



RUSHMOOR BOROUGH COUNCIL

CABINET

*at the Council Offices, Farnborough on
Tuesday, 25th July, 2017 at 7.00 pm
in Concorde Room, Council Offices, Farnborough*

To:

Councillor D.E. Clifford, Leader of the Council
Councillor K.H. Muschamp, Deputy Leader and Business, Safety and Regulation
Portfolio Holder

Councillor Barbara Hurst, Health and Housing Portfolio Holder
Councillor G.B. Lyon, Concessions and Community Support Portfolio Holder
Councillor M.L. Sheehan, Leisure and Youth Portfolio Holder
Councillor P.G. Taylor, Corporate Services Portfolio Holder
Councillor M.J. Tennant, Environment and Service Delivery Portfolio Holder

Enquiries regarding this agenda should be referred to Chris Todd, Democratic
Services, on 01252 398825 or e-mail: chris.todd@rushmoor.gov.uk

A G E N D A

1. **MINUTES** – (Pages 1 - 6)

To confirm the Minutes of the Meeting held on 27th June, 2017 (copy attached).

2. **BUSINESS RATES - NEW DISCRETIONARY RELIEF POLICIES FOR
SUPPORTING SMALL BUSINESSES AND PUBS** – (Pages 7 - 14)
(Councillor Gareth Lyon, Concessions and Community Support Portfolio Holder)

To consider Report No. FIN1725 (copy attached), which sets out two proposed new
policies in respect of Supporting Small Businesses Relief and Pub Relief.

3. **ALDERSHOT TOWN FOOTBALL CLUB AND FARNBOROUGH FOOTBALL CLUB - SUPPORT PACKAGE OF RENT RELIEF AND RATES RELIEF – (Pages 15 - 18)**

(Councillor Maurice Sheehan, Leisure and Youth Portfolio Holder and Councillor Gareth Lyon, Concessions and Community Support Portfolio Holder)

To consider Report No. CD1704 (copy attached), which sets out a package of financial support for Aldershot Town Football Club and Farnborough Football Club, in respect of ongoing rent and rates payments.

4. **POST CONSULTATION DETERMINATION ON PROPOSED VARIATION TO THE SCHEME OF HACKNEY CARRIAGE FARES – (Pages 19 - 20)**

(Councillor Ken Muschamp, Business, Safety and Regulation Portfolio Holder)

To consider Report No. EHH1727 (copy attached), which sets out the determination and the pending change to the current scheme of hackney carriage fares, following a period of public consultation.

5. **SOUTHWOOD GOLF COURSE - CONSULTATION ON OPTION TO CREATE A MAJOR NEW PARKLAND AND DELIVER SUITABLE ALTERNATIVE NATURAL GREENSPACE – (Pages 21 - 30)**

(Councillor Martin Tennant, Environment and Service Delivery Portfolio Holder and Councillor Maurice Sheehan, Leisure and Youth Portfolio Holder)

To consider Joint Report No. COMM1714 / PLN1720 (copy attached), which sets out a proposal to carry out a public consultation exercise on the option to close the Southwood Golf Course and convert it to a major new parkland, providing additional Suitable Alternative Natural Greenspace (SANG) to enable the delivery of new housing developments elsewhere in the Borough.



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Tuesday, 27th June, 2017 at 7.00 pm
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Portfolio Holder

Councillor Barbara Hurst, Health and Housing Portfolio Holder
Councillor G.B. Lyon, Concessions and Community Support Portfolio Holder
Councillor M.L. Sheehan, Leisure and Youth Portfolio Holder
Councillor P.G. Taylor, Corporate Services Portfolio Holder
Councillor M.J. Tennant, Environment and Service Delivery Portfolio Holder

The Cabinet considered the following matters at the above-mentioned meeting. All executive decisions of the Cabinet shall become effective, subject to the call-in procedure, from **11th July, 2017**.

15. **MINUTES –**

Further to Minute No. 8, in respect of Manor Park, Aldershot – fence replacement, it was agreed to include that the Cabinet requested that, if practicable, a plaque should be erected close to the replacement railings to explain that the original railings had been donated to the war effort during World War Two.

Subject to the above amendment, the Minutes of the meetings of the Cabinet held on 30th May, 2017 and 13th June, 2017 were confirmed and signed by the Chairman.

16. **TREASURY MANAGEMENT OPERATIONS FOR 2016/17 AND REVISIONS TO THE 2017/18 PRUDENTIAL INDICATORS –**
(Councillor Paul Taylor, Corporate Services Portfolio Holder)

The Cabinet received Report No. FIN1724, which set out the main treasury management activities during 2016/17, provided a review of the treasury management practices and schedules and set out a proposal for an increase to the capital budget for 2017/18, which required a revision to the prudential indicators for

capital financing for 2017/18. It was explained that the Council would continue to take advantage of borrowing at lower, short-term interest rates for the time being, whilst closely monitoring the financial markets for signs of potential future interest rate increases. The Cabinet expressed its support for the approach taken in this area.

The Cabinet

- (i) **RECOMMENDED TO THE COUNCIL** that approval be given to:
 - (a) the updates treasury management practices and schedules, as set out in Report No. FIN1724;
 - (b) a variation to the Capital Programme of £15 million, with delegation to the Cabinet to draw down for the purposes of investment property acquisition in 2017/18;
 - (c) the updated 2017/18 prudential indicators, as set out in Appendix E of the Report; and
- (ii) **NOTED** the Council's treasury management operations carried out during 2016/17, as set out in Report No. FIN1724.

17. REVIEW OF COMMUNITY WARD GRANTS SCHEME – (Councillor Gareth Lyon, Concessions and Community Support Portfolio Holder)

The Cabinet considered Report No. CD1703, which set out a review of the activity undertaken during 2016/17 under the Community Ward Grants Scheme pilot.

The Cabinet was informed that the pilot had been well received by Ward Councillors and that grants had been made in all thirteen Ward areas. The Cabinet was assured that Ward Members would be encouraged to use future grants to provide seed funding for new initiatives where possible, rather than to support existing causes. It was confirmed that the application process had now been simplified.

The Cabinet RESOLVED that the continuation of the Community Ward Grants Scheme for 2017/18 and the increase in the value of awards to £1,000 per annum per Ward, as set out in Report No. CD1703, be approved.

18. CAR AND CYCLE PARKING STANDARDS - REVIEW OF SUPPLEMENTARY PLANNING DOCUMENT – (Councillor Martin Tennant, Environment and Service Delivery Portfolio Holder)

The Cabinet considered Report No. PLN1719, which set out the draft Rushmoor Car and Cycle Parking Standards Supplementary Planning Document 2017 and sought agreement for this to be published for a period of public consultation.

Members were informed that the previous Supplementary Planning Document had been adopted in April 2012. It was reported that, in October 2016, the Cabinet had set up the Parking Strategy Member Working Group and that this Group had had a significant input in the development of the updated standards. It was explained that

the standards aimed to provide a framework to minimise parking issues on future developments. They were intended to be stringent but defensible in the case of an appeal. Members were assured that the Working Group had started to address areas where there were known parking problems at present.

The Cabinet considered the draft Supplementary Planning Document and discussed many issues, including the currency of the data used in preparing the document, the use of shared disabled / visitor spaces and the provision of car parking at educational establishments.

The Cabinet RESOLVED that

- (i) the outcome of the review of the Council's Car and Cycle Parking Standards Supplementary Planning Document, as set out in Report No. PLN1719, be noted; and
- (ii) the draft Supplementary Planning Document, as set out in the Report, be approved for consultation; and
- (iii) the Environment and Service Delivery Portfolio Holder, in consultation with the Head of Planning, be authorised to make any necessary minor changes, prior to publication for public consultation.

19. EXCLUSION OF THE PUBLIC –

RESOLVED: That, taking into account the public interest test, the public be excluded from the meeting during the discussion of the under mentioned items to avoid the disclosure of exempt information within the paragraph of Schedule 12A to the Local Government Act, 1972 indicated against the items:

Minute Nos.	Schedule 12A Para. No.	Category
20 and 21	3	Information relating to financial or business affairs

THE FOLLOWING ITEMS WERE CONSIDERED IN THE ABSENCE OF THE PUBLIC

20. PARTIAL DISPOSAL OF LAND SOUTH OF CRANMORE LANE, ALDERSHOT –
(Councillor Paul Taylor, Corporate Services Portfolio Holder)

The Cabinet considered Exempt Report No. LEG1712, which sought approval to appropriate land to be held for planning purposes and then to dispose of the land to the occupier of No. 5 Innisfail Gardens, Aldershot, to allow the land to be used as garden land.

It was explained that the plot in question, to the side of No. 5 Innisfail Gardens, Aldershot, had been left over when the adjoining housing had been built. It was confirmed that no objections had been received to the disposal of the open space, when this had been advertised as part of the planning application process.

The Cabinet RESOLVED that

- (i) the Solicitor to the Council be authorised to publish a notice, under Sections 232 (4) and 233 (4) of the Town and Country Planning Act, giving notice of intention to appropriate the land, shown edged red on the plan at Appendix 1 of Exempt Report No. LEG1712, for planning purposes;
- (ii) the Solicitor of the Council, in consultation with the Corporate Services Portfolio Holder, be authorised to consider any objections to the proposed appropriation and disposal; and
- (iii) the Solicitor of the Council, subject to the consideration of any objections, be authorised to dispose of the land outlined in red in Appendix 1, under Section 233 of the Town and Country Planning Act, at the price stated in the Exempt Report, subject to imposing covenants to fence the land and preventing any built development upon the land without the Council's consent.

21. LAND AND PROPERTY AT NO. 2A WINDSOR WAY, ALDERSHOT –
(Councillor Paul Taylor, Corporate Services Portfolio Holder)

The Cabinet considered Exempt Report No. LEG1711, which sought approval to dispose of No. 2A Windsor Way, Aldershot to the Church of England Diocese of Guildford, to be used for the expansion of the Holy Trinity Church in Aldershot.

Members were reminded that the site had been used previously by St. John Ambulance as an ambulance station but that they no longer required it. The Church was seeking to buy it to expand its existing site to allow more Church activities. It was confirmed that the Church would be required to enter into a planning obligation to restrict the use to a community use in connection with the Church and granting the Council a right of pre-emption should the Church ever wish to dispose of the property.

The Cabinet RESOLVED that

- (i) the Solicitor to the Council be authorised to sell No. 2A Windsor Way, Aldershot to the Church of England Diocese of Guildford for the sum set out in the Exempt Report No. LEG1711, subject to the Church:
 - (a) completing the purchase within a period of six months;
 - (b) entering into a planning obligation restricting the use of the land to use in connection with the Church;
 - (c) granting a right of pre-emption requiring the Church to offer to sell the property back to the Council at community use value should they wish to dispose of the property in the future; and
- (ii) the net capital receipt from the sale be set aside for use under the Council's Strategy for the Flexible Use of Capital Receipts.

The Meeting closed at 8.03 p.m.

D.E. CLIFFORD
LEADER OF THE COUNCIL

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CABINET

**COUNCILLOR GARETH LYON
CONCESSIONS AND COMMUNITY SUPPORT
PORTFOLIO HOLDER**

25TH JULY 2017

REPORT NO. FIN1725

KEY DECISION? ~~YES~~/NO

**BUSINESS RATES – NEW DISCRETIONARY RELIEF POLICIES FOR
SUPPORTING SMALL BUSINESSES AND PUBS**

SUMMARY AND RECOMMENDATIONS:

Cabinet are recommended to:

- 1) Establish a local Supporting Small Businesses Relief Policy and Pub Relief policy for reducing business rates liabilities as set out in this report, and;
- 2) Delegate responsibility for applying the reliefs to the Head of Financial Services.

1. INTRODUCTION

- 1.1 This report seeks to adopt two local policies to enable the Council to award Supporting Small Businesses Relief and Pub Relief from Business Rates with effect from 1 April 2017 to local ratepayers.

2. BACKGROUND

- 2.1 In the Spring Budget 2017, on 8th March 2017, the Chancellor announced three new schemes of Discretionary Rate Relief to support those Business Ratepayers who are having large increases to their bills following the national 2017 revaluation.
- 2.2 These new reliefs are known as Supporting Small Businesses Relief, Pub Relief and Revaluation Relief.
- 2.3 The Government has provided guidance, which sets out the criteria for awarding Supporting Small Businesses Relief and Pub Relief. This guidance has been used in developing the Council's local policy. This guidance does not replace existing legislation or any other relief.
- 2.4 The Government has also provided guidance for Revaluation Relief. However, this relief is more complex and requires consultation with other precepting authorities. Details on Revaluation Relief will follow in a separate report at a later date.

3. DETAILS OF THE PROPOSAL

General

- 3.1 Full details of Supporting Small Businesses Relief and Pub Relief are included in Annexe 1 and Annexe 2 of this report. A summary of these reliefs are outlined in paragraphs 3.2 to 3.6 below.
- 3.2 **Supporting Small Businesses Relief** - The Chancellor announced that a scheme of relief would be made available to those ratepayers facing large increases to their business rates bills as a result of the losing some or all of their small business rate relief following the 2017 revaluation.
- 3.3 To support these ratepayers, the Supporting Small Businesses Relief will ensure that the increase per year in the business rates bill is limited to the greater of:
- A cash value of £600.00 per year; or
 - A percentage increase per annum of 5%, 7.5%, 10%, 15% and 15% respectively in years 2017/18 to 2021/22, plus inflation.
- 3.4 **Pub Relief** – The Chancellor also announced a new relief scheme for pubs that have a rateable value of below £100,000.
- 3.5 Under the scheme, eligible pubs will receive a £1,000 discount on their bill.
- 3.6 This relief will have effect for 2017/18 only.

4. IMPLEMENTATION

- 4.1 Once the schemes are approved, new software will be applied to the Business Rates system to accurately identify all those eligible for Supporting Small Businesses Relief. Those eligible for the Pub Relief scheme have already been identified using both the business rates system information available to us and in conjunction with our colleagues in Licensing.
- 4.2 All businesses that are potentially eligible for either scheme, will be written to, enclosing a simple application form, which will need to be signed and returned to the Council. Under the requested delegation set out in the recommendations, the Head of Financial Services will then make the necessary award and amended bills will be issued (subject to State Aid regulations).
- 4.3 The schemes will also be available on the Council's website.

5. IMPLICATIONS

Legal Implications

- 5.1 Local Authorities are expected to deliver the scheme through the use of their discretionary relief powers under Section 47 of the Local Government Finance Act 1988.

Financial and Resource Implications

- 5.2 It is Small Businesses Relief to the value of £46k in 2017/18 (reducing thereafter) and approximately 29 ratepayers will qualify for Pub Relief to the value of £29k for 2017/18 only.
- 5.3 Central Government will reimburse billing authorities awarding Supporting Small Businesses Relief and Pub Relief within the rates retention scheme for the actual cost of awarding relief.
- 5.4 The Department for Communities and Local Government (DCLG) recognises that implementing new schemes places additional burdens on billing authorities. DCLG have advised that Rushmoor Borough Council will receive £12,000 in 2017/18 (under the New Burdens regime) towards the cost of implementing the three schemes announced in the budget.
- 5.5 Therefore there will be no financial impact on the Council but would have a benefit to certain ratepayers within the Borough.

5. CONCLUSIONS

- 5.1 In conclusion, Cabinet are asked to approve two new discretionary rate relief policies as attached at Annex 1 and Annex 2 of this report - Supporting Small Businesses Relief and Pub Relief.
- 5.2 The reliefs will be delivered using existing Discretionary Relief Powers under Section 47 Local Government Finance Act 1988 and the Council will be reimbursed for all relief awarded these schemes.
- 5.3 The Council will receive a grant towards the cost of implementation.
- 5.4 The schemes will benefit smaller ratepayers in the Borough by the provision of a transitional scheme that will reduce the burden on small businesses that have fallen out of Small Business Rates Relief due to the 2017 revaluation exercise and by a £1,000 relief payable in 2017/18 to eligible pubs.

BACKGROUND DOCUMENTS:

Business Rates Information Letter (4/2017): Spring Budget Update

www.gov.uk/government/publications/42017-spring-budget-update

Local Government Finance Act 1988, Section 47.

Non-Domestic Rating (Discretionary Relief) Regulations 1989 (SI 989 1059).

CONTACT DETAILS:

Report Author – David May / david.may@rushmoor.gov.uk / 01252 398330

Head of Service – Amanda Fahey / amanda.fahey@rushmoor.gov.uk 01252 398440

Business rates discretionary rate relief

Supporting small businesses policy

The Government announced in the Spring Budget in March 2017 that it would provide relief to those ratepayers facing large increases to their 2017-18 business rates bills as a result of losing some or all of their small business rates relief following the national 2017 revaluation.

The relief is to be known as Supporting Small Businesses relief and is payable in accordance with a local policy introduced by the council.

To support these ratepayers, the relief will ensure that the annual increase in business rates is limited to the greater of:

- A percentage increase* in each year (after inflation is applied) of:

Year	% Increase
2017/18	5%
2018/19	7.5%
2019/20	10%
2020/21	15%
2021/22	15%

*The percentage increase is taken against the bill for 31 March 2017 after small business rate relief is applied.

- Or a cash value of £600 a year (£50 per month). This cash minimum increase ensures that those ratepayers paying nothing or very small amounts in 2016/17 after small business rate relief will be paying something.

This means that in the first year of the scheme ratepayers losing some or all of their small business rate relief will see the increase capped at £600. The cash minimum increase will be £600 a year thereafter. This means that ratepayers who are currently paying nothing under small business rate relief, and are losing all of their entitlement to relief, would under this scheme be paying £3,000 in year five.

Those on the Supporting Small Businesses Relief Scheme whose 2017 rateable values are £51,000 or more will not be liable to pay a supplement to fund small business rate relief while they are eligible for the Supporting Small Businesses Relief Scheme.

Ratepayers will remain in the Supporting Small Businesses Relief Scheme for either five years or until they reach the maximum bill they would have paid if the scheme did not exist.

Further details of the scheme include:

- A change of ratepayer will not affect eligibility for the Supporting Small Businesses Relief Scheme
- Premises eligible for charity or community amateur sports club relief, or premises that are unoccupied, are not eligible for supporting small business relief.
- Supporting small business relief should be considered before the application of any other discretionary rate relief and after the award of small business rate relief and transitional relief.
- The amount of relief awarded under the Supporting Small Businesses Relief Scheme should be recalculated in the event of a change of circumstances. This could include, for example, a backdated change to a rateable value or the ratepayer vacating the premises. This change of circumstances could arise during the current or a previous financial year.

State Aid

The award of Supporting Small Businesses relief will be State Aid compliant.

The issue of rate reliefs being considered as qualifying as state aid is now of some significance and is briefly explained in the Rate Relief for Charities and other Non-Profit Making Organisations guidance note issued by the Office of the Deputy Prime Minister in December 2002.

Broadly, any award of discretionary rate relief is subject to State Aid limits, which allow a business to receive a maximum of €200,000 of aid in a three-year period (consisting of the current financial year and the two previous financial years).

For more information please speak to the business rates team on **01252 398 331** or email **businessrates@rushmoor.gov.uk**

Business rates discretionary rate relief

Pub Relief Scheme

The Government announced in the Spring Budget in March 2017 that it would provide relief of up to £1,000 to all occupied public houses with a rateable value of less than £100,000 for the year 2017/18.

The relief is to be known as Pub Relief Scheme and is payable in accordance with a local policy introduced by the council.

In law, there is no definitive description of a traditional pub or public house which can be readily used by local authorities to determine eligibility. The objective has been for central government to adopt an approach which makes eligibility clear and consistent

The Government's advice, which the council has adopted in their policy, defines a pub as:

- Open to the general public
- Allows free entry other than when occasional entertainment is provided
- Allows drinking without requiring food to be consumed
- Permits drinks to be purchased at the bar
- A social club primarily used as a drinking establishment and where membership is not restricted

Premises excluded from the Pub Relief Scheme are:

- Restaurants and cafes
- Nightclubs
- Hotels
- Snack bars
- Guest houses and boarding houses
- Sporting venues
- Music venues
- Festival sites
- Theatres
- Museums
- Exhibition halls
- Cinemas
- Concert halls
- Casinos

State Aid

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For more information please speak to the business rates team on **01252 398 331** or email businessrates@rushmoor.gov.uk

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CABINET
25th July 2017

COUNCILLOR MAURICE SHEEHAN
LEISURE & YOUTH PORTFOLIO HOLDER

COUNCILLOR GARETH LYON
CONCESSIONS AND COMMUNITY SUPPORT
PORTFOLIO HOLDER

KEY DECISION: YES

REPORT No. CD1704

**ALDERSHOT TOWN FOOTBALL CLUB AND FARNBOROUGH
FOOTBALL CLUB – SUPPORT PACKAGE OF RENT RELIEF AND
RATES RELIEF**

SUMMARY AND RECOMMENDATIONS:

This report outlines a package of financial support for Aldershot Town Football Club and Farnborough Football Club in respect of ongoing rent and rates payments.

A support package offering support on a sliding scale over the next three years is set out in detail in paragraph 3.4 of this report.

Cabinet are asked to consider the detail in 3.4 and adopt the associated support package. In the event that Cabinet elect not to support this package, they are invited to suggest a variant.

1. Introduction

1.1 The purpose of this report is to:

- Consider a package of financial support to both Aldershot Town Football Club and Farnborough Football Club to assist both clubs with their running costs in respect of rent and rates charges

1.2 This is a key decision because it affects more than one Ward.

2. The Background

2.1 On 15th October 2013 the Council approved a package of financial support to both Aldershot and Farnborough football clubs for a three-year period (with some conditionality) to help both clubs transition through a period of Administration. The detail of the financial support package is contained in Exempt Report DOR 1308. However, in summary, both clubs were granted rent-free periods and 50% rates relief for three years with Farnborough required to make additional payments towards accrued rent arrears.

- 2.2 In the period since, both clubs have been able to come out of Administration and have continued operating from their respective Council owned facilities. Both clubs have managed to stabilise their operations and both had successful on-field seasons during 2016/17. However, both clubs report difficult financial operating conditions and both have required their owners or Board members to inject cash into their businesses to be able to exit their Administration arrangements, meet playing and ground requirements and continue to operate.
- 2.3 The period of financial support previously offered by the Council expired during the 2016/17 financial year and both clubs have been in discussions with the Council to seek extended support.

3 Details of the Proposal

- 3.1 During 2016/17, both clubs approached the Council and asked for an open dialogue about continued financial support. The Council's Cabinet visited both football clubs to discuss their current situations. Both clubs were asked to set out their:
- a) Current range of operations
 - b) Financial structure and business plan
 - c) Community engagement activities
 - d) Any ideas for more commercial operations at their respective grounds or partnership opportunities to work closer with the Council
- 3.2 During discussions, the Cabinet made it clear that the football clubs were valued as part of the local community and an important part of local community identity. It was pointed out that this had been the basis of the previous financial support package. Any future financial support would need to go hand in hand with evidence of each club maintaining their community focus and willingness to work with the Council for the benefit of local people.
- 3.3 In keeping with the approach taken with other organisations with community focus in relation to their rent and rates contributions, the Cabinet were keen to establish consistency in any support provided.
- 3.4 Taking into account the above, the following proposals (with the underlying principles set out in 3.5) offer a potential balanced package of support. The full financial impact is set out in the section under Financial and Resource Implications in para 4.1.

Aldershot

2016/17: Full rent relief and 50% rate relief
2017/18: 50% rent relief and 80% rate relief
2018/19: 25% rent relief and 80% rate relief
2019/20: 10% rent relief and 80% rate relief
2020/21: No rent relief and 80% rate relief

Farnborough

2016/17: Full rent relief and 50% rate relief plus old arrears payments

2017/18: 80% rent relief and 80% rate relief plus old arrears payments

2018/19: 40% rent relief and 80% rate relief plus old arrears payments

2019/20: 10% rent relief and 80% rate relief plus part year old arrears

2020/21: No rent relief and 80% rate relief

3.5 The principles underlying this package are that:

- Both clubs are being offered transitional rent relief for the next three financial years on a reducing scale culminating in full rent being paid by both Clubs during the 2020/21 financial year. Most other organisations occupying Council facilities and receiving rent relief have recently been given notice of a need to make a 20% contribution to rent in a graduated fashion over three years.
- Rate relief is proposed at 80% for both clubs. This is the figure that is awarded to community amateur sports clubs and whilst neither club is of this status, much of their activity in recent years has become more akin to that of a community sports club.
- The variation in rent relief suggested for Farnborough Football Club in 2017/18 and 2018/19 is in recognition of the Club's on-going need to clear arrears that had developed under the previous failed Club. This condition to clear arrears had been placed underpinning the previous financial package back in 2013 and the Club have honoured this condition to date. At the present rate of repayment, the Club will be clear of the old arrears debt during 2019/20. With Farnborough having cleared their arrears, both football clubs will receive the same percentage of rent and rates support from 2019/20 onwards.

Alternative Options

3.6 Whilst the proposal in 3.4 has been worked up as described above, clearly a number of other variants ranging from 100% on-going rent and rate relief support down to 0% on-going rent and rate relief support are available as alternative options, and should be considered during Cabinet's deliberations.

Consultation

3.7 No broad public consultation would be appropriate in respect of this matter. Both football clubs have been fully engaged and appraised of progress as this package has been developed. The entire Cabinet met with both football Clubs during 2016/17.

4. Implications

Financial and Resource implications

4.1 The financial implications of the rent and rates foregone for the Council and the financial effect on the football clubs as a result of the package set out in 3.4 above, is as follows:

Financial effect on the Council

Amounts the Clubs will pay

	Total cost to the Council of Rent Relief (for both clubs)	Total cost to the Council of 80% Rate Relief (for both clubs)	Total Financial Assistance from the Council (for both clubs)	Aldershot Town Football Club to Pay	Farnborough Football Club to Pay	Farnborough Football Club payment of Rent Arrears
Financial Year	£	£	£	£	£	£
2016/17	32,000		32,000	-	-	8,330
2017/18	22,100	10,600	32,700	16,370	5,150	8,330
2018/19	11,050	10,980	22,030	22,760	10,050	8,330
2019/20	3,700	11,390	15,090	26,660	13,760	4,160

Risks, Legal, Equalities Impact

- 4.2 There are no notifiable risks, legal or equalities implications as a result of this report.

5. CONCLUSIONS

- 5.1 This report seeks to offer a sustainable package of financial support for both of the Borough's major football clubs as they continue to experience difficult operating conditions. The package seeks to ensure support that is consistent, transparent and time-bound with both clubs moving towards paying full rent within a three-year period.
- 5.2 Both football clubs continue to be important community focal points within the Borough and the Council will seek to enhance and encourage the community benefits, particularly greater community and fan engagement, that both clubs can bring as a result of their unique positions within the local area.
- 5.3 This package will contribute towards both football clubs' ability to maintain a sustainable future and strikes a balance between the Council's requirement to move to a greater contribution for rent, balanced against affordability for the clubs.

CONTACT DETAILS:

Report Author – Ian Harrison, Corporate Director
ian.harrison@rushmoor.gov.uk / 01252 398400

CABINET

25 JULY 2017

**COUNCILLOR KEN MUSCHAMP
BUSINESS, SAFETY & REGULATION
PORTFOLIO HOLDER**

KEY DECISION: NO

REPORT NO. EHH1727

**POST CONSULTATION DETERMINATION ON PROPOSED VARIATION TO
THE SCHEME OF HACKNEY CARRIAGE FARES**

SUMMARY AND RECOMMENDATIONS

This report is for information only and updates Cabinet on the post-consultation determination of proposed variations to the scheme of hackney carriage fares which; following approval of Cabinet on 30th May 2017, were published for public consultation in June.

Following consultation, no representations, objections or comments have been received. In accordance with sections 65(3) and 65(4) of the Local Government (Miscellaneous Provisions) Act 1976, this means that the proposal to apply a 4% uplift to the pull-off and running mile yardage rates to the current scheme of fares will take effect from 1st August.

Cabinet is requested to note the post-consultation determination and the pending change to the scheme of fares.

1.0 BACKGROUND & INTRODUCTION

- 1.1 This report follows that put to Cabinet on 30th May 2017 (see Head of Environmental Health & Housing Services report EHH 1720) concerning a proposal to vary the extant scheme of hackney carriage fares. The proposal was to vary taxi fares by applying a 4% uplift to the pull-off and running mile yardage across all meter rates detailed on the current scheme of fares.
- 1.2 At this time, and as a key decision, Cabinet approved the given proposals for public consultation on the understanding that if objections were received, these would be brought back to Cabinet for consideration. Conversely, if no objections were received on consultation, the proposed scheme would take effect on expiry of the date specified in the consultation notice; given as the 1st August. This accorded with the provisions of sections 65(3) and 65(4) of the Local Government (Miscellaneous Provisions) Act 1976.

2.0 DETAILS OF CONSULTATION

- 2.1. Following Cabinet approval, the proposed variation was consequently subject to public consultation and advertised in the Hampshire Independent (dated 16th June 2017; Issue 251; Page 21). By way of adequately allowing for the statutory minimum period of 14 days consultation, the last date for representations was given as 7th July 2017.

- 2.2. In accordance with procedure, the views of the Licensing & General Purposes Committee were also sought during the consultation period. Consequently, the Committee considered the Head of Environmental Health and Housing Services report No. EHH1723 at its meeting of the 26th June 2017.

3.0 OUTCOME OF CONSULTATION

- 3.1. The Licensing & General Purposes Committee universally endorsed the proposals with no further comments. Further to this, no representations, objections or comments were received on closure of the public consultation period (7th July).

4.0 IMPLICATIONS

- 4.1. The determination of hackney carriage fares remains an executive function. However, the effect of sections 65(3) and 65(4) of the Local Government (Miscellaneous Provisions) Act 1976 means that in the absence of representations, the proposed variation now takes effect from 1st August 2017; the date specified in the consultation notice.

5.0 CONCLUSIONS

- 5.1. A proposed variation to the scheme of hackney carriage fares was considered and approved by Cabinet in May. The proposal has been subject to public consultation and the consideration of the Licensing & General Purposes Committee.
- 5.2. By law, any advertised proposal automatically takes effect in the event that it does not attract any representations or comments on a date specified in the consultation notice. Following consultation, no representations, objections or comments have been made in respect of the proposals which will therefore take effect from 1st August as the specified date.

BACKGROUND

DOCUMENTS: None

CONTACT DETAILS:

Portfolio Holder - Ken Muschamp, Member for Business, Safety & Regulation
ken@laurind.co.uk, 07801 430352

Head of Service – Qamer Yasin, Head of Environmental Health & Housing
qamer.yasin@rushmoor.gov.uk, 01252 398640

Report Author – John McNab, Environmental Health Manager
john.mcnab@rushmoor.gov.uk, 01252 398886

APPENDICES: None

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CABINET
25 July 2017

COUNCILLOR MARTIN TENNANT
ENVIRONMENT AND SERVICE DELIVERY
PORTFOLIO HOLDER

COUNCILLOR MAURICE SHEEHAN
LEISURE AND YOUTH PORTFOLIO HOLDER

Key Decision: No

Report No COMM 1714
Report No PLN1720

Southwood Golf Course – Consultation on the option to create a major new parkland and deliver Suitable Alternative Natural Greenspace.

Summary and Recommendations:

In order to continue to deliver the regeneration of the Borough's town centres, and meet housing needs, the new Local Plan for Rushmoor requires the identification of additional Suitable Alternative Natural Greenspace (SANG).

SANG must be newly accessible areas of open space where the public can pursue informal recreational activities that are free of charge. The aim of SANG is to dissuade residents from using the Thames Basin Heaths Special Protection Area with its protected plants and wildlife which falls within and just outside the Borough. Given the tightly constrained nature of the Borough, opportunities for identifying and delivering new SANG are limited.

There is however, potential to close the Southwood Golf Course and use it to provide up to 50 hectares of SANG. This would provide a major new parkland, protected in perpetuity for all the Borough's residents to enjoy and enable the delivery of around 2,500 new homes on other land (not on the golf course) in Rushmoor. It would also provide a number of financial benefits.

Consultation on the option to use Southwood Golf Course as a SANG is therefore an important step in determining the way forward in respect of the future role of the land as part of the delivery of the Borough's new Local Plan.

Cabinet would receive a further report on the results of the consultation and a recommendation on the future course of action.

Recommendation

Cabinet is recommended to approve the consultation process as set out in this report and to explore the potential closure of Southwood Golf Course and the conversion of the land to major parkland (SANG).

1. Introduction

- 1.1 One of the Council's key priorities is to help deliver the regeneration of the Borough's town centres, whilst at the same time providing much needed new housing to meet existing and future needs. The new Local Plan¹ is the framework that will guide the scale, type and location of such development in the Borough. However, to deliver the housing target in the Local Plan, mitigation² must be provided to offset the potential recreational impact on the Thames Basin Heaths Special Protection Area arising from new homes in the Borough.

2. Background

- 2.1 One element of the "mitigation" required to enable net new residential development in the Borough is the delivery of SANG which must be newly accessible areas of open space where the public can pursue informal recreational activities that are free of charge. The aim of SANG is to dissuade residents from using the heathland with its protected plants and wildlife which falls within and just outside the Borough.
- 2.2 The Council has already used up its own SANG at Southwood Woodland and Rowhill Nature Reserve, and is working with its neighbouring local authorities and other landowners to try to secure additional SANG capacity. However, this is proving difficult due to the predominantly urban nature of the Borough.
- 2.3 Natural England has indicated that if Southwood Golf Course (plan attached) were to be closed and used instead as parkland, this would provide enough SANG for around 2,500 new homes to be built on other land in the Borough. At the same time, it would deliver in perpetuity a major new parkland available to all the Borough's residents.

3. Details of the proposal

- 3.1 Natural England will require a proposal document and management plan to identify both the capital and revenue costs associated with looking after the Southwood Golf Course as a SANG. This will include a survey to identify current levels of informal use and a flood risk assessment. This will enable Natural England to determine how much of the current 50 hectares could be included as SANG. This would link to the adjoining Southwood Woodland, creating large public parkland to serve the immediate community of Southwood and the wider community of Rushmoor. The future use of the buildings on the Golf Course will also be considered as part of this project.

¹ The Draft Submission Rushmoor Local Plan is available to view at:
www.rushmoor.gov.uk/newlocalplan

² Further information on the requirements relating to the Thames Basin Heaths SPA is contained in Appendix 1 to this report.

- 3.2 The SANG would be used for, informal leisure activities such as walking dogs, cycling, fitness and nature trails, green gym, natural play structures, orienteering, community orchard, a small allotment garden and a local educational resource. The provision of some of these may affect the size of available SANG. It would also provide a local educational resource.
- 3.3 Conversion of the Golf Course into SANG would enable the delivery of around 2,500 new homes in Rushmoor by mitigating the potential recreational impact on the Thames Basin Heath Special Protection Area. These homes would not be built on the Golf Course, but would allow housing sites elsewhere in the Borough required by the new Local Plan, to come forward. The cost of developing and maintaining in perpetuity the SANG would be met through contributions from developers.
- 3.4 Southwood provides an 18 hole public golf course with clubhouse and is operated by a contractor on behalf of this Council. The tender is due for renewal in spring 2019. It provides both a sport and physical activity for its customers and at its peak attracted around 40,000 rounds of golf, making a profit of £200,000 pa. Given local competition, this has reduced significantly to around 25,000 rounds and now costs the Council £40,000 pa. There are no indications this would change with retendering in 2019.
- 3.5 The membership of the club has reduced to around 180 of which 120 are seniors, with under half living in Rushmoor. Overall, there are around 70 adult season ticket holders paying between £500 and £800 per year and 130 senior season ticket holders paying £400 per year.
- 3.6 There are a number of alternative golf courses in the local area, (The Army, Pine Ridge and Oak Park) which cater for pay and play and private members. The memberships range from £900 for a midweek and £1,000 for a weekend up to £1,000 midweek and £1,400 at a weekend. Some of these also have initial joining fees. The fees for turn up and play at Southwood and other local courses are attached (Appendix 2).
- 3.7 The Council will liaise with these local Golf Clubs to identify if there would be scope for any members of Southwood to relocate, along with the financial implications.

Alternative Options

- 3.8 As a constrained urban authority, options to create SANG are finite. The Council has already used both its main woodlands at Rowhill and Southwood for SANG. The Council is also working with neighbouring authorities to share the mitigation offered by new SANG sites in their areas, but opportunities are limited.
- 3.9 The Council could consider reducing the Southwood Golf Course from 18 holes to 9 holes but this would significantly reduce the amount of SANG available, and is unlikely to deliver a viable golf operation.

Consultation

- 3.10 It is proposed to carry out consultation during August and September 2017 to gauge the views of all stakeholders on the use of the Southwood Golf Course as a SANG. This would include local Councillors, the Golf Course operator, club members and other users, residents both adjacent and wider, conservation and leisure organisations along with statutory consultees.
- 3.11 We will use an online survey, which will be promoted through the web, social media, a local leaflet drop, press releases, static displays and meetings.
- 3.12 The key consultation messages would include:
- Conversion of Southwood Golf Course into a SANG would protect the land for public open space, and together with adjacent Southwood Woodland, and potential adjoining SANG in Hart, would create a large natural parkland area for residents to enjoy
 - This scheme would allow around 2,500 new homes to be built in Rushmoor, whilst protecting in perpetuity the Golf Course as parkland open for all residents to enjoy
 - The cost of setting up the SANG and maintaining it in perpetuity (at least 80 years) would be met by contributions from developers
 - Additional financial contributions will be collected from developers based on the value of the SANG (circa £6m)
 - Under current Government grant funding arrangements generation of New Homes Bonus could provide a significant sum (circa £10m) over a 4 year period, in excess of current projections.
 - Increased Council Tax collections, although there are inevitable costs to be incurred by the Council in relation to providing services to these new dwellings.
 - Potential revenue savings on the golf course (circa £40k pa)
 - The Golf Course attracts around 25,000 visits each year providing both sport and physical activity, which is enjoyed by local residents. In recent years, the level of use of the Golf Course has reduced significantly and it is now being subsidised by the Council. There are also a number of alternative golf courses in the local area, including pay and play courses and private members clubs.

4. Implications of decision

Legal Implications

- 4.1 If the Council chooses to close the Golf Course and use it for SANG we will need to terminate the existing golf course contract in 2019. The Council holds the Southwood Golf Course for leisure use and the provision of SANGs is a leisure use so there is no need to appropriate the land holding.
- 4.2 Other legal matters that will require attention relate to land ownership issues, including a strip of land on the site, which is in Hampshire County Council's ownership and would benefit from being included in the SANG. We may need to seek clarification on Public Rights of Way that cross the site particularly where these do not follow the official route. It will also be necessary to ensure that the SANG does not interfere with the clearance required for the oil pipeline that crosses the site.
- 4.3 Whilst a planning application will not be required to secure permission for change of use of land to public open space, it may be that some associated works, including access and parking, landscaping, walkways, bunding and boundary works to facilitate the SANG, are deemed operational development, and would therefore require planning permission. This may also apply when considering the future use of any buildings.

Financial and Resource Implications

- 4.4 The Council has previously converted both the Southwood Woodland and Rowhill Nature Reserve into SANG. The financial implications associated with the creation of a SANG at Southwood Golf Course will be clarified through the preparation of a "SANG" proposal document and management plan. The set up and maintenance costs will be covered through the collection of developer contributions associated with net new residential development in the Borough.
- 4.5 The closure of the Golf Course would provide a saving of £40k pa in relation to existing yearly operating costs, assuming the development commences as soon as the existing golf contract ends. As well as facilitating the delivery of new homes in the Borough, there are a number of associated financial benefits. These include around £6m from developers towards the value of the SANG. Under current Government grant funding arrangements generation of New Homes Bonus could provide a significant sum over a 4 year period, in excess of current projections.
- 4.6 The new homes would also provide for an increased Council Tax yield to the Council of around £350k per annum. There are inevitable costs to be incurred by the Council in relation to its provision of services to these new dwellings that would substantially absorb the additional income raised. However, with careful management of these costs the Council could

generate a favourable revenue financial outcome for the future in relation to this development.

5 Conclusion

- 5.1 To continue delivering the regeneration of the Boroughs town centres and meet housing needs, the Council must identify additional SANG which is proving difficult. The closure of the Southwood Golf Course and its conversion to a major new parkland, available for all residents, provides an opportunity to deliver up to 50 hectares of SANG to enable around 2,500 new homes to be built elsewhere in the Borough. Consultation on this option will provide key stakeholders with an opportunity to give their views and enable a more informed decision on the way forward.

Background documents:

The new Local Plan and supporting documents can be viewed at:

www.rushmoor.gov.uk/newlocalplan

Further information on the Thames Basin Heaths Special Protection Area can be viewed at: www.rushmoor.gov.uk/spa

Contact details:

Report Authors:

Ashley Sharpe Ashley.sharpe@rushmoor.gov.uk/01252 398762

Louise Piper/louise.piper@rushmoor.gov.uk/01252 398410

Heads of Service:

Peter Amies/ peter.amies@rushmoor.gov.uk 01252 398750

Keith Holland/keith.holland@rushmoor.gov.uk/01252 398790

Southwood Golf Course Plan



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Appendix 1: Thames Basin Heaths Special Protection Area, and its implications for new development in Rushmoor

1. What is the Thames Basin Heaths Special Protection Area?

- 1.1 The Thames Basin Heaths Special Protection Area was designated in March 2005 under European Law. It is a network of heathland sites spanning eleven local authorities across Hampshire, Berkshire and Surrey. The Special Protection Area (SPA) provides a habitat for internationally important bird species, namely Woodlark, Nightjar and Dartford Warbler.
- 1.2 The Council must ensure that any development does not have an adverse effect on the SPA. In respect of residential development, if harm is deemed to arise from a net increase in houses, then the Council, as the competent authority, has a legal obligation not to approve the plan or project unless avoidance and mitigation measures are in place. Natural England considers that any increase in population within 5 kilometres of the SPA may have an impact on the level of recreational use taking place in the SPA, resulting in adverse effects that could be harmful to the habitat of the protected birds.
- 1.3 The whole of Rushmoor lies within 5 kilometres of the SPA and therefore any new net residential development requires the following to overcome these adverse effects;
 - The provision of SANG to attract people away from the SPA and hence reduce pressure on it;
 - Access management measures on, and monitoring of, the SPA to reduce the impact of people who visit the SPA (known as “Strategic Access Management and Monitoring” – SAMM)
- 1.4 Development plan policy requires SANG to be provided on the basis of at least 8ha per 1,000 population, with an average occupancy rate of 2.4 people per dwelling. SANG will be funded by developer contributions, or bespoke SANG solutions can be provided on-site by developers. SANG should be at least 2ha in size with;
 - SANG of 2 – 12ha having a catchment of 2km
 - SANG of 12 – 20ha having a catchment of 4km
 - SANG of 20+ha will having a catchment of 5km
- 1.5 Developments resulting in a net increase of less than 10 dwellings in Rushmoor do not need to be within a specified distance of SANG; however, they must still pay contributions to SANG and SAMM.
- 1.6 The capacity of the existing SANG in Rushmoor is nearing exhaustion and work has been ongoing to identify further SANG projects to enable the mitigation of net new residential development in the Borough.

2. Rushmoor Local Plan

- 2.1 As local planning authority, the Council should produce a Local Plan that sets out the future planning framework for its administrative area. The Rushmoor Local Plan sets out the long-term framework to guide future development in the Borough up to 2032, supported by detailed planning policies and site allocations required to deliver it.
- 2.2 With regard to the delivery of new homes, the obligation set out in the National Planning Policy Framework is that local authorities should establish housing need across the Housing Market Area (HMA) to which it belongs, and ensure that the component Local Plans together use all reasonable endeavours to meet that “objectively assessed” need within the HMA boundary. The total housing need across the HMA is 1,200 new dwellings per year over the Plan period, and of that, Rushmoor’s objectively assessed housing need is equivalent to about 436 dwellings per year, or 7,848 dwellings over the period 2014 / 2032.
- 2.3 Evidence suggests that there is adequate capacity to accommodate Rushmoor’s share of the HMA’s objectively assessed housing need within the Borough, with a small surplus of around 850 units over the Plan period. This is sufficient to allow some flexibility should some sites for any reason not be delivered as anticipated.
- 2.4 However, the delivery of Rushmoor’s share of the HMA’s objectively assessed housing need is dependent on the identification and delivery of sufficient land to mitigate the potential recreational impact arising from occupation of net new dwellings on the Thames Basin Heaths Special Protection Area. The Council is making every effort to facilitate SANG to enable the delivery of the housing target set out in the new Local Plan.
- 2.5 The Council is in discussion with Hart to set up a formal arrangement to share the mitigation offered by new SANG sites in Hart District that have a catchment extending to include new housing sites in Rushmoor. Moreover, a new SANG with surplus capacity is anticipated as part of the housing allocation in the Draft Submission Rushmoor Local Plan for land at Blandford House and Malta Barracks in Aldershot. Even with this additional SANG capacity, it would not be sufficient to mitigate fully the net new residential development anticipated in the Draft Submission Rushmoor Local Plan. In assessing the Council’s landholdings, and their potential suitability as SANG, remaining options are extremely limited.
- 2.6 Were the Council not to identify and deliver suitable SANG to mitigate the impact of net new residential development, this would jeopardise the implementation of the spatial strategy set out in the new Local Plan. Without demonstrating to an Inspector at the Local Plan Examination that the Council is using all reasonable endeavours to deliver SANG, the outcome could potentially be that the Local Plan is found “unsound”.

Appendix 2

Golf Club Green Fees and Memberships	
Southwood GC	Adult midweek - £20
	Adult weekend - £25
	Senior - £15
	Season tickets – Adult 7 day £725 Adult 5 day £550
	Senior/Concession 5 day £385
Oak Park GC	Monday – Friday - £30
	Weekends - £35
Pine Ridge GC	Adult midweek - £29
	Adult weekend - £38
	Senior midweek - £21
	Senior weekend - £32
	Crown Golf memberships (Oak Park & Pine Ridge) 5 day membership - £899 7 day membership - £1133
Army GC	Midweek - £60
	Weekend play only with a member or arrangement
	Membership – Joining fee £500 + annual subscription £1365 = £1865
	No waiting list, no senior membership rates