



RUSHMOOR BOROUGH COUNCIL

CABINET

*Tuesday, 14th November, 2017 at 7.00 pm
at the Council Offices, Farnborough*

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

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 **28th November, 2017**.

45. **MINUTES –**

The Minutes of the meeting of the Cabinet held on 17th October, 2017 were confirmed and signed by the Chairman.

46. **REVENUE BUDGET MONITORING AND FORECASTING 2017/18 - POSITION AT OCTOBER, 2017 –**

(Councillor Paul Taylor, Corporate Services Portfolio Holder)

The Cabinet considered Report No. FIN1733, which set out the anticipated financial position for 2017/18, based on the monitoring exercise carried out during October, 2017. Members were informed that savings and efficiencies of around £550,000 had been required for the year and that this target had been achieved following significant reductions in expenditure in relation to the new waste collection, recycling, grounds' maintenance and street cleansing contract and the results of the Mutually Agreed Resignation Scheme (MARS). It was reported that the General Fund forecast showed a projected year-end balance of £1.399 million, just below the mid-point of the range set out in the Medium Term Financial Strategy. It was noted that the

medium-term period remained financially challenging and that efforts should be concentrated on moving forward the 8-Point Plan to achieve a sustainable financial future.

The Cabinet NOTED the latest Revenue Budget monitoring position, as set out in Report No. FIN1733.

47. **CAPITAL PROGRAMME MONITORING AND FORECASTING 2017/18 - POSITION AT OCTOBER, 2017 –**
(Councillor Paul Taylor, Corporate Services Portfolio Holder)

The Cabinet received Report No. FIN1734, which provided the latest forecast regarding the Council's Capital Programme for 2017/18, based on the monitoring exercise carried out during October, 2017. The Report advised that the Capital Programme for 2017/18, allowing for slippages from the previous financial year and additional approvals, totalled £36,988,000. It was noted that some projects of major financial significance included in the Programme were the continued construction of the Council's new depot, Aldershot Town Centre Integration and developments in Union Street, Aldershot.

The Cabinet NOTED the latest Capital Programme monitoring position and the Prudential Indicators for 2017/18, as set out in Report No. FIN1734.

48. **COUNCIL PLAN SECOND QUARTER 2017/18 PERFORMANCE UPDATE REPORT –**
(Councillor David Clifford, Leader of the Council)

The Cabinet received Report No. DMB1704, which set out the Council's performance management monitoring information for the second quarter of the 2017/18 municipal year.

The Cabinet NOTED the progress made towards delivering the Council Plan 2017/18, as set out in Report No. DMB1704.

49. **ANNUAL REVIEW OF FEES AND CHARGES –**
(Councillor Paul Taylor, Corporate Services Portfolio Holder)

The Cabinet considered Report No. FIN1735, which set out a proposed scheme of fees and charges for Council services.

The Cabinet was informed that this was the first time that the Council had reviewed all fees and charges in a single document. It was explained that the document included a description of the methodology applied in each case. The Cabinet considered the document and, in particular, discussed issues around planning and crematorium fees. In relation to parking charges it was considered important to retain the existing parking arrangements and restrictions in relation to Salisbury Road, Farnborough to continue to enable easy access to the pharmacy in that road.

The Cabinet RESOLVED that

- (i) the adoption of the various methodologies attached in Appendix 1 of Report No. FIN1735 be approved as a basis for uplifting the Council's fees and charges;
- (ii) the continued application of RPIx as the measure of inflation, where an annual inflationary uplift was specified, be approved; and
- (iii) the fees and charges, as set out in Appendix 1 to the Report, be approved for implementation on the applicable dates.

50. **APPLICATIONS FOR DISCRETIONARY RATE RELIEF –**
(Councillor Gareth Lyon, Concessions and Community Support Portfolio Holder)

The Cabinet considered Report No. FIN1735, which set out details of applications for rate relief from the Lisa May Foundation (Office No.2, Fifth Floor, Arena Business Centre, No. 282 Farnborough Road, Farnborough) and Andover Mind (Nos. 121 – 123 Victoria Road, Aldershot).

The Cabinet RESOLVED that

- (i) 20% top-up discretionary relief be awarded to the Lisa May Foundation from 1st September, 2017 to 31st March, 2022; and
- (ii) 10% top-up discretionary relief be awarded to Andover Mind from 1st September, 2017 to 31st March, 2022.

NOTE: Cr. Barbara Hurst declared a prejudicial interest in this item in respect of her involvement with Parity for Disability and its close relationship with the Lisa May Foundation and, in accordance with the Members' Code of Conduct, left the meeting during the discussion and voting thereon.

Cr. P.G. Taylor declared a personal but non prejudicial interest in this item in respect of his involvement with the Farnborough Christian Outreach and, in accordance with the Members' Code of Conduct, remained in the meeting during the discussion and voting thereon.

51. **FARNBOROUGH AIRPORT COMMUNITY ENVIRONMENTAL FUND –**
(Councillor Martin Tennant, Environment and Service Delivery Portfolio Holder)

The Cabinet considered Report No. COMM1720, which sought approval to award a grant from the Farnborough Airport Community Environmental Fund, which had been set up to assist local projects.

The Environment and Service Delivery Portfolio Holder had considered the application by the 1st Crookham Scout Group for an award of £2,400 towards the cost of purchasing and installing a six-section traversing wall within the scout compound. It was confirmed that this application met all of the agreed criteria.

The Cabinet RESOLVED that a grant of £2,400 be awarded from the Farnborough Airport Community Environmental Fund to the 1st Crookham Scout Group.

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

The Cabinet considered Report No. PLN1734, which set out the Rushmoor Car and Cycle Parking Standards Supplementary Planning Document 2017 for approval. Members were informed that public consultation had taken place, commencing on 7th July, 2017 and concluding on 6th September, 2017. The consultation process had attracted sixteen representations and the comments received were summarised in Appendix A to the Report. The draft document had been amended to take account of these representations and the revised document was set out in Appendix B to the Report.

The Cabinet was supportive of the new document and it was confirmed that the resolution of parking issues would remain a high priority for the Council.

The Cabinet RESOLVED that

- (i) the responses to the consultation on the draft Car and Cycle Parking Standards Supplementary Planning Document, as set out in Appendix A to Report No. PLN1734, be noted;
- (ii) the adoption of the Car and Cycle Parking Standards Supplementary Planning Document 2017, as set out in Appendix B to the Report, be approved; and
- (iii) the Head of Planning, in consultation with the Environment and Service Delivery Portfolio Holder, be authorised to make any necessary minor amendments to the Supplementary Planning Document, prior to its publication.

53. **VOYAGER HOUSE, APOLLO RISE, FARNBOROUGH - COMPULSORY PURCHASE –**
(Councillor Paul Taylor, Corporate Services Portfolio Holder)

The Cabinet considered Report No. LEG1719, which sought approval to acquire, either by agreement or by the making of a Compulsory Purchase Order, the land known as Voyager House, Apollo Rise, Southwood Business Park, Farnborough to deliver, in partnership with the North East Hampshire and Farnham Clinical Commissioning Group, an Integrated Care Centre for the Farnborough locality.

The Solicitor to the Council explained that, in making the decision, the Cabinet had to be satisfied that there was a compelling case for an integrated health centre in the public interest and that this involved balancing the need of the Clinical Commissioning Group and the public in having access to the proposed primary health care facility against the rights and plans of the owner for the premises. In considering this and the other matters relating to this proposal, Members were referred to both the statement of reasons for making the order at Appendix 2 of the Report and the late information previously circulated, being letters dated 19th October, 2017 and 10th November, 2017 from Shoosmiths Solicitors and sections 4 and 5 of the Planning Statement and Sequential Test, dated 14th September, 2017, prepared by the Clinical Commissioning Group as part of the planning application,

giving full details of their consideration of the alternative sites. It was noted that, in May 2017, prior to the sale of the premises to the owner in August 2017, the Council and the Clinical Commissioning Group had advised the vendor's agent of their interest in the property and had attempted, unsuccessfully, to establish the identity of the purchaser. It was further noted that subsequent to the owners' acquisition, an approach had been made to acquire the premises but terms had not been agreed, with the owners proceeding with the fit out of the premises and the Clinical Commissioning Group awaiting the outcome of their planning application.

The Cabinet considered the alternative sites set out in section 5 of the Planning Statement and Sequential Test document and was satisfied with the Clinical Commissioning Group's assessment of them against the criteria in section 4 that they were not suitable for provision of the integrated health centre. The Solicitor to the Council confirmed that, following receipt of counsel's advice, that Section 226(1)(a) of the Town and Country Planning Act 1990 was the most appropriate power to use, the power in Section 25(4) and Schedule 4, paragraph 27(1) of the National Health Service Act 2006 being unavailable to the Clinical Commissioning Group. It was further confirmed that a change of use of the premises was within the definition of development under the section. The Cabinet was advised that planning permission had been granted on the 9th November, 2017 for the Integrated Health Care Centre on the site.

The Cabinet discussed the proposal and the owners proposed use of the premises for 40 serviced offices and was satisfied that there was a compelling need for an integrated health centre for the Farnborough locality for the reasons set out in the draft Statement of Reasons, including the unsuitability and insufficiency of the existing GP premises stock, the lack of ability to address these deficiencies due to building constraints and tenure and the unsustainable nature of the current primary care provision in the locality where there is a growing need. It was agreed that, following the grant of planning permission, a further attempt to acquire by agreement should be made.

The Cabinet RESOLVED that

- (i) the making of a compulsory purchase order be approved, pursuant to powers under Section 226(1)(a) of the Town and Country Planning Act 1990 (in accordance with the procedures in the Acquisition of Land Act 1981), for the acquisition of the land known as Voyager House, Apollo Rise, Southwood Business Park, Farnborough shown coloured pink on the draft Compulsory Order map in Appendix 1 ("the Land") to the Report, as the acquisition would facilitate the carrying out of development for the change of use of Voyager House to an integrated health care facility, which development was likely to contribute to the achievement of the improvement of the social well-being of the Council's area ("the Scheme");
- (ii) the draft Statement of Reasons for making the Order be approved and the Solicitor to the Council be authorised to make changes to the Statement;
- (iii) the Solicitor to the Council be authorised to:
 - (a) enter into an agreement for lease with the North East Hampshire and

Farnham Clinical Commissioning Group, conditional upon the acquisition of the Land or confirmation of the Compulsory Purchase Order upon such terms as the Solicitor to the Council agrees in accordance with Section 233(1) of the Town and Country Planning Act 1990;

- (b) subject to the agreement of the Heads of Terms for an agreement for lease between the Council and the North East Hampshire and Farnham Clinical Commissioning Group, take all steps to secure the making, confirmation and implementation of the Compulsory Purchase Order (“the Order”) including the publication and service of all notices and the promotion of the Council’s case at any public inquiry, including but not limited to the steps in (c) to (i) below
 - (c) make any amendments, deletions or additions to the draft Order Map and to prepare the schedules to the Order so as to include and describe all interests in land required to facilitate the carrying out of the Scheme;
 - (d) acquire interests in the Order Land either by agreement or compulsorily including conduct of negotiations and making provision for the payment of compensation:
 - (e) negotiate, agree terms and enter into agreements with interested parties for the withdrawal of objections to the Order making provision for the payment of compensation;
 - (f) in the event that the Order is confirmed by the Secretary of State, execute General Vesting Declaration and / or serve Notices to Treat and Notices of Entry in respect of interests and rights in the Order Land;
 - (g) take all steps in relation to any legal proceedings relating to the Order including defending or settling claims referred to the Lands Tribunal (Lands Chamber of the Upper Tribunal) and / or applications made to the courts and any appeals;
 - (h) retain and / or appoint external professional advisers and consultants to assist in facilitating the promotion, confirmation and implementation of the Order and the settlement of compensation and any other claims or disputes;
 - (i) to procure the conversion and fit out works for the conversion of the Land in accordance with the Scheme and to enter into any agreements in connection therewith; and
- (iv) the continuing efforts to acquire, by agreement, the interests in land needed to facilitate implementation of the Scheme, be noted.

54. **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 item to avoid the disclosure of exempt information within the paragraph of Schedule 12A to the Local Government Act, 1972 indicated against the item:

Minute No.	Schedule 12A Para. No.	Category
55	3	Information relating to financial or business affairs

THE FOLLOWING ITEM WAS CONSIDERED IN THE ABSENCE OF THE PUBLIC

55. **VOYAGER HOUSE - COMMERCIAL PROPERTY ACQUISITION –**
(Councillor Paul Taylor, Corporate Services Portfolio Holder)

The Cabinet considered Exempt Report No. LEG1718, which sought approval to acquire the freehold of Voyager House, Apollo Rise, Southwood Business Park, Farnborough as a commercial property acquisition to let to the North East Hampshire and Farnham Clinical Commissioning Group to provide an Integrated Care Centre for the Farnborough locality.

The Solicitor to the Council confirmed that, since the Report had been prepared, the North East Hampshire and Farnham Clinical Commissioning Group had confirmed that:

- approval had been received from the Clinical Commissioning Group Delegated Primary Care Commissioning Committee and Governing Body to proceed with the project;
- the level of rent (determined by the costs of the acquisition and fit out) at a 5% return was affordable; and
- they had authority to enter into an agreement for lease.

The Cabinet RESOLVED that, in light of the confirmation of the above information, the drawing down of the overall capital costs of the whole Voyager House project against the £15 million capital programme budget, approved by the Council on 27th July, 2017 for the purposes of investment property acquisition, be approved.

The Meeting closed at 8.09 pm.

D.E. CLIFFORD
LEADER OF THE COUNCIL
