longer Term Considerations**

- 4.4 Whilst FTC is still assessing its final options, the element of the project to deliver a new Harlington on part of Gurkha Square has reached a stage where the FTC is keen to submit an outline planning application. It also needs to establish with clarity the terms of any potential transfer of land so that the two alternative options for either the construction of a new Harlington or the option of the refurbishment of the existing building can be compared and assessed.
- 4.5 However, before the details of any longer term arrangement can be agreed Cabinet needs to be clear about what its longer term objectives are for the area as this will frame the nature of any final arrangement that is agreed with FTC. In this regard there are a number of key choices for Cabinet to consider;
- **Development Opportunity** – Should the potential of a new Harlington on part of Gurkha Square be used as an opportunity to redevelop the "Civic Campus"<sup>1</sup>;
  - **Capital asset value** – in agreeing any relocation of The Harlington onto part of Gurkha Square should Cabinet seek a market value from FTC for the Gurkha Square car park or should it seek a revenue income from FTC for the loss of car parking income (clarity required in light of the July 2016 and March 2017 Cabinet resolutions);

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<sup>1</sup> The 'Civic Campus' is used as a generic term in this instance to refer to the general area that comprises the Council Offices, the Library, the site of the existing Harlington, and Victoria Road car park.

- **Support for Community Focused Hart tenants currently in The Harlington** – if the wider Civic Campus potential redevelopment opportunity requires the existing Hart tenants to vacate the existing Harlington would Cabinet seek to provide alternative accommodation for these tenants, or continue grant funding, to enable them to find alternative accommodation independently?
- **Redevelopment of the existing Harlington** – should FTC decide not to proceed with a new Harlington on part of Gurkha Square, will Cabinet support a refurbishment of the existing Harlington for continued use by FTC and on what terms (clarity required in light of the March 2017 Cabinet decision). Option 2 (the major refurbishment option) will require the existing Hart tenants to be relocated. This will have a possible capital and revenue implication.

- 4.6 To make these choices, Cabinet needs to consider a number of factors;
- The balance of opportunity on Hart's assets versus the economic and social benefits attributable to a new or refurbished Harlington;
  - The balance between capital or revenue it wishes to achieve; and
  - The balance between risk and partnership working.

#### **Development Opportunity**

- 4.7 The opportunity to redevelop the Civic Campus has long been subject of discussion. Earlier opportunities for a major retail opportunity faltered due to lack of consensus and also viability in light of changes in market conditions. However, Hart is significantly under occupying the Council Offices and, through a redevelopment of the area, there are real opportunities to provide improved social, economic and environmental improvements to Fleet, as well as much needed revenue to Hart.
- 4.8 The greatest opportunity to deliver against this aspiration, will be on a site with the least constraints. There are however, already constraints that need to be addressed. For example:
- Hart has existing tenants who will need to be relocated;
  - There is currently an informal arrangement that allows Bakers to gain rear service access from Victoria Road car park; and
  - For good practical reasons a new Harlington on part of Gurkha Square would require a more formal service access arrangement from Victoria Road Car Park – although provided that such a constraint is recognised, there is no reason why a future Civic Campus redevelopment could not incorporate some form of appropriate service access.
- 4.9 A further potential constraint also needs to be addressed in that it may appear that land associated with the access linking Harlington Way to Victoria Road car park is not necessarily totally in Hart's control. Cabinet will need to ensure that in seeking to accept any constraints then it maximises the remaining development opportunity through securing full control over this residual land.

Issues for Cabinet to consider:

- (i) Does Cabinet wish to take the opportunity to use the potential relocation of The Harlington as an opportunity to explore the remaining redevelopment opportunity of the Civic Campus?
- (ii) If (i) is agreed, Cabinet must confirm
  - its position with regard to service access for third parties across Victoria Road car park; and
  - if it wishes to secure control over land that links Harlington Way with Victoria Road car park.

**Capital asset value**

- 4.10 Recognising that the option of a new Harlington is proposed to be on part of Gurkha Square car park, in accordance with the requirements of the Contract Standing Orders, an independent valuation of Gurkha Square has recently been carried out (March 2017 Cabinet decision refers). The market value attributable to the anticipated land 'take' is circa £575,000 based on either a freehold or long leasehold (over 7 years) disposal. This could represent a significant challenge for FTC to fund if Cabinet seeks to recoup the full market value for the land. An alternative approach therefore could be the provision of a shorter term, rolling lease, whereby FTC makes Hart 'whole' by making payment of the anticipated lost car parking revenue but such an arrangement may be challenging for FTC as it may not be sufficient for FTC to gain access to other forms of financing.
- 4.11 Notwithstanding the above, Cabinet may wish to balance the desire to protect revenue or capita income versus the benefits of the delivery of a new Harlington, in terms of social, environmental or economic benefits. It could therefore seek the approval of the Secretary of State and choose to dispose of the land for less than full market value. However, Cabinet needs to be mindful that disposal at a value €200,000 less than the market rate, are restricted by regulations associated with state aid. Specialist legal advice will therefore be necessary to assess the implications of potential state aid issues (report Recommendation C).

Issues for Cabinet to consider:

- (i) Cabinet must decide if it wishes to enter into a freehold/long leasehold disposal to FTC to facilitate development on part of Gurkha Square;
- (ii) For any disposal Cabinet must confirm the nature of what capital or revenue agreements it wishes to agree with FTC e.g peppercorn rent up to full market valuation; and
- (iii) If Cabinet decides not to pursue the full market value disposal of part of Gurkha Square car park to FTC does it wish to approach the Secretary of State for consent for a below market value disposal.

All this will need to be the subject of specialist legal advice to ensure that there is no conflict with a below market value disposal and state aid issues.

### **Support for community related Hart tenants in The Harlington**

- 4.12 A number of community groups use The Harlington. Two Community related Groups (WRVS and Fleet Phoenix) hold Hart tenancies with Hart. They both are also recipients of grants from Hart. If Cabinet wishes to make best use of its assets as part of a Civic Campus redevelopment opportunity these tenants will need to be relocated.
- 4.13 There is currently vacant space within the Civic Offices. This could be used to accommodate relocated Harlington tenants. However Cabinet must be mindful that
- Relocation of any new occupiers into the Civic Office may in itself hamper any future redevelopment opportunities; and
  - The Civic Offices may not actually be suitable for the proposed relocated tenants in terms of facilities offered (no kitchens, limitations on hours of access etc.) and relationship with current occupiers.
- 4.14 One option would be for Hart to fund the provision of alternative facilities for each of the respective Harlington tenants such as the construction of a purpose built replacement facility or occupation of a vacant premise (such as a small office for example). However, Hart does not have extensive experience in the delivery of such facilities, and such an option could be expensive. An alternative could be to help the tenants find alternative accommodation on a like-for-like basis, making provision for any potential uplift in rental costs.

#### Issues for Cabinet to consider:

Would Cabinet support the relocation of existing Hart tenants and if so on what basis?

- relocation within the Civic Offices/construction of new premises; or
- help the tenants find alternative accommodation on a like-for-like basis, making provision for any potential uplift in rental costs.

## **5 THE EXISTING HARLINGTON LEASE OPTIONS**

- 5.1 FTC's preference is for a new Harlington on part of Gurkha Square. However, Cabinet must give clarity on its position in the event that FTC needs a fall back scenario to be put in place in the event that a new Harlington is not feasible. This is likely to require a long term lease to be granted to FTC for continued occupation of The Harlington.

### **Option 1 – Repair of The Harlington**

- 5.2 If FTC were to pursue the simple refurbishment option then a long term lease (99 years) would be appropriate. This would give certainty of tenure and enable FTC to access longer-term funding for investment purposes. Any lease option will need to:
- a) set out FTCs rights and responsibilities (including maintenance obligations);
  - b) confirm the long term relationship with existing tenants – in practice the respective tenancies should be transferred to FTC as part of the 99 year lease package; and
  - c) confirm contingency measures if HCC gives notice to the District Council of its intention to revoke the lease over its freehold land.

Issues for Cabinet to consider

- (i) Does Cabinet agree that the long term lease should be for 99 years?
- (ii) If a long term lease is agreed
  - should it be on the basis of a full repair and insure arrangement<sup>2</sup>?
  - what is the nature of the revenue arrangements that Cabinet wishes to agree with FTC e.g. peppercorn rent up to full market valuation?
  - what arrangements would need to be made for existing Hart tenants?

**Option 2 – Major refurbishment of The Harlington**

- 5.3 Unlike Option 1, this option raises different issues. The proposal includes an extension of the Harlington beyond its current envelope. It also directly results in the loss of accommodation to Hart tenants (Fleet Phoenix and WRVS). It includes replacement for parking spaces that would otherwise be displaced by the proposed extensions.

Issues for Cabinet to consider:

Does Cabinet agree to the principle of a major refurbishment of The Harlington extending beyond its current boundaries? If yes, then what is Cabinet's position on the following:

- (i) how does Cabinet wish to deal with the capital value impact on any additional Hart land that would be required to facilitate the extension of an Option 2 Harlington beyond its current envelope?
- (ii) does Cabinet agree that a 99 year lease would be appropriate but Cabinet needs to confirm:
  - the nature of any lease (full repair and insure?);
  - the nature of any rental arrangement (i.e. should it be on a peppercorn or a full market value or in between rent?);
- (iii) should approaches be made to HCC to secure the reassignment of the current HCC lease to a longer term 99 year lease with FTC? and
- (iv) what is Cabinet's position with regard to the existing Hart tenants and who should fund their relocation and where to?

**6 LEGAL IMPLICATIONS**

- 6.1 A key consideration in the legal implications and risks to Hart are associated with decisions taken regarding the disposal of property for less than market rate. This includes issues associated with a possible conflict with the granting of state aid.
- 6.2 Cabinet must therefore seek further legal advice to clarify the position with regard to disposal at under value and any potential issues associated with state aid (Report recommendation C). There will also be separate risks to FTC, for which it should seek its own legal advice.

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<sup>2</sup> A full repairing and insuring lease (commonly called and FRI lease) is a lease where the costs of all repairs and insurance are borne by the tenant.

## **7 FINANCIAL IMPLICATIONS**

- 7.1 Gurkha Square car park income in 2015 was £130K, dropping to £108K in 2016 (includes both parking charges and fixed penalty notice payments). The relocated Harlington option would result in a loss of 21 of the existing 50 parking spaces. This will have an impact upon the Council's revenue income. As the disposal is likely to be more than a 7 year lease, this also has implications for the capital assets valuation of the car park.

### Issues for Cabinet to consider

Does Cabinet wish to secure a long term revenue stream to replace the revenue income that would otherwise be lost as a result of the building of a replacement Harlington on part of Gurkha Square? If yes, then how should this be achieved:

- (i) a one off capital/revenue payment; or
- (ii) an ongoing annual rental payment based for example upon the average of the current Gurkha Square car parking income achieved over the past three years?

If approach (ii) is agreed Cabinet must confirm how the capital value of the disposal of part of Gurkha Square car park is to be addressed?

## **8 ACTION**

- 8.1 Subject to the resolution of Cabinet, Officers will engage with FTC and the current Hart tenants groups on the basis agreed by Cabinet.

Contact: Daryl Phillips, Joint Chief Executive, x4143, [daryl.phillips@hart.gov.uk](mailto:daryl.phillips@hart.gov.uk)

### **APPENDICES:**

Appendix I Cabinet resolution July 2016 and Cabinet resolution March 2017

**Cabinet Decision July 2016**

That in any discussion with Fleet Town Council (or other developers) the following principles are clearly set out:

In terms of any option that involves the provision of a new Harlington facility on Council owned land the only District Council asset under consideration is Gurkha Square and any agreement would be subject to:

- 1      There should be no adverse financial (capital and revenue) cost to the District Council or result in any new burden on the District Council's revenue account
- 2      The return of the existing Harlington site with vacant and unencumbered possession to the District Council on first occupation/use or practical completion of the new Harlington (whichever is the earlier). This should include making arrangements for the relocation of other occupiers of the Harlington
- 3      Adequate replacement public parking is secured at no cost to the District Council to replace any loss of public parking that may arise from development.

Land at Church Road or Victoria Road car parks is not in scope for redevelopment and will not be made available for a replacement Harlington albeit they may ultimately be needed to deliver the replacement for the lost car parking.

**Cabinet Decision March 2017**

1.      As landowner, that potential Options 2 and 3 did not deal at the outset with any associated long term loss of land value, financial loss of income, and overall loss of parking to Fleet.
2.      The District Council will allocate £10,000 budget to pay for professional services, to enable Hart District Council to establish the potential capital or financial cost implications as a result of Options 2 or 3 being proposed by FTC.
3.      The response to the letter dated 14 February 2017, would advise that, subject to the necessary legal tests, the Council would seek to secure S106 developer contributions, to support the Harlington project once a final Option had been agreed.



## CABINET

### KEY DECISIONS/ WORK PROGRAMME AND EXECUTIVE DECISIONS MADE

#### December 2017

Cabinet is required to publish its Key Decisions and forward work programme to inform the public of issues on which it intends to make policy or decisions. The Overview and Scrutiny Committee also notes the Programme, which is subject to regular revision.

Report Title	Ref (Note 1)	Outline/Reason for Report/Comments	Original Due Date	Revised Due Date	Key Decision Y?	Cabinet Member (Note 2)	Service (Note 3)
5 Councils	Feb 17	Update on current contract discussions	April 17	Dec 17		AO	JCX
Homelessness Strategy	Oct 17	For approval	Dec 17		Y	SB	HS
Budget 2018/19	Annual	Annual Review to include Medium Term Financial Forecast	Dec 17			DN	F
Treasury Management Strategy	Nov 16	Half Year Review 2017/18	Dec 17			DN	CCS
Budget Monitoring	Quarterly	Quarterly Budget Monitoring	Dec 17 Mar 18 Sept 18			DN	F
Local Plan Submission Plan	June 16	Consideration of Reg 19 Consultation <b>Special Cabinet - 3 January 2018</b>	Jan 18			GC	PP
The Harlington	Nov 17	Consideration of delivery of a new Harlington	Jan 18		Y	DN	JCX
Hart Corporate Plan	Sept 17	Post consultation consideration prior to consideration and approval by Council in December 17	Dec 17	Jan 18		L	JCX

PAPER F

Local Government Insurance Mutual	Nov 17	To consider a proposal of becoming a founding member of a local government insurance mutual scheme	Jan 18			DN	F
Treasury Management Strategy	Annual	Approval of 2018/19 Strategy	Feb 18			DN	F
2018/19 Revenue Budget, Capital Programme and Council Tax Proposals	Annual	Approval. Recommendation to Council.	Feb 18			DN	F
Procurement of Regulatory Services Database	Jnov 17	For approval of a new Regulatory Services IT system	Feb 18			AC	RS
Performance Report of Commercial Strategy	Sept 17	Consideration of performance of Commercial Strategy	Mar 18			L	JCX
Service Plans	Annual	Agree Service Plans 2018/19	April 18			JR	All
Food Safety Service Plan	Annual	For approval	June 18			AC	RS
Outside Bodies	Annual	To confirm representatives on Outside Bodies	June 18			DN	JCX
Revenue and Capital Outturn 2017/18	Annual	Annual report on outturn.	Aug 18			DN	F
Treasury Management 2017/18	Annual	Annual report on Treasury Management Activities 2017/18	Aug 18			DN	F
Future Car Parking Strategy	Nov 17	To agree a way forward with service provision	TBC			JR	TS&EM

Notes:

1 Date added to Programme

2 Cabinet Members

DN Leader and Finance

AC Regulatory Services &  
Community Safety

SA Partnerships

SK Leisure & Countryside

SB Housing

AO Contracts

GC Planning

JR Services

3 Service:

JCX Joint Chief Executive

CS Community Services

RS Regulatory Services

CS Community Safety

CCS Corporate Services

L&EP Leisure and Environmental Promotion

F Finance

PP Planning Policy

TS & EM Technical Services and Environmental Maintenance

SLS Shared Legal Services

MO Monitoring Officer

## EXECUTIVE DECISIONS

28/11/17 Transfer of land at The Crescent, Crookham Village to Crookham Village Parish Council

## OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME – December 2017

Issue and Description of Topic	Current Position Objective	Original Due Date	Revised Due Date	Resources Required	Contact
<b>Public Space Protection Orders</b>	To appraise members of the issues associated with Public Protection Orders and the future of the 33 we presently have on specified areas in the district	Nov 17	Dec 17	Report	Community Services
<b>Hart Corporate Plan</b>	Post consultation consideration prior to Cabinet	Nov 17	Dec 17	Report	Joint Chief Executive
<b>The Harlington</b>	Consideration of delivery of a new Harlington	Dec 17		Report	Joint Chief Executive
<b>Corporate Risk Management Report</b>	Quarterly update on corporate risk profile	Dec 17 Mar 18 June 18 Sept 18		Report	Audit Manager
<b>Local Plan Submission Plan</b>	Consideration of Reg 19 Consultation <b>Special Meeting 2 January 2018</b>	None	2 Jan 18	Report	Planning Policy
<b>Treasury Management Strategy</b>	Annual report setting out the treasury management strategy for the council	Annual	Jan 18	Report	Head of Finance
<b>Draft Budget 2018/19</b>	Report	Annual	Jan 18	Report	Head of Finance
<b>Pavement and Verge Parking</b>	Feedback from investigation and potential opportunities	Dec 17	Jan 18	Report	Environment & Tech Services
<b>Safeguarding Policy</b>	Consideration of the revised Safeguarding Policy prior to Cabinet	Jan 18		Report	Community Services
<b>Litter and Dog Fouling Enforcement</b>	Monitoring/Review of pilot with East Hampshire	Oct 17	Jan 18	Report	Environment & Technical Services

<b>OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME – December 2017</b>					
<b>Issue and Description of Topic</b>	<b>Current Position Objective</b>	<b>Original Due Date</b>	<b>Revised Due Date</b>	<b>Resources Required</b>	<b>Contact</b>
<b>Quarterly Budget Monitoring</b>	Quarterly update on budget	Feb 18 Aug 18 Nov 18		Report	Head of Corporate Services
<b>Performance Information</b>	Quarterly highlight reports.	Feb 18 Aug 18 Nov 18		Report	Performance and Innovation Officer
<b>Service Plans</b>	To make recommendations to Cabinet on the Draft Service Plans 2018/19	Annual	Mar 18	Report	Joint Chief Executive
<b>Community Safety Partnership</b>	To scrutinise deliver of the Community Safety Partnership's objectives at the local level	None	Mar 18		Community Safety
<b>Fly Tipping</b>	Update on flytipping in the area, and initiatives to assist in reducing the problem	None	Mar 18		Environment and Technical Services
<b>Body Worn Video</b>	Annual monitoring of usage	April 18		Report	Environment & Technical Services
<b>Outside Bodies</b>	Reports from Representatives on Outside Bodies	Annual	April 18	Report	Joint Chief Executive
<b>RIPA</b>	Annual monitoring of usage	Annual	April 18	Report	Monitoring Officer
<b>Annual Review</b>	Preparation of Chairman's end of year report from Committee to full Council on the work of the Committee 2017/18	Annual	April 18	Discussion	Committee
<b>Flooding</b>	Notes from twice yearly meeting of Agencies	April 18 Oct 18		Minutes	Environmental & Technical Services
<b>Performance Report of Commercial Strategy</b>	Consideration of performance of Commercial Strategy	Apr 18		Report	Joint Chief Executive

<b>OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME – December 2017</b>					
<b>Issue and Description of Topic</b>	<b>Current Position Objective</b>	<b>Original Due Date</b>	<b>Revised Due Date</b>	<b>Resources Required</b>	<b>Contact</b>
<b>Nominations to Service Boards</b>	Member nominations to Service Boards	Annual	June 18		Chairman O&S Committee
<b>2017/18 Performance Information – Annual Outturn</b>	Annual report on outturn	Annual	June 18	Report	Performance and Innovation Officer
<b>Treasury Management Outturn</b>	Annual report on outturn	Annual	July 18	Report	Head of Finance
<b>2016/17 Revenue and Capital Outturn</b>	Annual report on outturn	Annual	July 18	Report	Head of Finance
<b>Budget 2018-19 (inc Medium Term Financial Forecast )</b>	Annual forecast	Annual	Nov 18	Report	Head of Finance
<b>Procurement Process</b>	Report on the process and its fitness for purpose	None	TBC		Joint Chief Executive
<b>Local Plan Process</b>	Review: <ul style="list-style-type: none"> <li>To assess whether the current arrangements for delivering the Local Plan are the most appropriate and efficient so that lessons can be learnt for the future, particularly when any adopted Plan is reviewed.</li> </ul>	None	TBC		Joint Chief Executive
<b>Bramshot Farm SANG</b>	Performance review	None	TBC		Planning
<b>Car Park Ticket Machines</b>	6 month review after implementation - meeting objectives, learning lessons etc	None	TBC		Environment and Technical Services
<b>Future Car Parking Strategy</b>	To agree a way forward with service provision	TBC			Environment and Technical Services

## **OVERVIEW AND SCRUTINY COMMITTEE**

**Date and Time:** Tuesday, 12 December 2017 at 7pm

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

**Present:**

### **COUNCILLORS**

Axam, Forster (substituting for Burchfield), Crisp, Crookes (Chairman), Harward, Leeson, Makepeace-Browne, Parker (substituting for Gray), Wheale, Dickins (substituting for Morris)

**In attendance:** Councillors Gray (arrived at 7.10pm), and Radley (James)

#### **Officers:**

Daryl Phillips	Joint Chief Executive
Neil Carpenter	Audit Manager
Caroline Ryan	Community Safety Manager
David Lipscombe	Community Safety Team Leader

## **76 MINUTES OF PREVIOUS MEETING**

Councillor Forster highlighted that Minute 64 (Public Participation) was not accurate – rather than “*there was a lack of regular visits*” the minute should read “*there were no regular visits*”.

With this amendment the minutes of the meeting of 21 November 2017 were confirmed and signed as a correct record.

## **77 APOLOGIES FOR ABSENCE**

Apologies had been received from Councillors Burchfield, substituted by Forster, Gray, substituted by Parker and Morris substituted by Dickens.

## **78 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman thanked those Members of Cabinet who had recently attended meetings of the Committee and confirmed that the Committee looked forward to the attendance of Councillor Kinnell to inform the Committee on progress within her Portfolio.

## **79 DECLARATIONS OF INTEREST**

None declared.

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

None.

## **81 UPDATES FROM SERVICE BOARDS**

Members of the Community Services Service Board updated the Committee on matters arising from the Service Board held earlier that evening.

## **82 CORPORATE RISK REGISTER**

Members considered the Corporate Risk Register which should be reviewed by management on a regular basis and reported to members to provide assurance that appropriate arrangements were in place to mitigate identified risks.

A number of issues were raised, including Financial Resilience, Cyber Risk, and clarification of Reliance on Key Contractors. It was agreed that the implementation of the General Data Protection Regulation (GDPR) was an important issue that required scrutiny, and so should be included in the Committee's future work programme.

### **DECISION**

That the Corporate Risk Register be noted and that the implementation of the General Data Protection Regulation (GDPR) should be included in the Committee's future work programme.

## **83 CORPORATE PLAN CONSULTATION FEEDBACK**

The Committee was appraised of the comments received during consultation on the draft Corporate Plan.

### **DECISION**

That the outcome of consultation on the draft Corporate Plan be noted and that Cabinet be recommended to carefully consider the issues raised in the representations that had been received.

## **84 PUBLIC SPACE PROTECTION ORDERS**

Members were informed that the Anti-Social Behaviour, Crime and Policing 2014 has replaced the Criminal Justice and Policing Act 2001, the implications of this change in relation to Designated Public Place Orders (DPPO) in Hart, and any future opportunities that these changes would bring and potential financial and resource implications.

### **DECISION**

That the report be noted and that it be recommended to Cabinet that Public Space Protections Orders should only be sought where there is evidence to support their introduction.



## **85 HARLINGTON REDEVELOPMENT**

The Committee was asked to review the issues raised in the draft Cabinet report and make recommendations to Cabinet for January's Cabinet meeting.

### **DECISION**

The Committee recommended to Cabinet that there was insufficient financial information submitted with the report to allow Overview and Scrutiny to make an informed evaluation/assessment on the best use of Hart District Council assets in the consideration of Option 3 (replacement of a new Harlington on part of Gurkha Square).

## **86 CABINET WORK PROGRAMME**

The Cabinet Work Programme was considered and noted.

## **87 OVERVIEW AND SCRUTINY WORK PROGRAMME**

The Overview and Scrutiny Work Programme was considered and amended to include the implementation of the General Data Protection Regulation (GDPR).

The meeting closed at 9.17 pm