

Public Document Pack



RUSHMOOR BOROUGH COUNCIL

CABINET

*at the Council Offices, Farnborough on
Tuesday, 24th July, 2018 at 7.00 pm*

To:

Cllr D.E. Clifford, Leader of the Council
Cllr K.H. Muschamp, Deputy Leader

Cllr Barbara Hurst, Planning and Economy Portfolio Holder
Cllr G.B. Lyon, Corporate and Democratic Services Portfolio Holder
Cllr M.L. Sheehan, Operational Services Portfolio Holder
Cllr P.G. Taylor, Customer Experience and Improvement Portfolio Holder
Cllr M.J. Tennant, Major Projects and Property 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 - 8)

To confirm the Minutes of the meeting held on 29th May, 2018 (copy attached).

2. **BUSINESS RATES - DISCRETIONARY RATE RELIEF POLICY FOR DISCRETIONARY REVALUATION RELIEF** – (Pages 9 - 12)

(Cllr Gareth Lyon, Corporate and Democratic Services Portfolio Holder)

To consider Report No. FIN1821 (copy attached), which sets out proposed amendments to the existing Discretionary Relief Policy to reduce business rates liabilities to those businesses worst affected by the 2017 national revaluation.

3. **APPOINTMENT OF AN INVESTMENT PARTNER TO SUPPORT THE REGENERATING RUSHMOOR PROGRAMME** – (Pages 13 - 20)
(Cllr Martin Tennant, Major Projects and Property Portfolio Holder)

To consider Report No. CEX1802 (copy attached), which provides an update on the process to appoint an Investment Partner to support the 'Regenerating Rushmoor' programme.

4. **SURREY HEALTH DRAFT LOCAL PLAN ISSUES AND OPTIONS / PREFERRED OPTIONS CONSULTATION** – (Pages 21 - 34)
(Cllr Barbara Hurst, Planning and Economy Portfolio Holder)

To consider Report No. PLN1817 (copy attached), which provides a summary of the comments to be submitted in response to the Surrey Heath Draft Local Plan Issues and Options / Preferred Options consultation.

5. **PROPOSED REVISION TO THE COUNCIL'S STATEMENT OF LICENSING POLICY** – (Pages 35 - 40)
(Cllr Maurice Sheehan, Operational Services Portfolio Holder)

To consider Report No. EHH1821 (copy attached), which sets out proposals to revise the Council's current Statement of Licensing Policy.

6. **FARNBOROUGH AIRPORT COMMUNITY ENVIRONMENTAL FUND** – (Pages 41 - 44)
(Cllr Maurice Sheehan, Operational Services Portfolio Holder)

To consider Report No. COMM1806 (copy attached), which sets out details of applications for grants from the Farnborough Airport Community Environmental Fund.

7. **COUNCIL OFFICES IMPROVEMENT PROGRAMME** – (Pages 45 - 52)
(Cllr Paul Taylor, Customer Experience and Improvement Portfolio Holder)

To consider Report No. IT1801 (copy attached), which provides an update on the Council Offices Improvement Programme and seeks approval for accessing funding for associated projects.

8. **RENDER REPAIR AT NO. 168 HIGH STREET, GUILDFORD** – (Pages 53 - 56)
(Cllr Martin Tennant, Major Projects and Property Portfolio Holder)

To consider Report No. LEG1807 (copy attached), which seeks approval for funding for urgent works at No. 168 High Street, Guildford, which is owned by the Council.

9. **SALE OF FORMER HIGHWAY LAND AT PEGASUS AVENUE - NORTH TOWN REDEVELOPMENT PHASE 6** – (Pages 57 - 60)
(Cllr Martin Tennant, Major Projects and Property Portfolio Holder)

To consider Report No. LEG1806 (copy attached), which seeks approval for the sale of former highway land at Pegasus Avenue, Aldershot from the Council to VIVID, following the redevelopment of North Town Phase 6.

CABINET

Meeting held on Tuesday, 29th May, 2018 at the Council Offices, Farnborough at 7.00 pm.

Voting Members

Cllr D.E. Clifford, Leader of the Council

Cllr Barbara Hurst, Health and Housing Portfolio Holder

Cllr G.B. Lyon, Concessions and Community Support Portfolio Holder

Cllr M.L. Sheehan, Leisure and Youth Portfolio Holder

Cllr M.J. Tennant, Environment and Service Delivery Portfolio Holder

Apologies for absence were submitted on behalf of Cllrs K.H. Muschamp and P.G. Taylor.

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 June, 2018**.

1. MINUTES –

The Minutes of the meeting of the Cabinet held on 17th April, 2018 were confirmed and signed by the Chairman.

2. RUSHMOOR 2020 - MODERNISATION AND IMPROVEMENT PROGRAMME – (Cllr David Clifford, Leader of the Council)

The Cabinet considered Report No. CEX1801, which set out the Rushmoor 2020 programme as the Council's approach to modernisation and improvement for the coming two years.

Members were informed that the ambition for the programme was to modernise and improve how the Council worked to increase customer focus, deliver sustainable savings, provide excellent services and drive forward the Council's ambitious regeneration programme. The document pulled together all key improvement and sustainability projects and reflected the Council's new governance arrangements and took account of the findings of the recent peer challenge exercise, the staff survey and the customer experience project. It was anticipated that the bulk of the programme would be delivered by the end of 2020.

The Cabinet RESOLVED that

- (i) the Rushmoor 2020 Modernisation and Improvement Programme, based on the outline programme set out in Appendix 3 to Report No. CEX1801, be approved;
- (ii) the proposed Member engagement and governance arrangements for the Programme, as set out in Section 3.2 of the Report, be approved;

- (iii) the resourcing arrangements set out in Section 4 of the Report be noted and the related recommendations, as set out in Report No. CEX1802, be considered later in the meeting, under Item No. 4; and
- (iv) the use of the Service Improvement Fund to support the Programme be approved.

3. **REGENERATING RUSHMOOR PROGRAMME –**
(Cllr Martin Tennant, Environment and Service Delivery Portfolio Holder)

The Cabinet considered Report No. CD1802, which sought authority to establish the Regenerating Rushmoor Programme to enable the delivery of the Council's regeneration plans.

The Report set out proposed Council and partnership governance arrangements and requested delegations to enable key projects to move forward. The key regeneration sites were highlighted in the Report, along with proposed next steps to progress their delivery. It was reported that the Council process to select an investment partner had received a good level of interest and that three prospective partners would be invited to attend the Council for the next stage of the selection process.

The Cabinet also considered the matters in the Exempt Appendix 2 of the Report. During this discussion, the public were excluded from the meeting to avoid the disclosure of exempt information within Paragraph 3 of Schedule 12A to the Local Government Act, 1972 (information relating to financial or business affairs).

The Cabinet RESOLVED that

- (i) the establishment of the Regenerating Rushmoor programme and the outline governance arrangements, as set out in Report No. CD1802, be approved;
- (ii) the projects included with the programme and their current status be noted;
- (iii) a recommendation to the Policy and Projects Advisory Board to establish task and finish groups for Aldershot Regeneration and Farnborough Regeneration and the appointment of the Leader, the Deputy Leader and the Major Projects and Property Portfolio Holder to the Steering Group be approved;
- (iv) a further period of working with officers from RegenCo (East Hampshire District Council) to help deliver the programme until the Council's proposed resources or other interim arrangements are in place, as set out in Report No. CEX1802, be approved;
- (v) the transfer to the current Legal Services Manager from 1st June, 2018 and, subsequently, to the new role of Corporate Manager Legal Services once appointed, of all existing delegations to the Solicitor to the Council in relation to legal activities and future legal transactions ancillary and pursuant to the delivery of the Regeneration Programme be approved;
- (vi) the Executive Director, in consultation with the Chief Executive and the Major

Projects and Property Portfolio Holder, be authorised to agree the approach and negotiate and acquire by agreement the properties set out in Exempt Appendix 2 to the Report and the potential need for a future variation to the Capital Programme to enable the completion of all acquisitions be noted;

- (vii) the risk for expenditure borne by the Council, as set out in Exempt Appendix 2 to the Report, be noted and the use of prudential borrowing, until the Housing Investment Fund conditions are satisfied and funding released by Homes England, be approved;
- (viii) the Executive Director be authorised to negotiate an extension to the Civic Quarter Memorandum of Understanding with the existing partners;
- (ix) the Executive Director be authorised to vire the revenue budgets, as set out in paragraph 6.1 of the Report; and
- (x) the change in use of the Capital Budget for pre-development works, as set out in paragraph 6.3 of the Report, be approved.

4. **ORGANISATIONAL REDESIGN AND STRUCTURAL REVIEW –**

The Cabinet considered Report No. CEX1802, which set out proposed changes to the Council's senior management structure and functional arrangements.

It was explained that the proposed changes would support the Council's priorities, as set out in the Council Plan, and would also equip the Council to deliver the Modernisation and Improvement and Regeneration programmes discussed earlier in the meeting. Members were informed that the formulation of the staffing structure was the responsibility of the Chief Executive but that any changes to budgets in this respect had to be agreed by the Cabinet. Under the new arrangements, the role of Monitoring Officer would be transferred from the Solicitor to the Council post to the Executive Director (Operations) post. This change would require the approval of the Council. It was expected that some of the members of the existing senior management team would be leaving the organisation around Autumn 2018 and that interviews for any vacant positions would be carried out over the Summer period. Training would be made available for any existing staff wishing to apply for any of the senior management posts.

The Cabinet

- (i) **RESOLVED** that
 - (a) the new arrangements for the delivery of the Council's functions and services be approved and the revised senior management structure, as determined by the Chief Executive under delegated powers and set out in Report No. CEX1802, be endorsed;
 - (b) the Chief Executive, in consultation with the Leader of the Council, be authorised to make any further adjustments to the services and structures as part of the implementation process;

- (c) the budget virement of existing staffing budgets to those posts outlined in the new structure as required be approved and the Chief Executive be authorised to vire existing staffing budgets to enable the efficient implementation of subsequent and future changes to the staffing structure to support the implementation of priorities, particularly the Regeneration and Modernisation and Improvement programmes; and
- (ii) **RECOMMENDED TO THE COUNCIL** that approval be given to the changes to the arrangements for the role of Monitoring Officer, namely that the designation is to the Executive Director (Operations), as set out in Report No. CEX1802.

5. **REVIEW OF PORTFOLIOS –**
(Cllr David Clifford, Leader of the Council)

The Cabinet considered Report No. DEM1801, which set out details of a review of the Cabinet portfolios.

It was explained that the review had been carried out in light of the Rushmoor 2020 Modernisation and Improvement Programme and the restructuring of the Council's services. The review had resulted in a number of changes to the portfolio structure and, in addition, three new roles of Cabinet Champions were being proposed. The Report set out the revised portfolio structure and also showed Council Plan actions attributed according to the new structure.

The Cabinet RESOLVED that

- (i) the revised portfolio structure, as agreed by the Leader of the Council and set out in Report No. DEM1801, be noted; and
- (ii) the appointment of the following Cabinet Champions for the 2018/19 Municipal Year be approved:

Education and Youth – Cllr Sue Carter
Armed Forces – Cllr Jacqui Vosper
Events and Civic Pride – Cllr Liz Corps

6. **GENERAL FUND PROVISIONAL OUTTURN 2017/18 –**
(Cllr Paul Taylor, Corporate Services Portfolio Holder)

The Cabinet considered Report No. FIN1820, which set out the provisional outturn position on the General Fund (revenue and capital) for 2017/18, subject to audit. The Report set out the General Fund Revenue Summary and Revenue Balances, with the principal individual variations between the current approved estimates and actual expenditure.

The Cabinet was advised that, in its original budget for 2017/18, the Council had set a savings figure of £550,000 to be achieved through reductions in service costs and additional income generation, in addition to £320,000 of expected staff turnover savings. It was reported that these savings had been achieved during the first half of 2017/18 and the efficiencies identified had been built into the Council's revised

budget, as set out in Appendix A to the Report. The revised budget figure had been further adjusted to reflect any subsequent virements, supplementary estimates and use of the Service Improvement Fund, to form the current approved budget, with estimated year-end balances of £1.42 million.

The provisional outturn showed an improvement in the Council's financial position, with a favourable variance of approximately £1,129,000 against the current approved budget and £550,000 compared with the last budget monitoring position, before accounting for any transfers between the General Fund, the Service Improvement Fund and the Stability and Resilience Reserve. A list of the principal variations between the provisional outturn position and the current approved budget was set out in Appendix B to the Report. The net effect of the variances was to increase the General Fund revenue balance to approximately £2.55 million, which exceeded the top of the range of balances set out in the Medium Term Financial Strategy (£1 million - £2 million). It was proposed to transfer any amount over the £2 million upper limit for the General Fund to the Stability and Resilience Reserve in order to mitigate risk to the medium term financial forecast. This increase in reserves was considered essential given the level of risk that the organisation was facing, especially in relation to the potential effects of reductions in funding by Hampshire County Council.

Members were informed that a further switch in funding was being requested, from the Flexible Use of Capital Receipts to the Service Improvement Fund. Members were assured that this transfer was of a technical nature only and due to accounting regulations.

It was reported that the Capital outturn was largely as reported in previous monitoring reports with a significant level of slippage into 2018/19, largely around property acquisitions. This had now progressed with two acquisitions having been completed in the preceding week.

The Cabinet RESOLVED that

- (i) the latest revenue and capital budget monitoring position be noted; and
- (ii) subject to the final outturn position, the transfers between the General Fund, the Stability and Resilience Reserve and the Service Improvement Fund, as set out in Report No. FIN1820, be approved.

7. COUNCIL PLAN FOURTH QUARTER 2017/18 PERFORMANCE UPDATE REPORT –

(Cllr David Clifford, Leader of the Council)

The Cabinet received Report No. ELT1803, which set out the Council's performance management monitoring information for the fourth quarter of the 2017/18 Municipal Year. Members were informed that the target date for the completion of the review of the licensing policy in respect of alcohol, entertainments and late night refreshments had been incorrectly printed as December 2019 and that this should have read December 2018.

The Cabinet NOTED the progress made towards delivering the Council Plan 2017/18, as set out in Report No. ELT1803, as amended at the meeting.

8. **PROPOSED VARIATION TO THE SCHEME OF HACKNEY CARRIAGE FARES –**
(Cllr Ken Muschamp, Business, Safety and Regulation Portfolio Holder)

The Cabinet considered Report No. EHH1814, which outlined proposals to vary the current scheme of hackney carriage fares, which had been last amended on 1st August, 2017. Members were asked to consider whether to approve the changes for public consultation. Before considering the item, the Cabinet received representations from Ms C. Burrige on behalf of the taxi trade.

The Report set out the proposed changes to the scheme of fares. It was confirmed that the changes had been proposed by the taxi trade. The matter would be brought back to the Cabinet for a final decision in the event of representations being received during the consultation exercise. If no representations were received, the revised scheme of fares would take effect from 1st September, 2018. In reply to a question, Members were informed by the trade that the average length of a taxi journey, nationally, was considered to be two miles.

The Cabinet RESOLVED that the proposed scheme of fares, as set out in Report No. EHH1814, be approved for public consultation, with a view to their implementation from 1st September, 2018.

9. **HOUSING OPTIONS - SERVICE CHANGES AND RESOURCING –**
(Cllr Barbara Hurst, Health and Housing Portfolio Holder)

The Cabinet considered Report No. EHH1817, which set out details of a review of the work and resources of the Council's Housing Options Team.

Members were reminded that the Homelessness Reduction Act had come into force on 3rd April, 2018 and had placed a number of new duties on district councils. The Cabinet had, previously, agreed to the recruitment of one additional full-time Housing Options Officer at Grade G5 to support the implementation of the Act. It was now felt that, by reallocating work within the team, this additional workload could be better met by employing two team members at Grade 4, with the more complex Grade 5 work being undertaken by existing staff.

The Cabinet RESOLVED that

- (i) the approach for the use of the grants, as set out in Report No. EHH1817, be endorsed;
- (ii) the necessary budget amendments to reflect receipt of the grants and the use thereof, as set out in Appendix 2 to the Report, be approved; and
- (iii) the Head of Environmental Health and Housing, in consultation with the Health and Housing Portfolio Holder, be authorised to initiate any future spend of the homelessness ring-fenced grants.

10. **APPOINTMENTS TO CABINET WORKING GROUPS –**

The Cabinet RESOLVED that

i) Budget Strategy

the Head of Democratic and Customer Services, in consultation with the Political Group Leaders, be authorised to make appointments to the Budget Strategy Working Group for the 2018/19 Municipal Year on the basis of one Cabinet Member, the Chairman or one of the Vice-Chairmen of the Overview and Scrutiny Committee, the Chairman or one of the Vice-Chairmen of the Policy and Projects Advisory Board, two Conservative Group Members and three representatives of minority groups (including at least two Labour Group representatives); and

ii) Member Development

the Head of Democratic and Customer Services, in consultation with the Political Group Leaders, be authorised to make appointments to the Member Development Group for the 2018/19 Municipal Year on the basis of one Cabinet Member, the Chairman or one of the Vice-Chairmen of the Policy and Projects Advisory Board, two Conservative Group Members and three representatives of minority groups (including at least two Labour Group representatives).

The Meeting closed at 7.40 pm.

CLLR D.E. CLIFFORD, LEADER OF THE COUNCIL

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CABINET

**COUNCILLOR GARETH LYON
CORPORATE AND DEMOCRATIC SERVICES
PORTFOLIO HOLDER
REPORT NO. FIN1821**

24 JULY 2018

KEY DECISION? YES/NO

**BUSINESS RATES – DISCRETIONARY RATE RELIEF
POLICY FOR DISCRETIONARY REVALUATION RELIEF**

SUMMARY AND RECOMMENDATIONS:

SUMMARY

This report seeks approval to amend our existing Discretionary Relief Policy to reduce business rates liabilities to those businesses most affected by the 2017 national revaluation.

Cabinet approved the original policy on 19 September 2017 and amended the policy on 6 March 2018, which ultimately was to award qualifying businesses a 57% reduction where the increase in rates payable between 2016-17 and 2017-18 was greater than 10%.

The amendment to the policy seeks approval for the percentage reduction to be awarded to qualifying businesses for the financial year 2018-19.

RECOMMENDATIONS

Cabinet are recommended to approve the percentage relief to be awarded for 2018-19 at 17% where the increase in rates payable between 2016-17 and 2017-18 is greater than 10%.

1. INTRODUCTION

- 1.1 This report seeks to amend our existing local policy which enabled the Council to award Discretionary Rate Relief with effect from 1 April 2017 to small and medium businesses that have been most affected by the 2017 National Business Rates Revaluation.
- 1.2 The amendment for the policy is to allow the relief to be awarded for the financial year 2018/19. When Cabinet originally approved the policy, the rates payable for the financial year 2018-19 were unknown and therefore not possible to calculate the percentage reduction that we can award.

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 businesses that experienced large increases to their bills following the 2017 revaluation.
- 2.2 These new reliefs are known as Supporting Small Businesses Relief, Pub Relief and Business Rates Discretionary Rate Relief (Revaluation).
- 2.3 The policies for awarding Supporting Small Businesses Relief and Pub Relief were approved by cabinet on 25 July 2017. Cabinet approved the policy for Discretionary Rate Relief (Revaluation) on 9 September 2017 and amended this policy on 6 March 2018.
- 2.4 The policy for Discretionary Rate Relief (Revaluation) requires further amendment to allow for the percentage reduction for the financial year 2018-19 now we know the rates payable for that relevant year.

3. DISCRETIONARY RATE RELIEF (REVALUATION)

- 3.1 The Chancellor announced that a discretionary fund of £300m would be made available nationally over four years from 2017/18 to support those businesses facing the steepest increases in their business rates bills due to the 2017 National Revaluation.
- 3.2 Rushmoor Borough Council's allocation from the fund is £533k, spread over four years as follows:
 - Year 1 (2017/18) = £311k
 - Year 2 (2018/19) = £151k
 - Year 3 (2019/20) = £62k
 - Year 4 (2020/21) = £9k
- 3.3 The qualifying criteria for the Council's current policy are:-
 - Relief will only be granted to those premises with a Rateable Value at 1st April 2017 of less than £200,000
 - Relief will only be granted where the increase in rates payable between 2016-17 and 2017-18 is greater than 10%
 - Businesses will be required to pay the first £600.00 of any increase before any relief is awarded
 - Relief will only be awarded to premises that are occupied
 - Relief will only be granted to businesses who were in occupation at 31 March 2017 and in occupation on 1 April 2017

- Relief may be awarded to businesses who occupy more than one property as long as all criteria are met
- Relief will not be granted in respect of the following:-
 - Betting and gambling premises including casinos, bingo Halls, and amusement arcades
 - Pawnbrokers and payday lenders
 - Headshops or those selling legal highs and similar paraphernalia
 - Private Members' Clubs

3.4 The amount of relief to be awarded for the year 2017/18 was determined to be 57% of the increase in rates payable.

3.5 Due to the fact that the allocation from the fund reduces for the year 2018-19 and that the business rates payable increases for the year 2018-19 the amount of relief awarded for the year 2018-19 will be 17%.

4 DETAILS OF THE PROPOSAL

4.1 The Government has consistently encouraged local Councils to spend the maximum amount of funding available; ensuring maximum available support goes to those affected by the Revaluation.

4.2 The proposal is for those ratepayers that were receiving relief in 2017-18 will continue to receive this relief for 2018-19 albeit at a reduced amount.

4.3 This will see 151 businesses receive this relief with a total award of £145,000.

4.4 This will leave £6,000 available to be awarded to businesses in exceptional cases, who fall outside the criteria but can demonstrate financial hardship due to the revaluation on 1 April 2017.

5 IMPLEMENTATION

5.1 Once the scheme for 2018-19 has been approved, all businesses that are eligible for relief will have the relief applied to their account and a revised bill will be issued. A letter will also be issued requesting the ratepayer advise us if the award of this relief breaches state aid regulations.

6. LEGAL IMPLICATIONS

6.1 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

7 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 Rushmoor has been allocated £151K in the year 2018/19 to award this discretionary relief.
- 7.2 Any amount not awarded will be returned to central government.
- 7.3 The Ministry for Housing, Communities and Local Government (MHCLG) recognises that implementing new schemes places additional burdens on billing authorities. MHCLG have provided Rushmoor Borough Council £12,000 (under the New Burdens regime) towards the cost of awarding this relief (and Supporting Small Businesses Relief and Pub Relief).
- 7.4 Therefore, there will be no financial impact on the Council but will have a direct benefit to certain businesses within the Borough.

8 CONCLUSIONS

- 8.1 In conclusion, Cabinet are asked to approve the amendment to the existing discretionary rate relief policy that will enable qualifying businesses to receive 17% relief of their business rates for the year 2018/19.
- 8.2 The relief is delivered using our existing Discretionary Relief powers under Section 47 Local Government Finance Act 1988 and the Council is reimbursed for the relief awarded under this scheme.
- 8.3 The Council has received a grant towards the cost of implementing this relief.

BACKGROUND DOCUMENTS:

Business Rates Information Letter (4/2017): Spring Update
Discretionary Funding for BRR Relief Grant Determination Letter 28 April 2017
DCLG – Business Rates Discretionary Rate Relief Consultation – March 2017
Local Government Finance Act 1988, Section 47
Non-Domestic Rating (Discretionary Relief) Regulations 1989 (SI 1989 1059)

CONTACT DETAILS:

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**CABINET
24 JULY 2018**

**COUNCILLOR MARTIN TENNANT
MAJOR PROJECTS AND PROPERTY
PORTFOLIO HOLDER**

KEY DECISION? YES

REPORT NO. CEX1802

**APPOINTMENT OF AN INVESTMENT PARTNER TO SUPPORT THE
REGENERATING RUSHMOOR PROGRAMME**

SUMMARY AND RECOMMENDATIONS:

This report provides an update on the process to appoint an Investment Partner to support the 'Regenerating Rushmoor' programme. It sets out the proposed next steps and requests authority to move ahead with due diligence.

Recommendations

That Cabinet:

- 1) Approve Hill Investment Partnership Limited as the Council's preferred investment partner.
- 2) Confirm that due diligence should proceed with the preferred partner with a further recommendation to be presented to Cabinet and Council in due course.
- 3) Confirm the establishment of a Shadow Partnership Board and Shadow Investment Team to oversee the development of proposals, the make-up of which in terms of Council representation to be delegated to the Chief Executive in consultation with the Monitoring Officer.
- 4) Approve a supplementary estimate of up to £50,000 for the next phase of the process as outlined within the report.

1. INTRODUCTION

- 1.1 In May 2018 Cabinet approved the establishment of the Regenerating Rushmoor programme to drive the regeneration of both Aldershot and Farnborough. That report explained that the Council was also in the process of selecting an Investment Partner (IP) to work alongside the Council to bring forward projects within the programme. That process has now concluded.

2. BACKGROUND

- 2.1 During the development of the regeneration programme, the Council identified the opportunity to secure a revenue income as opposed to a capital receipt from some or all of its development opportunities. In order to do this it needed to be prepared to take more of a share of development risk to secure a greater share of financial reward. The Council identified the need to enter into a form of joint venture partnership with an experienced partner in order to bring forward a number of major sites.
- 2.2 By adopting this approach, the Council would be able to bring forward the redevelopment of some of the more challenging sites more quickly, and for the purposes of the initial agreement, the following sites were identified and included in the specification:
- Union Street East, Aldershot
 - Civic Quarter, Farnborough
 - Parsons Barracks, Aldershot,
 - Union Street West car park, Farnborough
- 2.3 As the Council was not procuring works and services, the establishment of an IP was not deemed to require procurement, but, for the purposes of transparency, a selection process was proposed to ensure best value being obtained.

3. THE PROCESS

- 3.1 The selection process was carried out through the Homes England Delivery Partner Panel 3 (DPP3) framework agreement. Homes England procured the framework through fully compliant Official Journal of the European Union (OJEU) processes and it consists of, for the South and South West Region, 37 leading national and regional housing developers and contractors.
- 3.2 There were a number of stages to the selection process, and these, together with the number of companies who were actively involved in the process at each stage, are outlined below:
- Expression of Interest - 14 companies
 - Sifting Brief – 3 companies
 - Tender submission – 3 companies
 - Evaluation and selection – 3 companies

4. PREFERRED PARTNER

- 4.1 Following the conclusion of the selection process, Hill Investment Partnership Limited have been identified as the Council's preferred

partner. The details of the process and the conclusions are attached as an exempt appendix.

5. NEXT STEPS

- 5.1 The next steps for the project are to develop the business plan, legal agreements and carry out further due diligence and financial modelling to fully understand the legal and financial implications of establishing the partnership.
- 5.2 In addition the Council will continue with the acquisition programme for properties within the regeneration areas, and will set out the details and timing of the disposal of the land within the regeneration area to the Investment Partnership in a future report.
- 5.3 This work will be carried out by officers and the Council's legal advisors Freeths over the summer, with the intention of presenting a detailed report to Cabinet at its 18 September 2018 meeting, for recommendation to Council on 4 October 2018, subject to the above process being completed.

6. RISKS

- 6.1 Although there are no significant risks arising directly from this report, there is a risk that as negotiations with the chosen partner progress, it proves difficult to secure agreement on the business plan and legal agreements required. This risk has been mitigated through the appointment process and the decision to retain the two companies who were not selected at the final evaluation as 'reserves' should this risk materialise.

7. FINANCIAL IMPLICATIONS

- 7.1 As part of the process identified, Hill Investment Partnership Limited has committed to working at risk and to use its own resources to assist the Council during the due diligence period. However, there will be a requirement to contribute in some areas in developing the business plan and in securing external support. It is therefore recommended that a supplementary estimate of up to £50,000 be agreed for this work.

8. LEGAL IMPLICATIONS

- 8.1 There are no immediate legal implications arising from this report, however the creation of the partnership will have legal implications and these will be assessed and presented to Cabinet for further consideration as outlined above.

9. CONCLUSION

- 8.1 In order to deliver the Council's priorities a joint venture of this type is essential. The Council's aspirations are best delivered utilising expertise and investment from the private sector, in this case Hill Investment Partnership Limited.

Background documents:

Cabinet report – Regenerating Rushmoor Programme 29 May 2018

Cabinet report – Regeneration Programme 9 January 2018

Contact details:

Report Authors:

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Chief Executive:

Paul Shackley paul.shackley@rushmoor.gov.uk 01252 398397

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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CABINET

COUNCILLOR BARBARA HURST
PLANNING AND ECONOMY PORTFOLIO HOLDER

24 JULY 2018

REPORT NO. PLN1817

KEY DECISION? NO

**SURREY HEATH DRAFT LOCAL PLAN ISSUES AND OPTIONS/
PREFERRED OPTIONS CONSULTATION****SUMMARY AND RECOMMENDATIONS:**

This report seeks Cabinet approval for comments to be submitted in response to the Surrey Heath Draft Local Plan Issues and Options/Preferred Options consultation.

It is recommended that the proposed response attached to this report be submitted to Surrey Heath Borough Council as Rushmoor's response to the Surrey Heath Draft Local Plan Issues and Options/Preferred Options consultation.

1. INTRODUCTION

- 1.1 Surrey Heath Borough Council is preparing a new Local Plan to guide the scale, type and location of future land uses in its Borough. It is important that, as neighbouring authorities, Surrey Heath and Rushmoor Councils work together to meet strategic development needs, in particular relating to housing and employment, and to deal with the cross boundary impacts of new development proposed in their respective authorities.

2. BACKGROUND

- 2.1 As required by the National Planning Policy Framework (NPPF), local authorities must work together to ensure that Local Plans are based on co-operation with neighbouring authorities, particularly on meeting cross boundary strategic priorities.
- 2.2 Evidence has demonstrated that Hart, Rushmoor and Surrey Heath Councils together comprise a "Housing Market Area" (HMA) and a "Functional Economic Market Area" (FEMA). This corroborates a tradition of joint working between the three local planning authorities. It has led to the formation of a "Joint Member Liaison Group", with representatives from all three authorities, to oversee work on the shared evidence base relating to housing and employment.
- 2.3 A Statement of Common Ground was agreed on 24th January 2018 between Rushmoor Borough Council, Hart District Council and Surrey Heath Borough Council on the strategic matters of housing, economy and

the mitigation of impacts of development on the Thames Basin Heaths Special Protection Area.

3. DETAILS OF THE PROPOSAL

General

- 3.1 Surrey Heath Borough Council is inviting comments on the Issues and Options/Preferred Options version of the Surrey Heath Local Plan. This is the first stage in the preparation of the Local Plan. It sets out the Council's preferred approach to addressing the development needs of the Borough, covering housing, employment, retail, infrastructure, Green Belt and countryside, heritage and design and local area policies, along with possible alternative approaches.
- 3.2 The comments that Surrey Heath Borough Council receives during this consultation will be used to inform the next iteration of the Surrey Heath Local Plan (known as the "Draft Submission" version). There will be an opportunity to comment on that version during a further statutory six-week consultation period, currently anticipated in June 2019.
- 3.3 Surrey Heath Borough Council forms a Housing Market Area (HMA) with Hart District and Rushmoor Borough Councils. The obligation set out in the published National Planning Policy Framework (NPPF) is that local authorities should establish housing need across the HMA, and ensure that the component Local Plans together use all reasonable endeavours to meet that "objectively assessed" need within the HMA boundary.
- 3.4 The Draft Local Plan calculates the housing need over the plan period as 5,632 dwellings. Of these, it identifies that 4,901 dwellings can be delivered in Surrey Heath. This results in a potential unmet need over the plan period of 731 dwellings.
- 3.5 Alongside the Draft Local Plan, Surrey Heath have published an Interim Capacity Study (April 2018) which details the work undertaken to date to establish the extent to which the emerging Local Plan can meet its housing needs, in addition to setting out the key environmental and policy constraints to housing delivery that affect the Borough. The Paper also sets out the steps that Surrey Heath will undertake during the remainder of the plan making process to minimise unmet housing need and Surrey Heath's approach to addressing any residual unmet housing need.
- 3.6 Officers support the statement made in the Interim Capacity Study (April 2018) regarding the joint working within the HMA:
"A commitment to joint working between Hart and Rushmoor has been enshrined in the Statement of Common Ground recently completed between the three authorities to underpin the Rushmoor Local Plan. This recognises that in the event that Surrey Heath has demonstrated that it is unable to eliminate any remaining shortfall, and the Housing Market Area partners are satisfied that Surrey Heath has taken all reasonable steps to meet its own share of the housing need, the three authorities will work

together to ensure that the shortfall is addressed elsewhere within the HMA.”

- 3.7 The draft response sets out that Rushmoor Borough Council agree that the principle of working together to address demonstrated unmet need is well established. However, at this stage, there has been no formal agreement on the amount of unmet need and/or specifically how the HMA will ensure this unmet need is addressed. Before this agreement can take place, in accordance with the Hart Rushmoor and Surrey Heath Joint Member Liaison Group Terms of Reference, Hart and Rushmoor will need to be satisfied that Surrey Heath is doing all it reasonably can, consistent with policies in the NPPF and other material considerations, to meet the objectively assessed housing needs for its area.
- 3.8 The proposed response raises some concerns about the approach taken to identify potential capacity, to date, and encourages Surrey Heath to continue to work proactively to address this unmet need within the Borough, before further discussions take place on meeting unmet need elsewhere in the HMA. This includes a request to undertake a number of actions to inform the next stage of the Local Plan.
- 3.9 The proposed response is attached as a background document to this report.

Alternative Options

- 3.10 The Council could choose not to respond to the Surrey Heath Draft Local Plan. However, given the nature of the cross boundary strategic work that has taken place between Surrey Heath and Rushmoor in connection with plan making, it would be inappropriate not to submit a response to the consultation.

Consultation

- 3.11 This is a proposed response to a consultation from Surrey Heath Borough Council. The report was identified on the Cabinet Work Programme.

4. IMPLICATIONS (of proposed course of action)

Risks

- 4.1 None

Legal Implications

- 4.2 The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is “sound” – namely that it is positively prepared, justified, effective and consistent with National Policy.

- 4.3 It is therefore important that authorities with cross boundary strategic planning issues work together to offer positive outcomes for those planning issues. Surrey Heath and Rushmoor Councils will need to continue to work together to enable the delivery of sound Local Plans for both planning authorities.

Financial and Resource Implications

- 4.3 The financial implications associated with the preparation of Local Plans relate primarily to the preparation of the evidence base, which is required to justify the strategy contained in the Local Plan. The fact that joint work has taken place with Hart and Surrey Heath Councils has shared the financial costs of the preparation of elements of the evidence base. There are no exceptional resource implications in responding to the Surrey Heath Local Plan consultation.

Equalities Impact Implications

- 4.4 It is for Surrey Heath Borough Council to determine the equalities implications of the emerging Surrey Heath Local Plan.

5. CONCLUSIONS

- 5.1 The preparation and adoption of a new Local Plan for Surrey Heath, as one of Rushmoor's Housing Market and Functional Economic Market Area partners, is important in particular to ensure the delivery of Surrey Heath's contribution to the HMA's housing needs and FEMA's employment needs.
- 5.2 The proposed response is supportive of the progress Surrey Heath are making towards preparing a new Local Plan. However, given the potential for unmet need, it encourages Surrey Heath to continue to be proactive in exploring the potential opportunities to increase capacity for housing and to continue to work proactively to address this unmet need within the Borough.

BACKGROUND DOCUMENTS:

Proposed response to the Surrey Heath Draft Local Plan Issues and Options/
Preferred Options consultation

A number of background documents have informed the preparation of the Surrey Heath Draft Local Plan. They can be viewed via this web link:

<https://www.surreyheath.gov.uk/draftlocalplan>

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Proposed Response to the Surrey Heath Draft Local Plan Issues and Options/ Preferred Options consultation

Background

1. Surrey Heath Borough Council forms a Housing Market Area (HMA) with Hart District and Rushmoor Borough Councils. The obligation set out in the published National Planning Policy Framework (NPPF) is that local authorities should establish housing need across the HMA, and ensure that the component Local Plans together use all reasonable endeavours to meet that “objectively assessed” need within the HMA boundary.
2. The Hart, Rushmoor and Surrey Heath Strategic Housing Market Assessment 2016 identifies that total housing need across the HMA is 1,200 new dwellings per year over the Plan period, and of that, Surrey Heath’s objectively assessed housing need (OAHN) is 382 dwellings per year, equivalent to 8,022 new dwellings over the period 2014 – 2032.
3. In September 2017, the Government published a consultation on Planning for the right homes in the right places. This consultation paper arises from matters raised in the Housing White Paper, published earlier in 2017. Proposals set out in this consultation included a standard methodology for calculating local authorities’ housing need. The consultation paper was accompanied by a summary of housing need for each local authority, based on the proposed methodology. This published a figure of 352 dwellings per annum for Surrey Heath (from 2016).
4. On 5 March 2018, the Government published a consultation on the draft revised NPPF. This carries forward the standard methodology for calculating local authorities’ housing need. The latest timetable indicates that the Surrey Heath Local Plan will be submitted in September 2019. This is expected to be over a year after the publication of the NPPF and as such, it is envisaged that by September 2019, the policies within the new NPPF will apply. As a result, the housing requirement set out in the Surrey Heath Draft Local Plan (Regulation 18 Stage) has been prepared on the basis of the proposed standard methodology for calculating local authorities’ housing need.
5. The Draft Local Plan calculates the housing need over the plan period as 5,632 dwellings. Of these, it identifies that 4,901 dwellings can be delivered in Surrey Heath. This results in a potential unmet need over the plan period of 731 dwellings.
6. It is relevant to note that Rushmoor Borough Council submitted the Draft Submission Rushmoor Local Plan 2017 for examination to the Secretary of State on 2 February 2018. Alongside the Local Plan, Rushmoor has submitted a Duty to Cooperate Statement, which sets out how the two authorities have cooperated on relevant cross boundary issues and includes a Statement of Common Ground (SoCG) agreed on 24th January 2018 between Rushmoor Borough Council, Hart District Council and Surrey Heath Borough Council on the strategic matters of housing, economy and the mitigation of impacts of development on the Thames Basin Heaths Special Protection Area.

7. Following careful consideration, and in line with the proposed transitional arrangements set out in Planning for the Right Homes, Rushmoor decided to continue with submission of the current Local Plan, which is based on meeting objectively assessed need identified in the SHMA. The examination of the Rushmoor Local Plan is in progress, and the Inspector has made it clear that the Plan is being examined against the existing NPPF.
8. The ability of Rushmoor to accommodate growth is constrained by a number of factors and the limited scope for development outside the defined urban area. Due to this, Rushmoor had to be proactive in seeking to identify and maximise potential capacity for homes in the Borough wherever there was potential opportunity to do so. This included:
 - seeking to identify further available land within existing brownfield sites on which to deliver more homes and, where appropriate, increasing the density of development on these sites,
 - the deallocation, or partial deallocation, of employment sites and release for residential development,
 - the assessment of land outside of the Defined Urban Area and allocation of Blandford House and Malta Barracks for 165 homes.
9. It is important to note that Rushmoor has sought to identify sufficient capacity as a buffer in order to provide certainty that Rushmoor will meet the housing requirement over the plan period. Rushmoor has made it clear that this buffer is not available to meet any unmet need arising across the HMA.
10. In addition, at the point of submission, Rushmoor was not able to identify SANG capacity for the full capacity anticipated over the Plan period. In order, ensure that the potential residential development in the Local Plan can be delivered, additional SANG capacity has been identified at Blandford Woodlands and Southwood Golf Course. In relation to the latter, it should be noted that this is very much a “last resort” and that Rushmoor had no other option but to consider the closure of its municipal Golf Course to enable its conversion to SANG in order to meet its share of the identified housing need in the HMA.

Unmet Housing Need in the HMA

11. Rushmoor Borough Council supports the statement made in Surrey Heath’s Interim Capacity Study (April 2018) regarding the joint working within the HMA:

“A commitment to joint working between Hart and Rushmoor has been enshrined in the Statement of Common Ground recently completed between the three authorities to underpin the Rushmoor Local Plan. This recognises that in the event that Surrey Heath has demonstrated that it is unable to eliminate any remaining shortfall, and the Housing Market Area partners are satisfied that Surrey Heath has taken all reasonable steps to meet its own share of the housing need, the three authorities will work together to ensure that the shortfall is addressed elsewhere within the HMA.”

12. Therefore, Rushmoor considers that the principle of working together to address demonstrated unmet need is well established. However, Rushmoor is concerned that the specific references in the Draft Local Plan to unmet need being met across the HMA, and specific references to an amount, is premature. Apart from the agreement in principle (which acknowledges that there is potential capacity to meet unmet need within the HMA), there has been no formal agreement on the amount of unmet need and/or specifically how the HMA will ensure this unmet need is addressed at this stage.
13. Before this agreement can take place, in accordance with the HRSJ Joint Member Liaison Group Terms of Reference, Hart and Rushmoor will need to be satisfied that Surrey Heath is doing all it reasonably can, consistent with policies in the NPPF and other material considerations, to meet the objectively assessed housing needs for its area. Therefore, Rushmoor would encourage Surrey Heath to continue to work proactively to address this unmet need within the Borough as it moves towards a Draft Submission version of its Local Plan, before further discussions take place on meeting unmet need elsewhere in the HMA.
14. Rushmoor agrees that it is important to note that Hart's Duty to Cooperate Paper (prepared to accompany the Hart Local Plan Proposed Submission Version consultation document) also reflects a commitment to address unmet housing needs within the HMA. However, the Interim Capacity Study goes on to set out how the housing need figures for all three authorities have decreased under the proposed standard methodology and the HMA as a whole is on track to exceed the indicative housing need figures as set out in the Government's consultation. Whilst this is factually correct, it is important to reiterate that the housing requirement in the Rushmoor Plan, currently being examined, is being assessed against the agreed OAHN set out in the published evidence (SHMA, 2016), as such this should not be considered as 'spare' capacity. The Borough is also heavily constrained and of a predominantly urban nature. Therefore, Rushmoor needs to give careful consideration of the ability to accommodate future growth and how future housing needs of the Borough will be addressed.
15. Rushmoor supports the statements regarding joint working made in paragraphs 5.6.5 and 5.6.7 of the Interim Capacity Study (April 2018). In particular, Rushmoor would welcome the opportunity at future meetings to discuss in detail the steps being taken to reduce unmet housing need as the Surrey Heath Local Plan progresses. As part of this process, if it is agreed that the unmet need cannot be fully addressed within Surrey Heath, this continued joint working will ensure that all parties agree that, firstly, it has been robustly demonstrated and, secondly, there is an agreed strategy for how it will be addressed within the HMA.
16. Rushmoor would request that Objective A is revised. It is not considered appropriate to include an objective that relates to housing delivery outside the Local Plan area, and it should refer to the amount of housing being delivered over the plan period within Surrey Heath. If, ultimately as part of the preparation of the Draft Submission version of the Surrey Heath Local Plan, it is agreed that this does not meet the full housing need for the Borough, then agreement relating to how unmet need will be addressed should be set out in a Statement

of Common Ground and be subject to future monitoring and review. It is also noted that a number of different terms are used within the Local Plan and supporting documents when reference is made to the housing figures. To avoid confusion, Rushmoor would request that there is a clear distinction made between housing need and the housing requirement.

Green Belt

17. It is noted in the Interim Capacity Study (April 2018, page 9) that over 44% of land within Surrey Heath is designated as Metropolitan Green Belt and “as such, the capacity of this area to accommodate residential development is considered to be significantly limited, without revision to existing Green Belt boundaries.”
18. In relation to the Green Belt, it is noted that reference is made to the paragraph 136 of the draft NPPF (2018) and how other alternatives, including asking Housing Market Area partners and other neighbouring authorities to take any remaining unmet need, should be considered in the first instance. However, it is considered relevant to make reference in full to paragraph 136:

“Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic plan-making authority should have examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of the plan, which will take into account the preceding paragraph, and whether the strategy;

a) makes as much use as possible of suitable brownfield sites and underutilised land;

b) optimises the density of development, including whether policies promote a significant uplift in minimum density standards in town and city centres, and other locations well served by public transport; and

c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.”

Assessment of Capacity

19. It is noted that the Interim Capacity Study (April 2018) details the work undertaken to date to establish the extent to which the emerging Local Plan can meet its housing needs, in addition to setting out the key environmental and policy constraints to housing delivery that affect the Borough. The Paper also sets out the steps that Surrey Heath will undertake during the remainder of the plan making process to minimise unmet housing need and Surrey Heath’s approach to addressing any residual unmet housing need.
20. Rushmoor has some concerns about the approach taken to identify potential capacity, to date. However, it is supportive of the commitments made in the Interim Capacity Study (April 2018) to further address the level of potential unmet need and welcomes the steps set out in Section 6, which will inform the

next iteration of the Local Plan. It is expected that this work will address some of the concerns raised below.

Spatial Strategy

21. Rushmoor has fundamental concerns about the approach taken to the SLAA (2017), whereby sites are assessed in accordance with the spatial strategy in the Core Strategy. The development of a new Local Plan should be an opportunity to reconsider this strategy, taking into account the latest evidence of identified housing need and other up to date evidence. Therefore, Rushmoor supports the following statement in the Interim Capacity Study (April 2018):

“In completing the next iteration of the SLAA, the Council will need to have consideration for the developing spatial strategy contained within the draft new Local Plan.”

22. Rushmoor is also concerned that there appears to be very limited testing of reasonable alternatives relating to quantum of development as part of the Sustainability Appraisal. It is recognised that what is considered ‘reasonable’ will be influenced by the characteristics and constraints affecting development in the Borough. However, as a minimum, it would seem reasonable for an option or option(s) where housing need is met within the Borough, to be tested through the Sustainability Appraisal process.

Availability of SANG

23. It is noted that in the Strategic Land Availability Assessment (SLAA) (2017), the ability to provide on-site SANG on large sites has been referred to as one of the reasons why a site is or could be unsuitable (e.g. Pine Ridge Golf Course and Land at Barossa Common). This is based on the principle set out in the Surrey Heath Thames Basin Heaths Special Protection Area Avoidance Strategy SPD (2012) that developments of more than 100 dwellings will generally be expected to provide on-site SANG.

24. The Thames Basin Heaths Delivery Framework (February 2009) notes that;

“...large residential development proposals which, due to their scale and potential impact and ability to offer their own alternative avoidance measures, should be considered by local authorities on a case-by-case basis. The numerical definition of ‘large development proposals’, and the ability of large schemes to provide their own avoidance measures, will vary depending on the particular locality of the proposals.”

25. In contrast, whilst paragraph 12.10 of the Rushmoor Local Plan Draft Submission expresses a preference for on-site SANG for “large” schemes, it does not preclude circumstances where bespoke SANG is not provided as part of a large site. The Rushmoor Avoidance and Mitigation Strategy (May 2018) sets out an approach that could still see larger sites delivered without on-site SANGs, but remain compliant with the Conservation of Habitats and Species Regulations, 2017, and Natural England does not have any concerns with this approach. This enables applications to be considered on a case-by-case basis,

delivering a flexible approach to ensure that new development is not precluded from coming forward due to constraints relating to the potential to deliver an on-site SANG.

26. Rushmoor fully recognises the challenges associated with delivering SANG, but consider that a more flexible approach should be considered by Surrey Heath. This would take into account the potential for the identification of additional SANG capacity in the future, which could enable the delivery of homes during the plan period. Rushmoor is concerned that the current approach could be underestimating the capacity of sites identified in the SLAA and therefore the ability to meet housing need within the Borough.
27. On this basis, Rushmoor would request that going forward that the issue of SANG capacity is not a constraint applied to potential development sites through the SLAA process. It is acknowledged that where there is the potential to deliver on-site SANG, this may affect the development capacity of sites, but this should not be used a reason to exclude the site all together. It would also seem appropriate in these circumstances to be working with developers and landowners to establish whether a reduced capacity could enable on-site SANG to be achieved or whether off-site SANG could be identified.
28. It is also noted in that the SLAA assessment for Pine Ridge Golf Course refers to potential for deductions to SANG capacity to take into account existing capacity uptake and existing recreational use on the site. It is acknowledged that discounts due to public use of site are likely, but would suggest that advice is sought from Natural England. Based on advice received on the Southwood Golf Course, our understanding is that no discount will be required for the areas of land that are currently only used for golf purposes. Visitor discounting is only required where there is evidence of substantial current visitor use, which would be dog walking, walking, horse riding (i.e. uses that we regularly see on the SPA).

Ability to Overcome Constraints

29. The SLAA Methodology sets out that where constraints have been identified, the assessment will consider what action would be needed to remove them, along with when and how this could be undertaken and the likelihood that the site will be delivered. However, Rushmoor is concerned that some of the assessments have not gone far enough to consider the ability to resolve constraints.
30. In some cases, it is cited that insufficient evidence has been provided to demonstrate that this constraint could be overcome. We recognise that without this evidence, it may be appropriate not to include a site as part of the potential supply of housing. However, prior to requesting that potential unmet need is addressed outside of the Borough, Rushmoor considers that it is necessary that in these instances Surrey Heath is proactive in working with developers and landowners to explore fully whether such constraints may be overcome.

Optimising Capacity on Sites

31. The Interim Capacity Study (April 2018) sets out how Surrey Heath has reassessed the capacities of sites to ensure the proposed density of development at sites is being fully optimised. In particular, Rushmoor supports the approach taken to Camberley Town Centre Area Action Plan sites, and welcomes the increased housing supply of 479 units (net) identified on these sites.
32. Given the potential for unmet need, Rushmoor would encourage Surrey Heath to continue to be proactive in exploring the potential for increasing capacity on sites already identified across the Borough. For example, it is noted that the site 'Land at Waters Edge' (SLAA Ref 803) is identified at a capacity of 150 dwellings, but a recent planning application (18/0327) has been submitted for 248 dwellings.

Additional Sites for Assessment

33. The work undertaken to identify potential sites and proactive steps taken to date to address housing need is welcomed. However, the Interim Capacity Study (2011) notes that a number of previously assessed SLAA sites have been removed from the 2017 SLAA, because their availability could not be confirmed. As a consequence, sites amounting to 197 units included in the 2016 SLAA supply were not included in the 2017 SLAA.
34. It is also noted that there may also be additional sites where discussions are taking place with landowners that have not been assessed in the SLAA due to potential lack of availability (for example, Land at Barossa Common, Camberley).
35. We would question this approach and consider that sites, such as Land at Barossa Common, Camberley, should be assessed in the SLAA, even if the conclusion is that they are not currently available. In addition, given the potential unmet need, Rushmoor consider it necessary for Surrey Heath to continue to be proactive in exploring whether any of these sites could become available for housing during the plan period.

Release of Employment Land for Housing

36. The Interim Capacity Study (April 2014) refers to evidence in the Hart Rushmoor and Surrey Heath Employment Land Review (ELR) which: "*indicated that existing Core Employment Areas in Surrey Heath should be retained as either Strategic or Locally Important sites, as well as certain other standalone employment sites in the Borough.*" It goes on to say that the conclusions of this study also indicated that some employment sites in the Borough were not functioning effectively in their current use and have been considered for alternative uses, with a primary focus on housing.
37. Rushmoor supports the approach taken to the protection of employment land. The emerging Local Plan will need to ensure it strikes the right balance between ensuring there is sufficient employment land to meet the future needs of the Functional Economic Area and releasing land for residential development where appropriate.

38. However, it appears that the preferred approach is to carry forward all Core Employment Areas without amendment, and re-designate as Strategic Employment Sites or Locally Important Employment Sites. As noted above, in addition to the loss of employment land outside designated sites, Rushmoor has had to carefully review its existing designated 'Key Employment Sites' to identify any sites or land within sites, which can be released for residential development, and has identified a supply of around 800 new homes on such sites. Therefore, Rushmoor would request that Surrey Heath ensures that it undertakes a similar process.

Conclusion

39. The Draft Local Plan calculates the housing need over the plan period as 5,632 dwellings. Of these, it identifies that 4,901 dwellings can be delivered in Surrey Heath. This results in a potential unmet need over the plan period of 731 dwellings.
40. Rushmoor considers that the principle of the three authorities working together to address demonstrated unmet need is well established. However, Rushmoor is concerned that the specific references in the Draft Local Plan to unmet need being met across the HMA, and specific references to an amount, is premature. Apart from the agreement in principle (which acknowledges that there is potential capacity to meet unmet need within the HMA), there has been no formal agreement on the amount of unmet need and/or specifically how the HMA will ensure this unmet need is addressed at this stage.
41. Before the Council requests that neighbouring authorities meet unmet need, the authority should have examined fully all other reasonable options for meeting its identified need for development and be able to demonstrate that it has taken a 'no stone unturned' approach to identifying potential capacity.
42. As set out in this response, Rushmoor has some concerns about the approach taken to identify potential capacity, to date. In particular, the Council requests that the following actions are undertaken as part of the preparation of the next stage of the Local Plan:
- Local Plan Objective A is revised and only makes reference to number of houses being accommodated within the area covered by the Local Plan
 - A clear distinction is made between housing need and the housing requirement in the Local Plan.
 - In the next iteration of the SLAA, the Council has consideration for the developing spatial strategy contained within the draft new Local Plan, rather than the existing Core Strategy.
 - A more flexible approach to delivering on-site SANG and the approach to rejecting sites through the SLAA process on the basis of SANG capacity is carefully considered, to ensure that this is not underestimating the capacity of sites identified in the SLAA and therefore the ability to meet housing need within the Borough.

- The Council is proactive in working with developers and landowners to explore whether constraints may be overcome on SLAA sites where insufficient evidence has been provided.
 - The Council continues to be proactive in exploring the potential for increasing capacity on sites already identified in the SLAA.
 - Sites where discussions are taking place, but availability is unknown, should be assessed in the SLAA
 - The Council fully explores the potential to release employment land with designated Core Employment Areas, subject to ensuring that the Local Plan strikes the right balance between providing sufficient employment land to meet the future needs of the Functional Economic Area and releasing land for residential development, where appropriate.
43. Rushmoor would welcome the opportunity to discuss in detail the steps taken to reduce unmet housing need as the Surrey Heath Local Plan progresses, as part of continued joint working.

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CABINET

COUNCILLOR MAURICE SHEEHAN
OPERATIONAL SERVICES
PORTFOLIO HOLDER
REPORT NO. EHH 1821

24 JULY 2018

KEY DECISION: YES

**PROPOSED REVISION TO THE COUNCIL'S
STATEMENT OF LICENSING POLICY**

SUMMARY AND RECOMMENDATIONS:

Under the Licensing Act 2003, the Council is obliged to prepare and publish a statement of licensing policy. Following various legislative changes and a review, a number of changes to the Council's licensing policy are suggested to ensure that it is current and up-to-date.

Whilst a copy of the revised licensing policy is available for viewing on the Council's website (see www.rushmoor.gov.uk/proposedlicensingpolicy), this report provides an overview of the proposed revisions. Cabinet is requested to approve the revised licensing policy for public consultation.

1. BACKGROUND & INTRODUCTION

- 1.1 The Licensing Act 2003 (the Act) regulates the sale and supply of alcohol, the provision of late night refreshment and a wide range of entertainments. Licensable activities are regulated through a personal and premises licence regime administered and enforced by the Council's Licensing team.
- 1.2 As a Licensing Authority under the Act, the Council is obliged to prepare and publish a statement of licensing policy every five years and to keep it under review. Whilst subject to statutory consultation requirements, this sets out the policies and arrangements the Council will apply and consider in exercise of its functions; particularly when making decisions on relevant licence applications and authorisations established under the Act.
- 1.3 The Council's current licensing policy was last reviewed in 2010. Whilst tailored to reflect local circumstances and guidance, this was itself developed from a framework policy prepared by the Hampshire & Isle of Wight Licensing Officers' Group in 2005.
- 1.4 Since this time, a number of legislative changes and changes to associated guidance issued by the Secretary of State have been published. Collectively, these factors have prompted a review of the Council's licensing policy and Cabinet is asked to consider and approve the resulting policy for public consultation. A copy of the proposed policy can be viewed at www.rushmoor.gov.uk/proposedlicensingpolicy.

- 1.5 As the Act regulates various business activities and provides different means of redress where these cause problems, the licensing policy has, by association, clear links to the Council's priorities in respect of community leadership, economic development, prosperity and town centre regeneration. Furthermore, as changes to licensing policy may affect all licensed premises and/or licensable activities throughout the borough, any determination of revised policy, even at this stage, should be considered a key decision.

2. DETAILS OF THE PROPOSAL

General

- 2.1 The majority of proposed policy changes are made on the basis of legislative updates since the policy was last reviewed. An overview of these, together with other key issues and amendments are outlined below.

Legislative updates

- 2.2 Since the policy was last reviewed the Licensing Act 2003 has been amended and/or supplemented by various legislative provisions. The policy has, where appropriate, been updated to reflect these changes as follows -

(a) **The Police Reform and Social Responsibility Act 2011**; including -

- (i) Changes to make the Licensing Authority and the local Health Board a responsible authority under the Act and enable them to make representations and/or apply for review of licences.
- (ii) The removal of the vicinity test so that any person who wants to make representations about or apply for review of relevant licences and applications can do so no matter where they live or work.
- (iii) Reduction of the evidential burden of representations from 'necessary' to 'appropriate' to promote the licensing objectives.
- (iv) Changes to the temporary event notice (TEN) arrangements; including –
 - The introduction of late TENs (i.e. TENs that can be served up to 5 days before a temporary event);
 - Changes to the TEN statutory limits (increasing the duration of each TEN from 48 hours to 168 hours);
 - Including Environmental Health as a responsible authority that, together with the police, can make representations to TENs;
 - Allowing the imposition of conditions to TENs in certain circumstances.
- (v) The suspension of premises based authorisations for failing to pay statutory annual fees.

- (b) **The Live Music Act 2012**; including -
- (i) Removal of licensing requirements for unamplified live music taking place between 8am and 11pm in all venues*;
 - (ii) Removal of licensing requirements for amplified live music and other entertainments taking place between 8am and 11pm before audiences of no more than 500 persons on premises authorised to supply alcohol for consumption on the premises* or workplaces;
 - (iii) Removal of the licensing requirement for the provision of entertainment facilities; and
 - (iv) widens the licensing exemption for live music integral to a performance of morris dancing or dancing of a similar type, so that the exemption applies to live or recorded music instead of unamplified live music.

* Subject to the right of a Licensing Authority to impose conditions about live music following a review of a premises licence or club premises certificate.

- (c) **The Anti-Social Behaviour, Crime and Policing Act 2014**; including changes to police closure order powers and associated arrangements for premises associated with nuisance or disorder.

- (d) **The Deregulation Act 2015**; including -

- (i) Provisions that a personal licence no longer be time limited but has effect indefinitely.
- (ii) Changes to the TEN statutory limits (increasing the number of TENs that can be held in a calendar year from 10 to 15).

- (e) **The Immigration Act 2016**; including –

- (i) Requirements for the Licensing Authority to undertake immigration and right to work checks for all personal licence applications.
- (ii) Provisions to make a personal and/or premises licence lapse in the event that the licence holder no longer retains a right to work.
- (iii) Making the Secretary of State a responsible authority.

- (f) **The Policing & Crime Act 2017**; including –

- (i) Changes to the summary review process and the ability of licence holders to make representations on consideration of any interim steps.
- (ii) The suspension or revocation of a personal licence by the Licensing Authority where a relevant offence becomes known.

Licensing objectives

2.3 Under the Act, a Licensing Authority must carry out its functions with a view to promoting the licensing objectives. There are four licensing objectives which form the basis of the Council's policy; namely –

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

2.4 Whilst the Council maintains a separate pool of model conditions which it can apply, the revised policy also presents a list of relevant considerations appropriate to the promotion of the licensing objectives.

Classification of Films

2.5 The policy also outlines the arrangements for the Licensing Authority to make recommendations in respect of the restriction of children to any exhibition of film which has not been classified by the British Board of Film Classification (BBFC). This accords with mandatory condition requirements applicable to the exhibition of films.

Neighbourhood Notifications

2.6 In a change to existing arrangements, it is proposed that the current policy of issuing neighbourhood notifications of applications be withdrawn. This is where the Licensing Authority notifies residents and businesses who share a boundary or frontage with any premises subject to application.

2.7 The proposal to withdraw the neighbourhood notifications policy is made on the basis that the Act places the onus of advertising applications on the applicant. There is no requirement for the Licensing Authority to advertise licence applications itself and there is some concern that doing so, may be seen as soliciting representations and therefore be subject to challenge.

2.8 The proposal also follows removal of the above mentioned 'vicinity test' and data that suggests 91% of representations against applications are made following sight of the statutory notices displayed by the applicant.

2.9 Cumulative Impact

2.10 One of the key features of the 2010 policy review was the implementation of a special policy concerning the cumulative impact of licensed premises. At the time, the policy was implemented to restrict the grant and/or variation of premises licences in a defined area of Aldershot town centre and was based on the request of and evidence of cumulative impact provided by the Hampshire Constabulary.

2.11 Notably, the special policy was subject to annual review and, whilst invoked on a handful of occasions, lapsed after 12 months due to lack of continuing justification and evidence of an ongoing problem. Indeed, despite periodic calls for evidence, there has been no formal requests for and/or justifiable evidence to warrant the reinstatement of the special policy since. The revised policy makes a statement to this effect.

3. CONSULTATION

3.1 Before adopting any revised policy, the Council must consult a number of statutory stakeholders and individuals who may be affected by any changes (e.g. the licensed trade and residents in its area). As there is no specified consultation period, it is intended, where provisionally approved by Cabinet, that any consultation take place until 26th September.

3.2 It is also intended that the policy be put before members of the Licensing & General Purposes Committee as part of this consultation process. For these purposes, this has been scheduled for its meeting of 24th September.

3.3 Notably, and in accordance with Section 5 of the Act, a statement of licensing policy must be approved by full Council. Where appropriate, any material representations will therefore be reported back to Cabinet in October / November, before submission for final approval by Council in December.

4. IMPLICATIONS

Legal Implications

4.1 By virtue of section 5 of the Act, the Council is obliged to prepare and publish a statement of licensing policy and to keep this under review. Any such policy must seek to promote the statutory licensing objectives (as detailed above) and must include a summary statement on any cumulative impact of licensed premises in the area. As a matter of common law, any policy must be also be reasonable and proportionate and should, where appropriate, be justified on the basis of robust evidence.

4.2 Whilst there is no offence under the Act, application decisions based on the policy may be subject to challenge where it has not been suitably maintained, is not reasonable or proportionate or is not otherwise based on suitable justification or evidence.

4.3 Notably, in the absence of any special policy for cumulative impact, the proposed policy sets out the general considerations that both applicants, interested parties, responsible authorities and the Licensing Authority itself may take into account when considering applications made under the Act. This supports the general principle that the Licensing Authority will consider any matter for its determination objectively and on its own individual merits. Accordingly, when read in conjunction with any guidance offered by the Secretary of State the revised policy (which is subject to public consultation) presents a low risk update.

Financial and Resource Implications

- 4.3 There are limited financial implications associated with this report in respect of consultation and publication costs. It is however anticipated that these can be absorbed within existing budgets.

Equalities Impact Implications

- 4.4 It is considered that the proposed revisions to the licensing policy present no specific impact on those with protected characteristics. The policy seeks to maintain equality of opportunity and recognises that subject to the requirements of the Act, nothing in the policy overrides or undermines the right of any individual or business -
- (a) to apply for one or more of the authorisations under the Act and, where appropriate, to have that application considered on its individual merits;
 - (b) to make representations on an application or to seek a review of an authorisation where provision has been made for them to do so; or
 - (c) who is aggrieved by the decision of the Licensing Authority to appeal against that decision to the Courts where provision has been made for them to do so.

5. CONCLUSIONS

- 5.1 The Council is obliged to prepare and publish a statement of licensing policy based on a number of licensing objectives every five years. Following various legislative changes, the Council's policy has been due for review and a revised and updated policy has been prepared. While subject to various proposed changes, most of these reflect legislative amendments that have been introduced since the policy was last reviewed.
- 5.2 The key proposed changes concern immigration and right to work checks, changes to TENs arrangements and limits, the classification of films and the removal of existing neighbourhood notification policy. Any revised policy is subject to a period of formal consultation. Whilst a proposed timetable for consultation is outlined above, it is anticipated this will result in presentation to full Council for approval in December.

BACKGROUND DOCUMENTS:

HOME OFFICE (2018), Guidance issued under Section 182 of the Licensing Act 2003. April 2018.

RUSHMOOR BOROUGH COUNCIL (2010), Statement of Licensing Policy.

CONTACT DETAILS:

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Cabinet
24 July 2018

Councillor Maurice Sheehan
Operational Services
Portfolio Holder
Report No. COMM1806

Key Decision – No

FARNBOROUGH AIRPORT COMMUNITY ENVIRONMENTAL FUND

Summary and Recommendation

The Operational Services Portfolio Holder has considered two applications and has awarded £11,000, which Cabinet is recommended to approve.

1. Introduction

1.1 This paper seeks approval to award grants from the Farnborough Airport Community Environmental Fund to assist two local projects.

2. Background

2.1 The Community Environmental Fund commenced in 2001. It is levied by Farnborough Airport on business aviation movements at a rate of £2 per aircraft movement and £5 per aircraft movement where the aircraft is a Boeing Business Jet or an Airbus Corporate Jet.

2.2 The fund is available to groups and organisations under the following criteria:

- Located within 5 kilometres (3 miles) from the centre of Farnborough Airport (taken to be halfway down the main runway) and is demonstrably and regularly affected by aircrafts travelling to and from Farnborough Airport
- Will result in the improvement or provision of an outdoor facility or area that is accessible to the public and able to be enjoyed by the community as a whole
- Is a community or environment based bid, projects may include: -
 - Green or open spaces
 - Natural habitats
 - Environmental improvements or outdoor play
 - Community projects with an emphasis on improving the local environment or outdoor education

3. Details of Bids

3.1 The Cabinet Member for Operational Services has considered two applications (Appendix A) and has made two award recommendations:

• Rotary Club of Aldershot	£6,000
• Friends of Basingbourne Park	£5,000
Total	£11,000

4. Financial Implications

4.1 The Community Environmental Fund is currently £38,467. Taking the two applications recommended in this paper totalling £11,000 would leave £27,467 available for allocation.

Contact Details:

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Head of Service

Peter Amies – Head of Community and Environmental Services
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Background Documents:

Completed application forms - Appendix A

Environment Fund applicant bid	
Name & address of Applicant	Rotary Club of Aldershot Army Golf Club, Laffan's Road, Aldershot GU11 2HF
Grant requested (Total cost of project)	£6,000 (£8,000)
Purpose of grant	To purchase a second hand electric milk float to be converted into a multi-purpose vehicle, primarily to replace the current 60 year old Christmas float trailer
Previous grants from this fund	None
Distance from centre of runway (within 5 kilometres (3 miles))	Within distance
Other sources of funding for this project	£2,000 – own funds
Accounts	Income £17,437 Expenditure: £17,157 Balances: £7,152
Additional Info	<p>The project is to replace the 60-year-old Christmas Float trailer with an electric milk float. The current heavy trailer requires a four wheeled drive vehicle to tow it, and on board the trailer, there is a petrol generator for the music and lighting.</p> <p>By replacing, the float with an electric vehicle means there will be two less engines contaminating the atmosphere with exhaust fumes (the towing vehicle and the petrol generator). LED lighting will be used where possible and the vehicle's batteries will be sufficient to power the lighting and music. This will contribute to reducing noise pollution in Aldershot.</p> <p>The club often struggle to find drivers qualified to tow the current heavy trailer and turn it in some of the estates. This problem would be overcome with the new float as no towing is involved. It is the club's intention to make the display removable to enable the float to be used for other events in the year such as Victoria Day and Kids Out day.</p> <p>The major use of the electric float will be in December each year when the float travels the streets playing festive music. Each year the club collect around £10,000, which is shared with local charities and youth organisations, many of who help with the collection.</p>
Aim of organisation/group	Rotary is an international service organisation, carrying out projects all over the world as well as in the local community.
Application recommendation	£6,000

Environment Fund applicant bid

Name & address of Applicant	Friends of Basingbourne Park Basingbourne Road, Fleet
Grant requested (Total cost of project)	£5,000 (£60,000)
Purpose of grant	Purchase and installation of play equipment for over 8s
Previous grants from this fund	None
Distance from centre of runway (within 5 kilometres (3 miles))	Within distance
Other sources of funding for this project	£2,000 – Tesco Bags of Help £1,500 – HCC County Councillor grant £1,000 – Co-op £40,000 – Fleet Town Council £2,250 – fundraising (secured) £5,000 – Church Crookham Parish Council (unsecured) £3,250 – further fund raising & grant applications (unsecured)
Accounts	Income: £3,208 Expenditure: £334 Balances: £9,694
Additional Info	<p>The Friends of Basingbourne Park are a community group who work to enhance the play park and woodlands in the area. The woodlands are a Site of Importance for Nature Conservation.</p> <p>The group works with local uniformed organisations and faith groups for conservation work, litter picks and community events such as wildlife walks, bat surveys, Easter egg hunt and Community picnics.</p> <p>Basingbourne Park has play equipment for under 8s but nothing new for the over 8s. About six years ago a second hand climbing frame was added, but parts of this are now broken and does not meet the needs of all over 8s who access the park and woodlands.</p> <p>The park is located near a secondary school and close to six infant and junior schools. The new equipment could benefit over 2,300 young people. This will provide something for young people to do, reducing anti-social behaviour and contribute to the overall health and wellbeing of the local community.</p> <p>Fleet Town Council supports the group, managing the day-to-day upkeep of the play park.</p>
Aim of organisation/group	The aim of the Friends of Basingbourne Park is to improve the park and woodlands for the whole community to enjoy and to provide community events.
Application recommendation	£5,000

CABINET

COUNCILLOR PAUL TAYLOR
CUSTOMER EXPERIENCE AND IMPROVEMENT
PORTFOLIO HOLDER
REPORT NO. IT1801

24th July 2018**COUNCIL OFFICES IMPROVEMENT PROGRAMME****SUMMARY AND RECOMMENDATIONS:**

This report provides a high-level outline of the 2018/19 Council Offices improvement programme and seeks approval for accessing the current capital programme budget to implement the associated projects.

The report also sets out plans and costs to relocate the Farnborough Citizens Advice to the Council Offices, which requires additional capital funding.

In addition, urgent works are required to repair the Council's passenger lift ahead of finalising an insurance claim for these works.

It is recommended that Members:

- Agree the improvement projects outlined in this report;
- Approve the release of £95,000 capital funds for the projects; and
- Approve variations to the Capital Programme of £10,000 (Citizens Advice relocation) and £27,000 (passenger lift repairs - will be largely recovered by insurance).

1. INTRODUCTION

- 1.1 The Council Plan for 2018/19 states that the Council should 'Listen, Learn and Deliver Better' and become customer-focussed. For the Council to achieve financial sustainability and deliver key outcomes, it will be necessary to redesign the way it currently works to deliver modern public services.
- 1.2 The Rushmoor 2020 programme contains a Customer and Digital workstream, to enable and support new ways of working using digital technology to deliver services that are more efficient at a lower cost.
- 1.3 To achieve these outcomes it is necessary to invest capital funds to create a modern and flexible working environment that is fit for the future and enables the delivery of our improvement and modernisation programme.

- 1.4 This report explains the rationale for investment in an improvement programme for the Council offices. The key principles for this work are:
- Provide a modern, clean, safe workspace environment;
 - Enable co-location of partners, income generation opportunities & improved collaboration;
 - Provide new flexible ways of working 'Anytime Anywhere'; and
 - Support the 'well-being', flexible & workstyle HR policies currently being developed.
- 1.5 As the proposed improvement programme incurs significant capital spend affecting the Council's estate, any decision on these matters should be considered a key decision.

2. **BACKGROUND AND CONTEXT**

- 2.1 The Council offices, a major asset, were built in 1981. The Health and Safety Executive guidelines and Building Regulations require both regular and ongoing maintenance and investment in capital works. Infrastructure investment combined with regular maintenance also minimises the insurance risk and keeps premiums stable.
- 2.2 While our revenue budget contains adequate funding for our annual maintenance contracts, this report outlines required capital infrastructure works. This is needed to improve the Council offices and deliver the key outcomes in the Council Plan as well as to comply with legislative developments.
- 2.3 Whilst the Council is considering the longer term options for the Civic Quarter, which may include relocation of the Council Offices, this is likely to take a number of years before it is completed. This means that there remains a requirement to maintain and develop the existing office environment.
- 2.4 Over the last year good progress has been made on improving the Council offices which has included the following:
- Re-carpeting and redecoration of the Civic suite;
 - Installation of additional car parking bays;
 - Initial building repairs to Council mains drainage;
 - Improved office 'white desking' to support workstyle changes;
 - Improved café environment with new flexible working space; and
 - Initial lower office roof repairs.
- 2.5 Members will also be aware of the Council's ongoing Co-location/Office Accommodation Project. This has required changes and improvements to the Council offices allowing a number of public sector partner organisations and charities to co-locate. The annual income generated for the Council from tenants is approximately £247,000 p.a.

3. COUNCIL OFFICES IMPROVEMENT PROGRAMME

- 3.1 For the reasons outlined below, the following further improvements and capital works requirements have been identified.

Council Offices Improvement Programme

- 3.2 In order to comply with building regulations and the condition survey that was recently carried out in 2017, the Council requires an ongoing programme of capital improvement works. This includes the following items:

Item	Capital Cost £
Re-construct and enhance mains drainage infrastructure	£8,000
Further lower roof works with modern and safe materials	£5,000
Toilet replacements	£5,000
Refurbishment of civic suite kitchen	£7,000
Additional carpeting, lighting, furniture and general office improvements	£10,000
Total	£35,000

Council Offices Passenger Lift

- 3.3 On the 31st May 2018, there was a multiple component failure involving the hydraulic motor, thermostat and the timing switch on the control system for the lift. To comply with building regulations, access and health and safety regulations, the lift is required and needs urgent repair.
- 3.4 Whilst the Council offices' passenger lift is regularly maintained, the equipment is over 30 years old and due to the nature of the failure will require significant works. It will also require replacement of legacy component parts and the installation of more modern energy efficient equipment.
- 3.5 The repairs may take up to 3 months due to the unavailability of spare parts. There will be some disruption to operations, however the facilities team are working with tenants around reasonable adjustments for people with disabilities e.g. access to ground meeting or workspaces.
- 3.6 Following consultation, the Council's Insurers have advised that the majority of the cost are recoverable. However, in order to progress the work and keep disruption to customers and users to a minimum it is recommended that the Council commence the repair works immediately.

Therefore a capital budget of £27,000 is requested, the bulk of which is expected to be reimbursed.

- 3.7 The lift maintainer had stated that following the repairs the passenger lift's life will be extended and therefore should avoid the need for a total replacement.

Business Continuity Improvement

- 3.8 The Council and its tenants, especially the Police, CCTV service and Hampshire County Council are increasingly reliant on computer systems to operate from the Council offices. A building of this age was not built with the relevant infrastructure to provide back-up for electricity generation should mains power fail.
- 3.9 As part of Councils revised business continuity plan, it is recommended the Council install an electrical connector to enable connection for a mobile generator in the event of a whole building power failure. The Council already has access to mobile generator services for its data centre and the installation of a generator connector would enable the use of a mobile generator in the event of a major power failure.
- 3.10 The installation of a on premise power generator was also considered, however the costs were significantly higher and would have required an ongoing revenue budget for maintenance.

Item	Capital Cost £
Installation of electrical connector for mobile power supplies	£10,000
Total	£10,000

Re-location of Farnborough Citizens Advice (CA)

- 3.11 Following a comprehensive feasibility review, plans to relocate the CA from the Farnborough Community Centre were approved by the Corporate Leadership Team in February 2018. The benefits of relocation will be improved customer and inter-agency working and will enable the release of the Community Centre as part of the site assembly for the civic quarter regeneration.
- 3.12 Following discussions with CA they have indicated the following requirements:
- **Operations** – relocation of staff and customer service facilities to the Council Offices;
 - **Space** - sufficient space to meet their requirements (approximately 18 hot desks, lockers and access to interview rooms);

- **Branding** - separate branding at reception that makes a clear and visible distinction for clients and staff that they are an independent service within the building;
- **Reception** – easy access to the Council reception with facility to allow CA staff on the reception desk; and
- **Infrastructure** - a separate Local Area Computer Network (LAN) is required.

3.13 The cost of relocation will be shared. The Citizens Advice will pay for:

- Cost of IT support and IT equipment for their advisors;
- Redirection of internet connection to new accommodation and connection to National CA business applications;
- Payment of any IT installations costs (beyond the installation of the LAN) and
- Telephony changes

3.14 It is proposed that the Council will undertake and fund some building works to facilitate the changes and support with overall project management. The work to undertake this project is shown in the table below:

Item	Capital Cost £
Reception modifications	£6,000
Installation of desks and lockers	£10,000
Interview/ meeting rooms (x3 modular)	£15,000
Infrastructure – computer cabling and network equipment	£5,000
Additional miscellaneous works	£4,000
Total	£40,000

3.15 Whilst this project is not directly an income generation project, the Council will see a direct benefit in the reduction in premises and rent relief of running the Farnborough Community Centre.

3.16 A joint project team will be established to oversee the relocation, which is scheduled for completion by the spring of 2019.

Rushmoor 2020, Modernising the Work Environment

3.17 Increasingly, modern technology enables new ways of working which can result in reduced demand for office space. Over 100 Council staff are now able to work remotely, with mobile devices and access to information and systems over the internet.

- 3.18 A rolling programme of changes is needed to introduce further modern workstyle practices, which support flexible working polices and create more space for co-location and income generation. This approach will also support the space needed to make the CA changes described above.
- 3.19 To avoid disruption, a phased approach is being proposed, introducing workspace changes by zone in the Council Offices. This includes the introduction of modern/flexible furniture, new meeting workspaces and storage solutions to allow staff and partner organisations to optimise the office space efficiently.
- 3.20 The estimates to undertake modernisation of the next phase of the work are shown in the table below.

Item	Capital Cost £
Modern, flexible desking and storage	£14,000
Creation of 'touch down' and flexible meeting spaces	£6,000
Total	£20,000

4. **CONSULTATION AND ENGAGEMENT**

- 4.1 The Head of IT, Facilities and Projects has consulted with the Cabinet Member for Customer Experience & Improvement, Asset Management Groups, Health and Safety, Property Services and, in addition, the CA Chief Executive. These plans were also presented at the Cabinet away day held in December 2017.
- 4.2 Agreement in principle has been reached with all key stakeholders. For a programme of this scale, further consultation and engagement with the CA and Council staff will be undertaken to take forward various elements of the programme.

5. **FINANCIAL & LEGAL IMPLICATIONS**

- 5.1 A budget of £95,000 has already been approved (subject to business case) in the 2018/19 capital programme. This report seeks approval for accessing the capital programme budget to implement these projects. An additional £10,000 is required to support the relocation of CA as outlined above.
- 5.2 In addition, a budget variation of £27,000 will be required to repair the Council's passenger lift as outlined above. However, this is largely expected to be refunded through the insurance receipt.
- 5.3 There are no direct legal implications arising from this report, however the procurement implications have been considered in relation to the works outlined above.

6. CONCLUSIONS

- 6.1 This report brings together a number of improvement initiatives under a new overarching programme to be known as Rushmoor 2020. To enable the delivery of modern public services and improved well-being for Members, Partners and staff will require the capital investment outlined in this report. Without undertaking this investment, it will not be possible to progress with the overall strategy of multi-agency relocation or the delivery of a modern sustainable office environment.

BACKGROUND DOCUMENTS:

Citizens Advice Feasibility Report – CLT February 2018
Capital Programme Report – Full Council February 2018

CONTACT DETAILS:

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CABINET

COUNCILLOR MARTIN TENNANT
 MAJOR PROJECTS AND PROPERTY
 PORTFOLIO HOLDER

24th JULY 2018
 KEY DECISION: NO

REPORT NO. LEG1807

RENDER REPAIR AT NO. 168 HIGH STREET, GUILDFORD

SUMMARY AND RECOMMENDATIONS:

168 High Street, Guildford, is one of the Council's investment properties. A recent building condition survey has identified the need for urgent works for which no budget is available in 2018/19. The cost of these works will be recoverable from tenants over the next three years via the service charge.

Cabinet are recommended to agree a supplementary estimate of £65,000 to fund these works.

1. INTRODUCTION

- 1.1 The purpose of this report is to seek an additional item of £65,000 to enable urgent works to take place to 168 High Street, Guildford.
- 1.2 This is not a key decision

2. BACKGROUND

- 2.1 The Council acquired 168 High Street, Guildford, in 2016 for £6.75m.
- 2.2 The property is mixed use, with retail at the front, and offices at the rear.
- 2.3 At the point of purchase, the property was subject to five tenancies, on 15-year tenancy of the retail, and four 5-year tenancies to the offices (individual suites). All of the tenants are required to pay a fair proportion of the repair and maintenance of the property.

3. DETAILS OF THE PROPOSAL

General

- 3.1 In 2017, it was identified that the external render to several parts of the property was degrading rapidly and had failed. This was partly due to a lack of coping stones/metal coping.
- 3.2 At the time, the cost of repairing the render was £35k, excluding non-repair related costs. The cost of this work is rechargeable to the tenants.
- 3.3 A decision at the time was taken to not proceed, on the basis that the four office leases had service charge caps preventing the council from

recovering the majority of the cost, and it was too late in the year to complete the works (they need to take part in the summer months).

- 3.4 The damage to the render has significantly worsened, to the point where it needs to take place in 2018.
- 3.5 The total cost of the repairs is estimated at £50,000, including contingency. Additional costs including the licence agreement from Santander to allow us to erect scaffolding on their land, and re-providing car parking spaces, which bring the total cost of the works to £65,000.
- 3.6 The cost of these works is fully recoverable from the tenants, however this initially needs to be funded by the Council. A brief table showing what amounts will be collected from the different service charge years (backdating to 2016)

Service Charge year	Amount
2016/2017	£25,000
2018	£20,000
2019	£15,000
2020	£5,000
Total	£65,000

- 3.7 It is anticipated that the full amount of the works will be recovered by 2020, with the exceptions of any vacancies where the Council would need to cover the service charge cost.

Alternative Options

- 3.8 Delaying the works to the next financial year was considered but dismissed as the condition of the building is likely to worsen and represents an increased health and safety risk.

4. IMPLICATIONS

Risks

- 4.1 There are health and safety risk when the works are carried out, due to the building being occupied. This is mitigated by ensuring the design and layout of the scaffolding does not block any fire exits, and making sure the contractor has considered and is taking all reasonable precautions to prevent injuries, by providing risk assessments, and ongoing site visits.

Legal Implications

- 4.2 As the landowner, we are legally obliged to maintain the property to an acceptable standard by the leases to the tenants. Not doing so would result in the council being in breach of the covenants of the leases.

Financial and Resource Implications

- 4.2 The Council will need to incur costs of £65,000 in 2018/19, which will be recovered by 2020.

- 4.3 The additional cost of £65,000 in 2018/2019 is equivalent to an increase of £2.10, or 1.057% on the Council Tax.

5. CONCLUSIONS

- 5.1 The proposal is being made, due to the health and safety implications that would arise if the works were delayed another year.
- 5.2 The proposal is in the best interest of the Council to protect its position, and its commercial asset.

BACKGROUND DOCUMENTS:

Cooper & Withycombe report dated 1st September 2017

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Head of Service: Karen Edwards, Executive Director

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CABINET

**COUNCILLOR MARTIN TENNANT
MAJOR PROJECTS AND PROPERTY
PORTFOLIO HOLDER**

24th July 2018

KEY DECISION: YES

REPORT NO. LEG1806

**SALE OF FORMER HIGHWAY LAND AT
PEGASUS AVENUE – NORTH TOWN REDEVELOPMENT PHASE 6**

SUMMARY AND RECOMMENDATIONS:

This report recommends the sale of former highway land at Pegasus Avenue, Aldershot (shown in Appendix 1) from the Council to VIVID following the redevelopment of North Town - Phase 6.

Recommendation

To delegate authority to the Executive Director, in consultation with the Major Projects and Property Portfolio Holder, to sell the former highway land at North Town, Phase 6 for a price to be determined, based on advice from the District Valuer.

1. INTRODUCTION

- 1.1 The redevelopment of the North Town estate by VIVID, included the demolition 471 flats to make way for 697 new homes, in six phases. The Council helped fund this redevelopment.
- 1.2 This redevelopment involved the redesign of the estate, which included the re-configurations of some of the adopted highways. Some roads and footpaths have been stopped up and then built upon as part of the redevelopment. In October 2017, Cabinet considered report LEG 1716, which set out proposals in relation to earlier phases of the development.
- 1.3 When this happens, highway rights cease and the land beneath the former highway remains with the owner, in this case, the Council own the subsoil of these areas and VIVID require these areas to be transferred to them, so they can let or sell the newly constructed properties.

3. DETAILS OF THE PROPOSAL

- 3.1 VIVID have now received a red book valuation of the former highway land from Savills.
- 3.2 The District Valuer has been asked to assess the report and calculate the value of the land to be transferred. Once this value has been received, the

Council can agree the sale of the land to VIVID, enabling them to move tenants into the properties.

4. CONSULTATION

- 4.1 The Ward Councillors have been kept informed of the situation and VIVID are aware of the contents of this report.

5. IMPLICATIONS

Risks

- 5.1 There is no risk to the Council, as the District Valuer will be assessing the value of the land.

Legal implications

- 5.2 Section 123 of the Local Government Act 1972 provides that local authorities may dispose of land as they see fit, but cannot dispose of land other than by way of a short tenancy, for less than best consideration.

- 5.3 The General Disposal Consent 2003 modifies the Local Government Act 1972 to remove the need for the Secretary of State's consent to disposals at an undervalue where the disposal would be likely to contribute to economic, social or environmental wellbeing, provide the disposal does not exceed £2m.

Financial and Resource Implications

- 5.4 There is no cost to the Council as VIVID will cover the cost associated with the District Valuer's report and the legal costs of the subsequent transaction. Savills' assessment of the value of the land is nil; however, if the District Valuer places a higher value on the land, the Council may receive a receipt for the land.

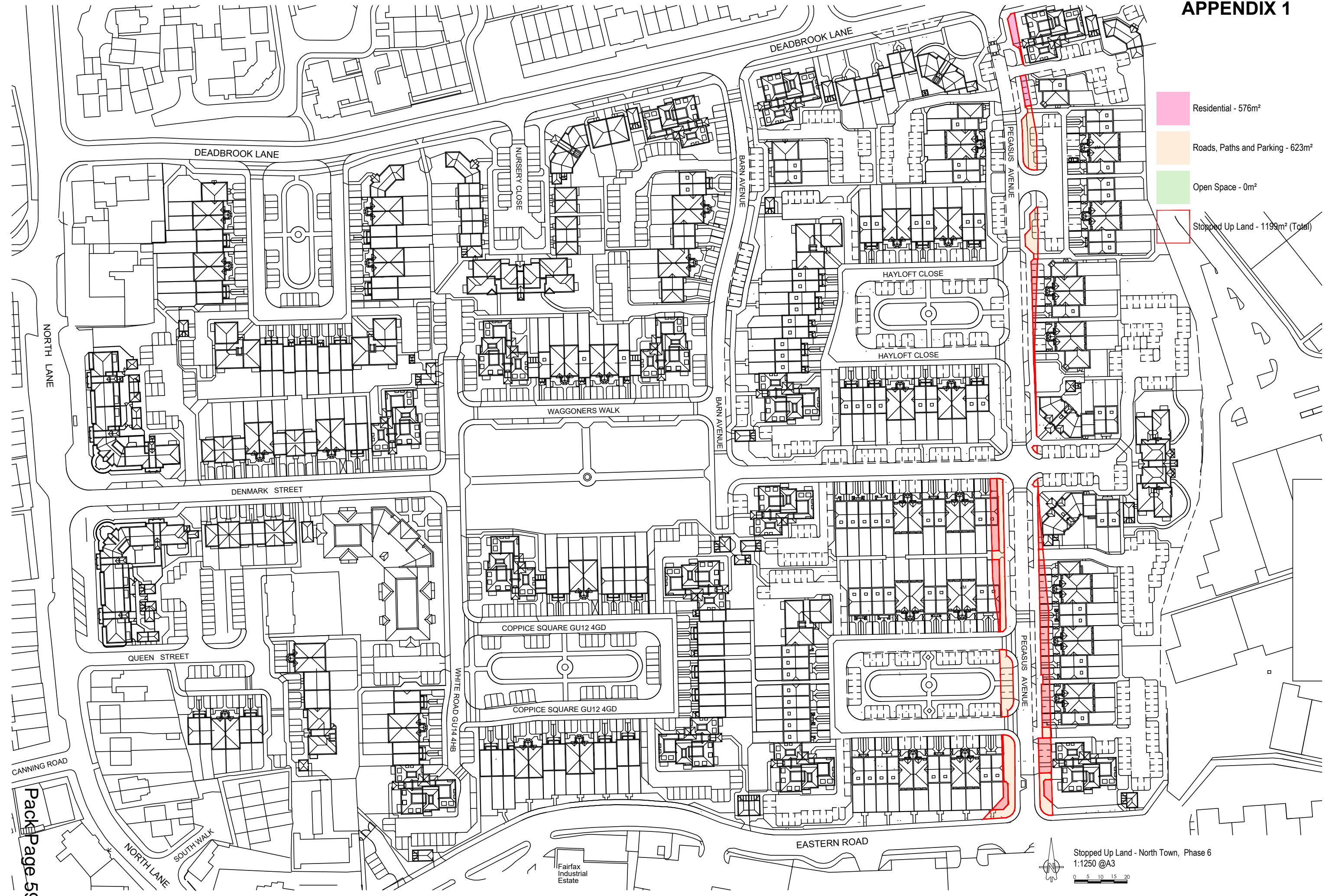
6. CONCLUSIONS

- 6.1 Delegated authority is sought to enable the land transfer to proceed quickly, once the value of the land has been provided by the District Valuer.

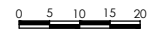
Background documents: Plan of area to be transferred (Appendix 1)

Contact Details: Karen Edwards, Executive Director

APPENDIX 1



Stopped Up Land - North Town, Phase 6
1:1250 @A3



Fairfax
Industrial
Estate

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