

# CABINET

Meeting held on Tuesday, 11th December, 2018 at the Council Offices, Farnborough at 7.00 pm.

## Voting Members

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

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 **24th December, 2018**.

### 59. **MINUTES –**

The Minutes of the meeting of the Cabinet held on 13th November, 2018 were confirmed and signed by the Chairman.

### 60. **PROVISIONAL SETTLEMENT 2019/20 AND BUDGET UPDATE –** (Cllr Gareth Lyon, Corporate and Democratic Services Portfolio Holder)

The Cabinet received Report No. FIN1840, which provided information in relation to the Government's funding for Local Government in 2019/20, known as the Provisional Settlement.

It was explained that the announcement of the Provisional Settlement had been delayed by the Government. This would set out the funding for specific and general revenue grants, as well as capital. The Provisional Settlement announcement had been due on 6th December, 2018 and it was now expected that this would be announced later in December, with the Final Settlement announcement due in late January, 2019.

**The Cabinet NOTED** the latest position in relation to the Provisional Settlement and the effect it would have on the Council's 2019/20 budget, as set out in Report No. FIN1840.

### 61. **TREASURY MANAGEMENT OPERATIONS MID-YEAR REPORT 2018/19 –** (Cllr Gareth Lyon, Corporate and Democratic Services Portfolio Holder)

The Cabinet received Report No. FIN1836, which set out the main activities of the treasury management operations during the first half of 2018/19.

The Cabinet was informed that the Council had continued to receive treasury management advice from Arlingclose Limited, who had provided a detailed commentary on the economic background, which was set out at Appendix A to the Report. In relation to investment activity in 2018/19, Arlingclose had produced a graph that was set out at Appendix B to the Report. Whilst this indicated total investment returns generated were down on the same period in the previous year, when benchmarked against all of Arlingclose's 135 local authority clients, the current half-year performance was good. Appendix C to the Report showed the actual prudential indicators relating to capital and treasury activities for the first half of 2018/19 and compared these to the indicators which had been set in the Annual Treasury Management Strategy 2018/19, which had been approved by the Council on 22nd February, 2018.

In response to a question, it was confirmed that, when retendering for the provision of treasury management advice, the Council would consider bids from any suitably qualified, providers including any local companies that met the Council's specification and criteria.

**The Cabinet RESOLVED that**

- (i) the Council's treasury management operations in the first half of 2018/19, as set out in Report No. FIN1836, be noted;
- (ii) the low return of investment income returned from Payden and Rygel's Sterling Reserve pooled fund and the option to replace it with a higher yielding fund, be noted; and
- (iii) an increase of £5 million in the Collective Investment Schemes (pooled funds) investment limit, as set out in the Annual Treasury Management Strategy 2018/19, be approved in order to allow the reinvestment of the remaining Covered Bonds, due to redeem in December 2018, and to increase investment income return.

**62. COUNCIL TAX SUPPORT SCHEME 2019/20 –**

(Cllr Diane Bedford, Chairman of the Council Tax Support Task and Finish Group)

The Cabinet considered Report No. CTSG1801, which set out work undertaken by the Council Tax Support Task and Finish Group to review the Council's Council Tax Support Scheme. The Chairman welcomed the Group's Chairman, Cllr Mrs. D.B. Bedford, and Cllr Jennifer Evans, who was a member of the Group and had requested to address the Cabinet on this issue.

It was confirmed that the Task and Finish Group had met twice to discuss options for changes to the Council Tax Support Scheme 2019/20, in particular to the minimum contribution for working age recipients, which was set currently at 12%. The Report set out the Group's deliberations and options considered. It was confirmed that the Group's preferred option was to undertake a consultation exercise to seek views regarding an increase in the minimum contribution for working age recipients of Council Tax Support from 12% to 15%. Members were reminded that, following the consultation, any proposal to increase the minimum contribution would be brought back to the Cabinet to make a recommendation to the Council.

Cllr Evans expressed opposition to any increase of the minimum contribution from 12% and requested that the consultation should include an option to opt for no change to the current scheme.

In response to a question, it was confirmed that, with the proposed consultation only seeking views on one option, to increase the minimum contribution to 15%, it would be clear how many respondents had opted for no change.

**The Cabinet RESOLVED** that

- (i) the undertaking of a public consultation on the option to increase the minimum contribution payable in respect of the Council's Council Tax Support Scheme to 15%, as set out in Report No. CTSG1801, be approved;
- (ii) the deliberations and considerations of the Council Tax Support Task and Finish Group in arriving at its recommendation, as set out in the Report, be noted; and
- (iii) a report on the outcome of the consultation and any subsequent proposals to amend the Council Tax Support Scheme be considered by the Cabinet at its meeting on 5th February, 2019.

63. **AIR QUALITY PLAN TO REDUCE NITROGEN DIOXIDE CONCENTRATIONS ON THE A331 - OUTLINE BUSINESS CASE –**  
(Cllr Maurice Sheehan, Operational Services Portfolio Holder)

The Cabinet considered Report No. OS1832, which set out a proposal to improve air quality on the A331 (Blackwater Valley Relief Road), in order to comply with a Ministerial Direction, served on the Council on 27th July, 2018.

The Report set out the background behind the requirement to prepare an Outline Business Case to explore measures to achieve compliance with EU limits for roadside nitrogen dioxide concentrations along the A331 within the shortest possible time. Members were informed that the Secretary of State expected the Outline Business Case to have been approved by the Cabinet by 31st December, 2018 at the latest. The scheme would be funded by the Government and would carry no financial implications for the Council. In reply to a question, it was confirmed that the Council was at risk of a financial penalty if it did not comply with the Ministerial Direction.

**The Cabinet RESOLVED** that

- (i) the Outline Business Plan, along with the preferred option of a 50mph speed limit on a section of the A331, as set out in in Report No. OS1832 and shown in Figure 2, be endorsed;
- (ii) the Head of Operations, in consultation with the Operational Services Portfolio Holder, be authorised to finalise and submit the Outline Business Case to the Government by 31st December, 2018;

- (iii) the Head of Operations, in the consultation with the Operational Services Portfolio Holder, be authorised to finalise and submit the Full Business Case to the Government when complete; and
- (iv) the Head of Operations be authorised to approve future income and expenditure in relation to the Plan through the budget monitoring process, whilst ensuring that expenditure should be kept in line with income.

64. **EXCLUSION OF THE PUBLIC –**

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

<b>Minute No.</b>	<b>Schedule 12A Para. No.</b>	<b>Category</b>
65	3	Information relating to financial or business affairs

**THE FOLLOWING ITEM WAS CONSIDERED  
IN THE ABSENCE OF THE PUBLIC**

65. **APPLICATION FOR SECTION 49 REMISSION OF NON-DOMESTIC RATES –**  
(Cllr Gareth Lyon, Corporate and Democratic Services Portfolio Holder)

The Cabinet considered the Exempt Report No. FIN1837, which set out an application for the remission of non-domestic rates on the grounds of hardship.

Members assessed the application from Fight Science Limited, Maida Gym, Hospital Road, Wellesley, Aldershot, taking into account the evidence of financial hardship supplied and whether it was in the interests of local taxpayers to subsidise the business. The Cabinet took into account the nature and circumstances of the business and the availability of alternative facilities in the area.

The Corporate and Democratic Services Portfolio Holder and the Principal Revenues and Benefits Officer had visited the premises to discuss the application with the proprietor. The Cabinet discussed the application and expressed support for this business, particularly in light of the company's engagement with the local community.

**The Cabinet RESOLVED** that 50% hardship relief be granted to Fight Science Limited for a period of six months in the 2018/19 financial year.

66. **ADDITIONAL ITEM - COUNCIL OFFICES - REPLACEMENT HEATING BOILER –**  
(Cllr Gareth Lyon, Corporate and Democratic Services Portfolio Holder)

The Cabinet considered Report No. ITFMP1802, which sought approval to vary the 2018/19 Capital Programme to allow urgent works to be undertaken to replace one of the two gas condensing boilers serving the Council Offices. The item had been

added to the agenda as a matter of urgency due to a lack of resilience in the heating of the Council Offices in the winter with only one boiler in operation.

The Cabinet was informed that the works would cost up to £35,000 to complete and this included associated works that were required to bring existing flue and ventilation arrangements up to modern day standards.

**The Cabinet RESOLVED** that approval be given to a variation to the 2018/19 Capital Programme of up to £35,000 to enable the replacement of the faulty boiler to be completed, as set out in Report No. ITFMP1802.

The Meeting closed at 7.58 pm.

CLLR D.E. CLIFFORD, LEADER OF THE COUNCIL

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# CABINET

Meeting held on Tuesday, 8th January, 2019 at the Council Offices, Farnborough at 7.00 pm.

## Voting Members

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

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 **21st January, 2019**.

### 67. **MINUTES –**

The Minutes of the meeting of the Cabinet held on 11th December, 2018 were confirmed and signed by the Chairman.

### 68. **RUSHMOOR COMMUNITY LOTTERY –**

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

The Cabinet considered Report No. DSP1901, which set out a review of the Rushmoor Community Lottery, following the first year of operation.

Members heard that the Lottery had been operating since July, 2017 and had raised over £33,000 for good causes. The Cabinet was informed that some proceeds from every ticket sold were transferred to the Community Fund and it was now proposed that a Community Forum should be established to consider funding applications made to the Community Fund. The Report set out the proposed composition of the Forum and it was confirmed that the application process would be reviewed after one year of operation.

In response to a question, it was confirmed that participating organisations would be encouraged to increase ticket sales and would be supported in doing this, if necessary.

**The Cabinet RESOLVED** that

- (i) the establishment of the Community Forum, as set out in Section 3 of Report No. DSP1901, be approved; and
- (ii) the Community Forum be authorised to allocate the Community Fund, in accordance with the arrangements set out in Section 3 of the Report.

69. **BUSINESS RATES - DISCRETIONARY GROWTH INCENTIVE RELIEF APPLICATION –**  
(Cllr Gareth Lyon, Corporate and Democratic Services Portfolio Holder)

The Cabinet considered Report No. FIN1901, which set out details of an application for discretionary rate relief, under the Council’s Discretionary Growth Incentive Relief Policy, from Hancock’s Restaurants Limited (Nos. 46 – 50 Kingsmead, Farnborough).

**The Cabinet RESOLVED** that 50% discretionary rate relief be awarded to Hancock’s Restaurants Limited for a period of twelve months.

**NOTE:** Cllr P.G. Taylor declared an interest in this item in respect of the proximity of the application address to his place of work. He remained in the meeting during the discussion on this item but did not take part in the voting thereon.

70. **EXCLUSION OF THE PUBLIC –**

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

<b>Minute Nos.</b>	<b>Schedule 12A Para. No.</b>	<b>Category</b>
71, 72 and 73	3	Information relating to financial or business affairs

**THE FOLLOWING ITEMS WERE CONSIDERED  
IN THE ABSENCE OF THE PUBLIC**

71. **ALDERSHOT REGENERATION - SITE ASSEMBLY –**  
(Cllr Martin Tennant, Major Projects and Property Portfolio Holder)

The Cabinet considered Exempt Report No. RP1901, which set out an update on the Cabinet’s previously agreed approach to the acquisition of properties in Aldershot town centre for reasons of regeneration.

The Report set out the latest position in relation to the assembly of sites in the town centre to enable a comprehensive redevelopment scheme to be brought forward. It was reported that good progress had been made to date in this respect and that negotiations were in progress to acquire the remaining properties. The Report referred to one particular property where meetings had been held between the current owner, the Leader of the Council and the Chief Executive, with a view to its acquisition by the Council. It was confirmed that, following further negotiations, the asking price was likely to be within the range set out in a recent valuation of the property. The Cabinet was requested to agree an upper limit to enable the Chief Executive, in consultation with the Major Projects and Property Portfolio Holder, to negotiate to acquire, by agreement, the property. It was further requested that, in the

event that the acquisition was not possible by agreement, the Corporate Manager – Legal Services, in consultation with the Chief Executive, should be authorised to commence the compulsory purchase of the property, at the appropriate time.

In discussing this matter, the Cabinet considered this to be a key site in the regeneration of Aldershot town centre. In answer to a question, it was confirmed that external funding that had been secured in relation to the regeneration of Aldershot town centre was at risk if there was delay to delivery timescales. It was considered that a delay would be inevitable if the Council opted to acquire the property through the compulsory purchase process. The Chief Executive drew Members' attention to the fact that the property had been valued between £1.2 million and £2.6 million, depending on the assumptions that were made. He also pointed out that, with reference to property values in Aldershot, it was unlikely that the Council would realise a return on this purchase and it was more probable that this would be written off as a contribution to the regeneration of Aldershot town centre going forward. The Cabinet expressed strong support for attempting to acquire the property by agreement and agreed an upper negotiation limit.

**The Cabinet RESOLVED that**

- (i) an upper limit of £2.6 million be approved, to allow the Chief Executive, in consultation with the Major Projects and Property Portfolio Holder, to negotiate and acquire, by agreement, the freehold of the property set out in Exempt Report No. RP1901;
- (ii) in the event that it was not possible to agree an acquisition value within the agreed parameters, the Corporate Manager – Legal Services, in consultation with the Chief Executive, be authorised to take necessary steps to commence the compulsory purchase of the property, at the appropriate time; and
- (iii) the requirement for a future variation to the Capital Programme, to enable the acquisition of all remaining properties set out in the Report, be noted.

**72. PROPERTY INVESTMENT PURCHASE –**  
(Cllr Martin Tennant, Major Projects and Property Portfolio Holder)

The Cabinet considered Exempt Report No. RP1902, which set out a proposal to acquire the freehold investment in a property, as part of the asset investment programme in the Council's Medium Term Financial Strategy.

The Report set out the details of the potential investment, including the current lettings, the projected rates of return and the rationale for the purchase. A recent condition survey had confirmed that the property was in a satisfactory state of repair. The Cabinet was supportive of the purchase and, taking all factors into account, considered it to be a sound investment for the Council.

**The Cabinet**

- (i) **RESOLVED** that

- (a) the purchase of the property, as set out in Exempt Report No. RP1902, be approved;
  - (b) the Executive Head of Regeneration and Property, in consultation with the Council's statutory officers and the Major Projects and Property Portfolio Holder, be authorised to conclude negotiations, subject to due diligence, for the freehold at a price up to the figure set out in the Report; and
- (ii) **RECOMMENDED TO THE COUNCIL** that approval be given to a variation of the Capital Programme, as set out in the Report, to reflect the purchase, including the relevant fees.

73. **APPLICATION FOR SECTION 49 REMISSION OF NON-DOMESTIC RATES –**  
(Cllr Gareth Lyon, Corporate and Democratic Services Portfolio Holder)

The Cabinet considered the Exempt Report No. FIN1902, which set out an application for the remission of non-domestic rates on the grounds of hardship.

Members assessed the application from Gharelu Grocery Store Limited, No. 18 Victoria Road, Farnborough, taking into account the evidence of financial hardship supplied and whether it was in the interests of local taxpayers to subsidise the business. The Cabinet took into account the nature and circumstances of the business and the availability of alternative facilities in the area. The Corporate and Democratic Services Portfolio Holder and the Principal Revenues and Benefits Officer had met to discuss the application in detail.

**The Cabinet RESOLVED** that 33% hardship relief be granted to Gharelu Grocery Store Limited for the period from 1st May, 2018 to 31st March, 2019.

**NOTE:** Cllr D.E. Clifford declared a prejudicial interest in this item in respect of his attendance at the store's opening ceremony and, in accordance with the Members' Code of Conduct, left the meeting during the discussion and voting thereon.

The Meeting closed at 7.40 pm.

CLLR D.E. CLIFFORD, LEADER OF THE COUNCIL

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# CABINET

Meeting held on Tuesday, 5th February, 2019 at the Council Offices, Farnborough at 6.30 pm.

## **Voting Members**

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

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

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 **18th February, 2019**.

## **74. MINUTES –**

The Minutes of the meeting of the Cabinet held on 8th January, 2019 were confirmed and signed by the Chairman.

## **75. REVENUE BUDGET, CAPITAL PROGRAMME AND COUNCIL TAX LEVEL –** (Cllr Gareth Lyon, Corporate and Democratic Services Portfolio Holder)

The Cabinet considered Report No. FIN1909, which made recommendations on the budget, Council Tax requirement and proposals for budget savings for 2019/20.

The Cabinet was reminded that, at its meeting on 16th October, 2018, the budget framework set out in the Medium Term Financial Strategy 2019-22 had been approved. The Strategy provided a risk-based General Fund balance of around £2 million, with a minimum expected level for total working balances of 5% of gross expenditure. The Cabinet was advised that the Report had been prepared on the basis that there would be no change to the provisional local government finance settlement figure. It was proposed that any changes which materially altered the figures contained in the budget summary, particularly in respect of the local government finance settlement figure or the business rates estimates, would be made by the Council's Section 151 Officer, in consultation with the Leader of the Council and the Corporate and Democratic Services Portfolio Holder, prior to consideration of the budget by the Council on 21st February, 2019.

The General Fund Revenue Budget would enable the Council, in broad terms, to maintain current service delivery, whilst identifying reductions in the level of net expenditure of £3.931 million to be delivered during 2019/20. The General Fund summary showed that the revenue balances were expected to be maintained at £2 million by the end of 2019/20. This was at the top end of the approved range of balances of £1 million - £2 million and was deemed to be acceptable given the levels of risks and uncertainty that had been identified. The General Fund Revenue Budget

assumed a 2.99% increase in a Band D charge for Council Tax, which fell within the permissible level of increase before triggering a local referendum. The Cabinet was advised that the Business Rate Retention Scheme continued to represent a volatile income stream and, for this reason, it was necessary to maintain sufficient reserves to meet any unforeseen shocks to the system.

The Capital Programme of £70.231 million in 2019/20 was set out in Appendix 4 of the Report. Implementation of the core Programme in 2019/20 would require the use of £58.958 million of the Council's resources, largely through borrowing, together with £11.272 million use of grants and contributions, including the Better Care Fund, and an element of developers' Section 106 contributions. The main areas where the Council would be facing increased levels of risk and uncertainty over the medium term were set out in Section 9 of the Report. Members were informed that the most significant risks were the move to a 75% business rates retention model and the potential for the redistribution of funding under the Fairer Funding Review, which would reallocate resources across local authorities based on an assessment of relative needs.

Under Section 25 of the Local Government Act, 2003, the Executive Head of Finance, being the Council's Chief Financial Officer, was required to report to the Council on the robustness of the estimates contained in the budget and the adequacy of the financial reserves maintained by the Council. The Council had to have regard to this report when making its decisions on the budget. The Chief Financial Officer was satisfied that the budget was robust and that it was supported by adequate reserves.

## **The Cabinet**

- (i) **RECOMMENDED TO THE COUNCIL** that approval be given to:
  - (a) the General Fund Revenue Budget Summary, as set out in Appendix 1 of Report No. FIN1909;
  - (b) the detailed General Fund Revenue Budget, as set out in Appendix 2 of the Report;
  - (c) the additional items for inclusion in the budget, as set out in Appendix 3 of the Report;
  - (d) the Council Tax requirement of £6,409,171 for this Council;
  - (e) the Council Tax level for Rushmoor Borough Council's purposes of £204.42 for a Band D property in 2019/20;
  - (f) the Capital Programme, as set out in Appendix 4 of the Report;
  - (g) the Strategy for the Flexible Use of Capital Receipts, as set out in Appendix 5 of the Report;
  - (h) the Executive Head of Finance's Report under Section 25 of the Local Government Act, 2003, as set out in Section 10 of the Report;

- (i) the additional transfers to earmarked reserves in 2019/20 and the holding of reserves, as set out in the Report; and
- (ii) **RESOLVED** that authority be delegated to the Council's Section 151 Officer, in consultation with the Leader of the Council and the Corporate and Democratic Services Portfolio Holder, to make any necessary changes to the General Fund Summary arising from the final confirmation of the Local Government Finance Settlement and the Business Rates Retention Scheme estimates.

76. **COUNCIL TAX SUPPORT SCHEME 2019/20 –**  
(Cllr Gareth Lyon, Corporate and Democratic Services Portfolio Holder)

The Cabinet considered Report No. ED1902, which set out the outcome of the recent public consultation exercise and the considerations and recommendations of the Council's Council Tax Support Task and Finish Group in respect of potential changes to the Council Tax Support Scheme. The Chairman welcomed Cllr Mrs. D.B. Bedford, who was the Chairman of the Council Tax Support Task and Finish Group, and was attending to report on the Group's recommendations.

Members were informed that a public consultation exercise had run from 12th December, 2018 to 16th January, 2019 on potential changes to the Scheme. A total of 392 responses had been received and a detailed consultation report was set out in Appendix 1 to the Report.

The Council Tax Support Task and Finish Group had met on 21st January, 2019 to consider the consultation responses. The majority of the Group had supported recommending to increase the minimum amount of Council Tax that working age people would pay from 12% (88% discount) to 15% (85% discount) for 2019/20. To mitigate any unforeseen hardship that the increase might cause, the Group further recommended that the Hardship Fund should be increased by £2,000 per annum from the 2019/20 financial year onwards.

In considering the proposals, the Cabinet made reference to a representation that had been received from two Members. This had suggested that the Cabinet should consider retaining the minimum contribution at 12% in 2019/20. Additionally, it was suggested that the Council Tax Support Task and Finish Group should be asked to review and, if appropriate, recommend reforms to the eligibility criteria for Council Tax support, to ensure that this would provide help to those who most needed it. In discussion, broad support was expressed for this approach.

**The Cabinet**

- (i) **RECOMMENDED TO THE COUNCIL** that the current 12% minimum contribution (88% discount) for those of working age be retained for 2019/20; and
- (ii) **RESOLVED** that the Council Tax Support Task and Finish Group be requested to review and, if appropriate, recommend reforms to the eligibility criteria for the Council's Council Tax Support Scheme.

77. **ANNUAL CAPITAL STRATEGY 2019/20 –**  
(Cllr Gareth Lyon, Corporate and Democratic Services Portfolio Holder)

The Cabinet considered Report No. FIN1906, which set out the Council's Annual Capital Strategy 2019/20, which included the Prudential Indicators for Capital Finance in 2019/20. Members were informed that this was the first time that a Capital Strategy had been produced, following the revision of codes of practice and guidance, as set out in paragraph 1.3 of the Report.

The purpose of the Capital Strategy was to give an overview of how capital expenditure, capital financing and treasury management activity would contribute to the provision of local public services, along with an overview of how associated risk would be managed and the implications for future financial sustainability. The proposed Capital Strategy was set out in Appendix A of the Report.

**The Cabinet RECOMMENDED TO THE COUNCIL** that approval be given to the Capital Strategy 2019/20 and Prudential Indicators, as set out in Report No. FIN1906.

78. **ANNUAL TREASURY MANAGEMENT STRATEGY AND ANNUAL NON-TREASURY INVESTMENT STRATEGY 2019/20 –**  
(Cllr Gareth Lyon, Corporate and Democratic Services Portfolio Holder)

The Cabinet considered Report No. FIN1905, which set out an update to the Treasury Management Strategy, a new Non-Treasury Investment Strategy (Investment Strategy) for 2019/20 and the Council's Minimum Revenue Provision Statement. Members were reminded that the purpose of the treasury management operation was to ensure that the Council's cash flow was adequately planned, so that sufficient cash was available when needed but also that any surplus funds were invested in counterparties or instruments, in line with the Council's low risk approach. The second main function of the treasury management service was the funding of the Council's capital plans.

**The Cabinet RECOMMENDED TO THE COUNCIL** that approval be given to:

- (i) the Treasury Management Strategy and Annual Borrowing Strategy, as set out in Appendix A of Report No. FIN1905;
- (ii) the Annual Non-Treasury Investment Strategy, as set out in Appendix B of the Report; and
- (iii) the Minimum Revenue Provision Statement, as set out in Appendix C of the Report.

79. **BUSINESS RATES - RETAIL DISCOUNT POLICY –**  
(Cllr Gareth Lyon, Corporate and Democratic Services Portfolio Holder)

The Cabinet considered Report No. FIN1908, which set out a proposed new Business Rates Retail Discount Policy, which would enable the Council to award a retail discount from business rates, with effect from 1st April, 2019.

Members were informed that this retail discount had been introduced by the Government in response to the significant challenges faced by retailers in town centres in light of changing consumer behaviour. The new discount scheme would apply to retail properties with a rateable value of less than £51,000. Eligible businesses would receive a discount of one third of the annual business rates bill for the financial years 2019/20 and 2020/21.

The Cabinet expressed support for this initiative, which, it was considered, would provide a boost for smaller businesses locally.

**The Cabinet RESOLVED** that

- (i) the adoption of the local Retail Discount Policy, as set out in Annex 1 of Report No. FIN1908, be approved; and
- (ii) the Executive Head of Finance, in consultation with the Corporate and Democratic Services Portfolio Holder, be authorised to award the discount and resolve disputes in relation to eligibility.

80. **COUNCIL TAX EMPTY PROPERTY PREMIUM CHARGE 2019/20 AND AMENDMENT TO COUNCIL TAX DISCOUNTS –**  
(Cllr Gareth Lyon, Corporate and Democratic Services Portfolio Holder)

The Cabinet considered Report No. FIN1907, which set out a proposal to increase the Council's Council Tax empty property premium charge in line with new legislation and sought an amendment to the level of discount applied in respect of properties that were empty and unfurnished and undergoing major repair work or structural alteration.

Members were informed that recent legislation now allowed the Council to charge a higher premium in respect of long-term empty properties. It was proposed that the charge would escalate to a higher level the longer a property remained empty. The Government had explained that these provisions had been introduced to help to reduce the number of long-term empty properties by providing an incentive to owners to bring properties back into use. The Report also set out a proposed Council Tax Empty Homes Policy, which provided information about which discounts or exemptions empty properties might qualify for and the circumstances under which the premium charge might be waived. Finally, the Report set out the reasons for recommending reverting to 50% Council Tax discount for a twelve month period in cases where empty properties were undergoing major repairs or structural alteration.

The Cabinet expressed support for the proposed increase to the premium charge and felt that this would reduce the number of empty homes in the Borough.

**The Cabinet**

- (i) **RESOLVED** that
  - (a) the Council Tax Empty Homes Policy, as set out in Report No. FIN1907, be approved;

- (b) the Executive Head of Finance, in consultation with the Corporate and Democratic Services Portfolio Holder, be authorised to waive the premium charge in certain circumstances and resolve disputes, as set out in the Report; and

(ii) **RECOMMENDED TO THE COUNCIL** that

- (a) an increase to the amount of Council Tax Empty Homes Premium charged for long-term empty properties from 1st April, 2019 to 100%, from 1st April, 2020 to 200% and from 1st April, 2021 to 300%, as set out in Report No. FIN1907, be approved; and
- (b) the application of a Council Tax discount of 50% for twelve months in respect of empty homes undergoing major repairs or structural alterations, as set out in Report No. FIN1907, be approved.

81. **FARNBOROUGH AIRPORT COMMUNITY ENVIRONMENTAL FUND –**  
(Cllr Maurice Sheehan, Operational Services Portfolio Holder)

The Cabinet considered Report No. DSP1902, which sought approval to award grants from the Farnborough Airport Community Environmental Fund to assist local projects.

The Operational Services Portfolio Holder had considered three applications and had recommended that all three awards should be made.

**The Cabinet RESOLVED** that grants be awarded from the Farnborough Airport Community Environmental Fund to the following organisations:

Cove Football Club	£1,500
Grange Community Junior School PTA	£2,505
Southwood Infant School	£7,000

82. **ADOPTION OF THE RUSHMOOR LOCAL PLAN –**  
(Cllr Barbara Hurst, Planning and Economy Portfolio Holder)

The Cabinet considered Report No. EPSH1901, which set out the Rushmoor Local Plan and associated Policies Map, which would, subject to the Cabinet's endorsement, be submitted to the Council for adoption.

The Cabinet was informed that this was the culmination of five years' work, predominantly by the Council's Planning Policy Team, and the Chairman congratulated all those involved in the production of the Plan.

Members considered that, once adopted, the Local Plan would be integral to the delivery of the Council's regeneration priorities and the provision of housing in the Borough.

**The Cabinet RECOMMENDED TO THE COUNCIL** that

- (i) in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, the new Local Plan, and accompanying changes to the Policies Map, as amended by the main modifications identified in the Inspector's Report dated 14th January, 2019, be approved;
- (ii) the replacement of the Rushmoor Local Plan Review (2000) saved policies and Core Strategy (2011) policies, as listed in Chapter 16 of the new Local Plan, by the new Local Plan policies upon its adoption, be approved; and
- (iii) the Head of Economy, Planning and Strategic Housing, in consultation with the Planning and Economy Portfolio Holder, be authorised to agree any further minor changes to the new Local Plan and the Policies Map, prior to publication.

83. **SOUTHWOOD SANG –**  
(Cllr Martin Tennant, Major Projects and Property Portfolio Holder)

The Cabinet considered Report No. ED1901, which provided a progress report on the conversion of the former Southwood Golf Course to a major new parkland and to deliver Suitable Alternative Natural Greenspace (SANG).

Members were reminded that the decision to close the Southwood Golf Course, to provide SANG to mitigate the potential recreational impact of net new residential development on the Thames Basin Heaths Special Protection Area, had been made in December 2017. The Golf Course had closed in October 2018, when the operators, Mack Trading, had entered voluntary liquidation. Since that time, Rushmoor officers had been working with Natural England to bring forward plans to convert the site to parkland and identify complementary additional uses for the site. The next stage was to submit planning applications, where needed, to allow the project to progress.

**The Cabinet RESOLVED** that

- (i) the submission of planning applications, as necessary to enable the conversion of the site to an operational SANG, be approved; and
- (ii) the progress on the conversion of the former Southwood Golf Course, as set out in Report No. ED1901, be noted.

84. **PLANNING DELIVERY FUND –**  
(Cllr Barbara Hurst, Planning and Economy Portfolio Holder)

The Cabinet considered Report No. EPSH1906, which set out a proposal to spend grant funding awarded by the Government, from the Planning Delivery Fund.

Members were informed that the funding would be used to progress joint working between Rushmoor, Hart and Surrey Heath Councils on issues relating to the Thames Basin Heaths Special Protection Area. The project had started on 1st October, 2018 and would run until 31st September, 2020. The project's aim was to investigate and seek to implement alternative and complementary avoidance and mitigation measures to mitigate new housing development within the Hart, Rushmoor

and Surrey Heath Housing Market Area. A previous report to the Cabinet had set out plans to use the funding to appoint a project officer on a fixed two-year contract to progress this work. The purpose of this Report, following the appointment of the project officer, was to enable the drawdown of the grant from reserves for expenditure on advice and consultancy to support the project. Members were informed that, given the limited timescale, it was important that the project proceeded without delay.

**The Cabinet RESOLVED** that

- (i) the drawdown of the remaining grant of £130,000 over a two-year period, to spend on appropriate consultancy support and/or expert advice to support the legal, technical and ecological aspects of the work, as set out in Report No. EPSH1906, be approved; and
- (ii) the Head of Economy, Planning and Strategic Housing be authorised to approve future expenditure and report through the budget monitoring process, ensuring that expenditure should not exceed the amount of the Planning Delivery Fund grant, with any expenditure being offset by the drawdown from the earmarked reserve where the Planning Delivery Fund grant monies were being held, to the General Fund.

**85. ARTICLE 4 DIRECTION FOR CHURCH CIRCLE –**  
(Cllr Barbara Hurst, Planning and Economy Portfolio Holder)

The Cabinet considered Report No. EPSH1908, which sought approval to make an Article 4 Direction to withdraw permitted development rights related to the replacement of windows, the alteration or removal of chimneys, removal of front boundary walls and the laying out of hard surfacing on the front garden areas of identified properties in Church Circle, Farnborough, which formed part of the South Farnborough Conservation Area. The proposed Direction would enable the Council to protect the architectural and historic character of that part of the Conversation Area by requiring property owners to make a planning application to carry out those works. Members were informed that, as things stood, permitted development rights removed the requirement to obtain such consent.

In response to a question, it was confirmed that it might be possible to make similar Directions elsewhere in the Borough, but that there would have to be robust and justifiable planning grounds, including the assessed level of threat.

**The Cabinet RESOLVED** that

- (i) the making of an Article 4 Direction, under the Town and Country Planning (General Permitted Development) (England) Order 1995 (as amended), as set out in Report No. EPSH1908, be approved; and
- (ii) the Corporate Manager – Legal Services, in consultation with the Head of Economy, Planning and Strategic Housing, be authorised to take all necessary steps in making, serving and publicising an Article 4 Direction to remove permitted development rights, as set out in paragraphs 3.1 and 3.2 of the Report.

86. **CIVIL PENALTIES POLICY –**  
(Cllr Maurice Sheehan, Operational Services Portfolio Holder)

The Cabinet considered Report No. OS1903, which set out a proposed new Civil Penalties Policy, which had been produced following the introduction of new powers, under the Housing and Planning Act 2017, that would enable local authorities to deal with non-compliant landlords.

Members were informed that the new legislation had amended the Housing Act 2004 and included powers for a local authority to issue civil penalties for housing offences, as an alternative to taking prosecution proceedings. The proposed Policy was set out the Annex to the Report.

**The Cabinet RESOLVED** that

- (i) the adoption of the Civil Penalties Policy, as set out in Report No. OS1903, be approved; and
- (ii) the Head of Operational Services, in consultation with the Operational Services Portfolio Holder, be authorised to approve any minor changes to the Policy that may be required following the introduction of new regulations or secondary legislation.

87. **UPDATED LICENSING POLICY FOR HOUSES IN MULTIPLE OCCUPATION –**  
(Cllr Maurice Sheehan, Operational Services Portfolio Holder)

The Cabinet considered Report No. OS1902, which set out an updated licensing policy for Houses in Multiple Occupation (HMOs), following the reform of licensing through secondary legislation which had amended the Housing Act 2004.

Members were informed that the new legislation had extended the requirement to licence HMOs to cover all properties occupied by five or more people, living as more than one household, irrespective of the number of storeys of the building. Previously, licensing had only been required if the HMO building had comprised three or more storeys. The proposed licensing policy was set out in the Annex to the Report.

In response to a question, it was confirmed that, where enforcement had led to residents being displaced into short-term accommodation, it was the landlord's responsibility to cover the cost of this. During discussion, the Cabinet expressed concern in relation to cases where developers converted family accommodation into HMOs and requested that the Overview and Scrutiny Committee should be asked to investigate whether powers were available to regulate this.

**The Cabinet RESOLVED** that

- (i) the adoption of the updated Licensing Policy for Houses in Multiple Occupation, as set out in Report No. OS1902, be approved; and
- (ii) the Head of Operational Services, in consultation with the Operational Services Portfolio Holder, be authorised to approve any minor changes to the

Policy that may be required following the introduction of new regulations or secondary legislation.

**88. EXCLUSION OF THE PUBLIC –**

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

<b>Minute Nos.</b>	<b>Schedule 12A Para. No.</b>	<b>Category</b>
89 and 90	3	Information relating to financial or business affairs

**THE FOLLOWING ITEMS WERE CONSIDERED  
IN THE ABSENCE OF THE PUBLIC**

**89. PROPERTY INVESTMENT PURCHASE –**  
(Cllr Martin Tennant, Major Projects and Property Portfolio Holder)

The Cabinet considered Exempt Report No. RP1903, which set out a proposal to acquire the freehold investment in a property, as part of the asset investment programme in the Council's Medium Term Financial Strategy. The Chairman welcomed to the meeting Piers Leigh and Ellie Kirkby from Avison Young, who had been appointed to advise the Council in relation to this potential acquisition.

The Report set out the details of the potential investment, including the current lettings, the projected rates of return, the associated risks and the rationale for the purchase. Members were informed that the site contained a number of buildings, with a variety of uses and tenants and benefitted from excellent road links. It was explained that part of the site was, currently, undeveloped and would provide an opportunity for the Council to consider development in the future. Options for the undeveloped site included the provision of further office accommodation. Alternatively, consideration could be given to the development of a hotel on the site, although this would require significant planning policy issues to be addressed.

In considering this matter, the Cabinet discussed many issues, including the projected rates of return, the nature of the current tenants, the level of management fees, the appointment of managing agents, the ownership of a piece of art located on the site and public transport links. The Cabinet was supportive of the purchase and, taking all factors into account, considered it to be an excellent investment for the Council.

**The Cabinet**

- (i) **RESOLVED** that
  - (a) the purchase of the property, as set out in Exempt Report No. RP1903, be approved;

(b) the Chief Executive, in consultation with the Council's statutory officers and the Major Projects and Property Portfolio Holder, be authorised to conclude negotiations, subject to due diligence, for the freehold at a price up to the figure set out in the Report; and

(ii) **RECOMMENDED TO THE COUNCIL** that approval be given to a variation of the Capital Programme, as set out in the Exempt Report, to reflect the purchase, including the relevant fees.

90. **APPLICATION FOR SECTION 49 REMISSION OF NON-DOMESTIC RATES –**  
(Cllr Gareth Lyon, Corporate and Democratic Services Portfolio Holder)

The Cabinet considered Exempt Report No. FIN1904, which set out an application for the remission of non-domestic rates on the grounds of hardship.

Members assessed the application from UK Fitness Limited, trading as The Unit Gym, Nos. 209 – 211 Lynchford Road, Farnborough, taking into account the evidence of financial hardship supplied and whether it was in the interests of local taxpayers to subsidise the business. The Cabinet took into account the nature and circumstances of the business and the availability of alternative facilities in the area. The Corporate and Democratic Services Portfolio Holder had met with the proprietor at the premises to discuss the application in detail.

**The Cabinet RESOLVED** that 35% hardship relief be granted to UK Fitness Limited, trading as The Unit Gym for the period from 1st May, 2018 to 31st March, 2019.

91. **ADDITIONAL ITEM - EXCLUSION OF THE PUBLIC –**

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

<b>Minute No.</b>	<b>Schedule 12A Para. No.</b>	<b>Category</b>
92	3	Information relating to financial or business affairs

92. **ADDITIONAL ITEM - ALDERSHOT REGENERATION - SITE ASSEMBLY UPDATE –**  
(Paul Shackley, Chief Executive)

The Cabinet considered Exempt Report No. CEX1901, which set out the latest position in relation to the acquisition of a particular property as part of the assembly of sites in Aldershot town centre to enable a comprehensive redevelopment scheme to be brought forward. The item had been included on the agenda as a matter of urgency given that a further independent evaluation of site value had been received as part of the diligence process for purchasing this integral property to the overall regeneration of the Union Street site. The Chairman of the Overview and Scrutiny

Committee had been advised of the reasons for the urgency and the need for the matter to be considered at this meeting and he had supported this approach.

Members were reminded that, at the Cabinet meeting on 8th January, 2019, an upper limit of £2.6 million had been approved to allow the Chief Executive, in consultation with the Major Projects and Property Portfolio Holder, to negotiate and acquire, by agreement, the freehold of the property. At that time, it was confirmed that the asking price was likely to be within the range set out in a recent valuation of the property. Members were informed that, following due diligence, the valuation of the property had been revised. This material change was the reason for this matter to be brought back to the Cabinet. The Exempt Report set out the latest position in relation to the condition of the property and the details of the financial assessments that had been carried out, including an estimated cost of acquiring the property through the compulsory purchase process.

In discussing this matter, the Cabinet maintained its view that this was a key site in the regeneration of Aldershot town centre. It was confirmed that, should the Cabinet choose to acquire the property by the compulsory purchase process, this would take longer to complete, estimated to be at least two years. It was further confirmed that the significant funding secured from Homes England was conditional upon the ability to drawdown and spend the allocation by early in 2021. It was considered that the project was unlikely to be completed in this timescale if the compulsory purchase route was taken. The Cabinet felt that the delay involved with compulsory purchase, compared to a negotiated settlement, along with the consequential risk of the loss of significant external funding, would not be acceptable in terms of progressing the regeneration of Aldershot town centre.

**The Cabinet RESOLVED** that the acquisition of the property, by agreement, at the purchase price set out in paragraph 4.2 of Exempt Report No. CEX1901, be approved.

The Meeting closed at 8.30 pm.

CLLR D.E. CLIFFORD, LEADER OF THE COUNCIL

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# LICENSING, AUDIT AND GENERAL PURPOSES COMMITTEE

Meeting held on Monday, 26th November, 2018 at the Council Offices, Farnborough at 7.00 pm.

## Voting Members

Cllr J.E. Woolley (Chairman)  
Cllr Jacqui Vosper (Vice-Chairman)

Cllr Sue Carter  
Cllr M.S. Choudhary  
Cllr A.K. Chowdhury  
Cllr A.H. Crawford  
Cllr A.J. Halstead  
Cllr B. Jones  
Cllr Marina Munro  
Cllr M.D. Smith

Apologies for absence were submitted on behalf of Cllr Liz Corps.

## 22. MINUTES

The minutes of the meeting held on 24th September, 2018 were approved and signed by the Chairman.

## 23. TREASURY MANAGEMENT MID-YEAR REPORT

The Committee considered the Executive Head of Finance's Report No. FIN1836, which set out the main activities of the Treasury Management Operations during the first half of 2018/19, provided an update on the current economic conditions affecting Treasury Management decisions and a forward look for the remainder of the financial year.

It was noted that the Council's full year 2018/19 budgeted investment income interest was estimated to be £835,000, compared to the original budget for the year of £846,000. Borrowing interest costs for the financial year were estimated to be £262,000 compared to a budget of £296,000 contained in the original budget for 2018/19.

The Committee was advised that the treasury team continued to concentrate on the security of deposits/investments while keeping a keen regard to the income returns available. Members were informed that the £5 million investment in Payden & Rygel's Sterling Reserve Fund had provided a 0.79% income performance. Due to the low level of income returned an alternative pooled fund option was being considered.

As a borrowing authority, any bonds that the Council redeemed would offset the need to borrow. However, interest income would then be lost which had a revenue implication. The Committee was advised that current short-term borrowing rates were around 1% and there was an option to reinvest a current active bond on redemption with a higher yielding pooled fund, producing a net benefit when taking into account borrowing rates. To enable a reinvestment of a Covered Bond in pooled funds the investment limit for pooled funds needed to be increased above the current £20 million limit by £5 million.

It was estimated that the Council's commitment towards capital expenditure in the current year would raise the level of external borrowing at the end of the year. Further capital expenditure in 2018/19 and future years would require further additional borrowing. Higher yielding pooled fund investments would be retained for as long as possible, as their redemption in the future to raise cash for capital purposes would cause significant revenue effects in relation to the loss of investment income.

It was confirmed that all treasury management activities undertaken during the first half of the financial year had fully complied with the CIPFA Code of Practice and the Council's approved Treasury Management Strategy. The Council continued to seek to diversify its investments in order to maximise returns and to safeguard the Council's treasury management position.

During discussion, a question was raised regarding a previous request made for Arlingclose to attend a meeting of the Committee. It was agreed that this would be followed up. Members also raised questions regarding how long the Payden & Rygel's Sterling Reserve Fund had been underperforming and also on short-term investments and these were answered by the Executive Head of Finance. A question concerning the incremental impact of capital investment decisions would be given a written response by the Executive Head of Finance.

**RESOLVED:** That

- (i) the Executive Head of Finance's Report No. FIN1836 be noted;
- (ii) the low level of investment income returned from Payden & Rygel's Sterling Reserve pooled fund and the option to replace it with a higher yielding fund be noted; and
- (iii) approval be given to an increase of £5 million in the Collective Investment Schemes (pooled funds) investment limit, as set in the Annual Treasury Management Strategy for 2018/19 and approved by the Council on 22nd February 2018.

#### 24. **INTERNAL AUDIT UPDATE**

The Committee considered the Audit Manager's Report No. AUD1805 which gave an overview of the work completed by Internal Audit for Quarter 2, an update on progress made on expected deliverables for Quarters 3 and 4 and a schedule of work expected to be delivered in Quarter 4.

The Committee noted the status of audit findings following audit work carried out within Quarter 2 in respect of :

- Purchase Ledger
- GDPR
- Cyber Security

The status of the following audit findings would be reported to the Committee meeting in January 2019:

- IT access controls
- Weekly refuse and recycling contract
- Parking machine income follow-up
- Portable IT equipment follow-up
- Transparency code follow-up
- Depot

The Committee was also advised that work had been carried out in order to establish the current demands on the Corporate Investigations Officers, who now came under Internal Audit, so that a work programme could be established for the 2019/20 financial year and quarterly updates provided to the Committee on their work.

The Report also set out the work expected to be delivered in Quarters 3 and 4, on which an update would be provided at the next meeting in January, 2019.

During discussion, Members requested further information concerning the recommendations made regarding the purchase ledger audit.

**RESOLVED:** That

- (i) the audit work carried out in Quarter 2 be noted;
- (ii) the update to the expected deliverables for Quarter 3; and
- (iii) the expected deliverables for Quarter 4 be endorsed.

## 25. **DATA PROTECTION BREACH POLICY**

The Committee considered the Audit Manager's Report No. AUD1807 which set out an updated Data Protection Breach Policy to meet the new General Data Protection Regulation (GDPR), including a form to record all data breaches. The updated policy would ensure that any data breaches, whether paper or electronic, were dealt with appropriately and the necessary action taken to mitigate the risk and, where necessary, inform individuals and regulatory bodies (eg the Information Commissioner's Office or National Cyber Security Centre).

The policy would be communicated to Members and Officers. A training session would be held at a middle-managers meeting to highlight the key issues and actions to be taken. This would then be cascaded down to all employees and Members.

The communication of the policy to new employees would be carried out during induction sessions.

During discussion, clarification was sought regarding registration with the Information Commissioner's Office.

**RESOLVED:** That approval be given to the Data Protection Breach Policy, as set out in the Audit Manager's Report No. AUD1807.

## 26. **AUDIT CHARTER**

The Committee considered the Audit Manager's Report No. AUD1806 which set out the purpose, authority and responsibility of Internal Audit within the Council.

It was noted that, as part of the Public Sector Internal Audit Standards, there was a requirement to have an Internal Audit Charter in place. As part of the Quality Assurance Improvement Plan, it was agreed that an Internal Audit Charter would be developed to ensure there was greater compliance towards the standards. The Charter would be updated annually and considered by the Committee, in line with the requirements of the Public Sector Internal Audit Standards.

**RESOLVED:** That the Audit Manager's Report No. AUD1806 be approved.

## 27. **URGENT ADDITIONAL ITEM - PROPOSED VARIATION TO THE STANDARD SEX SHOP LICENCE CONDITIONS**

The Chairman had agreed that this item could be included in the business of the meeting as a matter of urgency.

The Committee considered the Head of Operational Services' Report No. EHH1826 which outlined proposals to vary the standard conditions applied to sex shop licences. It was noted that the Council's standard conditions had previously been reviewed in 1999. Darker Enterprises Limited had recently submitted a request seeking permission to modernise its premises. Consideration of the request had prompted a review of the standard conditions, which required updating to take account of changes in the law and the experience of officers engaged in the regulation of the premises.

The Report set out the proposed standard conditions. It was noted that, following the removal of conditions that duplicated other regulatory requirements, the amended standard conditions consolidated the previous set of standard conditions and those of other authorities with licensed premises within the Hampshire & Isle of Wight Licensing Officers Group. It was further proposed that a six weeks period of public consultation would be undertaken in respect of the proposed changes. If no representations were made on the consultation, the revised conditions would take effect from 1st February 2019. Any substantive feedback would be referred back to the Committee for consideration.

**RESOLVED:** That

- (i) approval be given to the proposed standard conditions for licensed sex shops for public consultation for a six weeks period; and
- (ii) if no substantive representations be made during the consultation period, the revised conditions to take effect from 1st February, 2019.

28. **URGENT ADDITIONAL ITEM - APPOINTMENT OF EXECUTIVE HEAD OF FINANCE AND SECTION 151 OFFICER**

The Chairman had agreed that this item could be included in the business of the meeting as a matter of urgency.

The Committee was advised that, following interviews on 23rd November, 2018 by a panel of Members, consisting of the Chairman, Cllrs P.F. Rust, D.M.T. Bell, D.E Clifford (Leader of the Council) and Barbara Hurst (Cabinet Member), the post of Executive Head of Finance and Section 151 Officer had been offered to, and verbally accepted by, Mr David Stanley.

**RESOLVED:** That

- (i) approval be given to the appointment of David Stanley as the Executive Head of Finance and Section 151 Officer, subject to references and no Cabinet objection; and
- (ii) the Chief Executive, in consultation with the Chairman, formally appoint the candidate, Mr David Stanley.

The meeting closed at 8.12 pm.

CLLR J.E. WOOLLEY (CHAIRMAN)

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# DEVELOPMENT MANAGEMENT COMMITTEE

Meeting held on Wednesday, 5th December, 2018 at the Council Offices, Farnborough at 7.00 pm.

## **Voting Members**

Cllr B.A. Thomas (Chairman)  
Cllr J.H. Marsh (Vice-Chairman)

Cllr Mrs. D.B. Bedford  
Cllr D.M.T. Bell  
Cllr R.M. Cooper  
Cllr Sue Dibble  
Cllr Jennifer Evans  
Cllr A.R. Newell

Apologies for absence were submitted on behalf of Cllr P.I.C. Crerar, Cllr C.P. Grattan and Cllr Mara Makunura.

Cllr Veronica Graham-Green and Cllr P.F. Rust attended the meeting as Standing Deputies.

## **Non-Voting Member**

Cllr Barbara Hurst (Planning and Economy Portfolio Holder) (ex officio)

## **41. DECLARATIONS OF INTEREST**

Cllr A.R. Newell declared a prejudicial interest in respect of planning application 18/00683/FULPP (Unit 10, Springlakes Industrial Estate, Deadbrook Lane, Aldershot) in respect of his ownership of a property in the vicinity and, in accordance with the Members' Code of Conduct, left the meeting during the discussion and voting thereon.

## **42. MINUTES**

The Minutes of the meeting held on 7th November, 2018 were approved and signed by the Chairman.

## **43. PLANNING APPLICATIONS**

**RESOLVED:** That

- (i) permission be given to the following application, as set out in Appendix "A" attached hereto, subject to the conditions, restrictions and prohibitions (if

any) mentioned therein:

- \* 18/00683/FULPP (Unit 10, Springlakes Industrial Estate, Deadbrook Lane, Aldershot);
- (ii) the applications dealt with by the Head of Economy, Planning and Strategic Housing, where necessary in consultation with the Chairman, in accordance with the Council's Scheme of Delegation, more particularly specified in Section "D" of the Head of Economy, Planning and Strategic Housing's Report No. PLN1831, be noted;
- (iii) the following applications be determined by the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman:
  - \* 16/00981/FULPP (Aldershot Bus Station, No. 3 Station Road, Aldershot);
  - \* 18/00709/FULPP (Hawley Yard, land adjacent to Green Hedges, Hawley Road, Blackwater, Camberley);
- (iv) the current position with regard to the following applications (as updated at the meeting) be noted pending consideration at a future meeting:
  - 18/00225/LBCPP (Ramsden Garden Wall Memorial – Montgomery Lines, Aldershot);
  - 18/00367/OUTPP (Former Police Station, Pinehurst Avenue, Farnborough);
  - 18/00614/FULPP (Randell House, Fernhill Road, Blackwater, Camberley);
  - \* 18/00818/FULPP (Nos. 68-70 Giffard Drive, Farnborough);
- (v) the receipt of a petition in respect of the following application be noted:
  - 18/00683/FULPP (Unit 10, Springlakes Industrial Estate, Deadbrook Lane, Aldershot);
  - \* The Head of Economy, Planning and Strategic Housing's Report No. PLN1831 in respect of these applications was amended at the meeting

#### 44. **SITE VISITS**

**RESOLVED:** That

- (i) a site visit be undertaken in respect of the following planning application for the reason set out:

<b>Application No.</b>	<b>Address</b>	<b>Reason for Site Visit</b>
18/00818/FULPP	Nos. 68-70 Giffard Drive, Farnborough	To help Members understand the issues given that the previous application on this site had been contentious.

- (ii) the date of the next scheduled site visit (if required) be changed to 5th January, 2019, from 29th December, 2018.

#### 45. REPRESENTATIONS ON APPLICATIONS

In accordance with the guidelines for public participation at meetings, the following representations were made to the Committee and were duly considered before decisions were reached:

<b>Application No.</b>	<b>Address</b>	<b>Representation</b>	<b>In support of or against the application</b>
16/00981/FULPP	Aldershot Bus Station, No. 3 Station Road, Aldershot	Mrs. M. Bailey	Against
18/00709/FULPP	Hawley Yard, land adjacent Green Hedges, Hawley Road, Blackwater, Camberley	Mr. N. Cobbold	In support

#### 46. APPLICATION NO. 16/00981/FULPP - ALDERSHOT BUS STATION, NO. 3 STATION ROAD, ALDERSHOT

The Committee considered the Head of Economy, Planning and Strategic Housing's Report No. PLN1831 (as amended at the meeting) regarding the demolition of existing bus station and re-development of site with the erection of a mixed use building comprising three ground floor commercial units with flexible use falling within Use Classes A1, A2, A3, A4, A5 or laundrette (sui generis); and upper floor residential use (Use Class C3) comprising 32 market residential flats (18 one-bedroom, 12 two-bedroom and two three-bedroom units) with associated on-site servicing and parking areas.

It was noted that the recommendation was to grant permission subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 5th February, 2019.

**RESOLVED:** That

- (i) subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 5th February, 2019 to secure the following:
  - (a) a financial contribution of £147,265 towards the maintenance of Special Protection Area (SPA) avoidance and mitigation;
  - (b) a £52,925 Public Open Space Contribution; and
  - (c) financial liability re-assessment clauses in the event that the implementation and completion of the scheme is protracted and market conditions improve the value of the scheme;

the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman, be authorised to grant planning permission, subject to the conditions and informatives set out in the Report (as amended at the meeting); and

- (ii) in the event that a satisfactory Section 106 planning obligation is not received by 5th February, 2019, the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal does not make satisfactory provision for public open space in accordance with Core Strategy Policies CP10, CP11 and CP12 and saved Local Plan Policy OR4; and a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and Core Strategy Policies CP11 and CP13.

**47. APPLICATION NO. 18/00709/FULPP - HAWLEY YARD, LAND ADJACENT GREEN HEDGES, HAWLEY ROAD, BLACKWATER, CAMBERLEY**

The Committee considered the Head of Economy, Planning and Strategic Housing's Report No. PLN1831 (as amended at the meeting) regarding the re-development of site with ten dwellings (comprising six two-bedroom and four three-bedroom units) with associated vehicular access road, parking and acoustic fence following demolition of existing buildings.

It was noted that the recommendation was to grant permission subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 23rd December, 2018.

**RESOLVED:** That

- (i) subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 23rd December, 2018 to secure the SPA, Strategic Access Management and Monitoring Measures (SAMMs) and Public Open Space contributions as set out in the report, the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman, be authorised to grant planning permission subject to the

conditions and informatives set out in the Report (as amended at the meeting); and

- (ii) in the event that a satisfactory Section 106 planning obligation is not received by 23rd December, 2018, the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal does not make satisfactory provision for a public open space contribution in accordance with Core Strategy Policies CP10, CP11 and CP12 and saved Local Plan Policy OR4; and a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and Core Strategy Policies CP11 and CP13.

**48. ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT - NO. 76 ALEXANDRA ROAD, ALDERSHOT**

The Committee considered the Head of Economy, Planning and Strategic Housing's Report No. PLN1832 regarding the building of a new boundary fence over one metre in height and the erection of a wooden shed to the front of the property without permitted development rights. The property owners had been invited to submit a planning application for the retention of the boundary fence and shed. To date, no application had been submitted. The Committee was advised that were an application to be submitted, it would be recommended for approval.

**RESOLVED:** That no further action be taken.

**49. PINEHURST HOUSE, NO. 117 FARNBOROUGH ROAD, FARNBOROUGH**

The Committee received the Head of Economy, Planning and Strategic Housing's Report No. PLN1833 which requested authority for the Council to complete a Section 106 legal agreement in relation to Pinehurst House, No. 117 Farnborough Road, Farnborough.

The Committee was reminded that permission had been refused at the previous meeting of the Committee for Reasons relating to:

1. the design, mass, bulk and height of the additions to the building;
2. failure to secure Section 106 contributions towards Special Protection Area Mitigation and Avoidance;
3. failure to secure Section 106 contributions towards public open space; and
4. failure to secure Section 106 contributions towards transport provision.

The applicants had approached the Solicitor to the Council to request that work could be undertaken with the Council to produce a draft Section 106 Agreement seeking to address Reasons for Refusal Nos. 2, 3 and 4. Authority was therefore being sought from the Development Management Committee for the Head of Economy, Planning and Strategic Housing, in consultation with the Solicitor to the Council, to prepare the necessary draft Section 106 Agreement to address these matters.

The Committee was assured that this work would not affect the Council's position in relation to Reason for Refusal No. 1 but would remove the need for the Council to defend Reasons for Refusal Nos. 2, 3 and 4 with the appeal proceedings, were an appeal to be lodged formally.

**RESOLVED:** That the Head of Economy, Planning and Strategic Housing, in consultation with the Solicitor to the Council, be authorised to complete a legal agreement to address the impacts of the development as identified in Reasons for Refusal Nos. 2, 3 and 4 as set out in detail in the Minutes of the meeting of the Development Management Committee held on 7th November, 2018.

50. **DEED OF VARIATION - LAND AT GUILLEMONT PARK SUN PARK, MINLEY ROAD, FARNBOROUGH**

The Committee received the Head of Economy, Planning and Strategic Housing's Report No. PLN1834 (as amended at the meeting) which sought authority to vary the terms of the Section 106 Agreement, approved in 2014, in relation to Phase 1 of the Sun Park residential redevelopment.

The purpose of the Report was to seek authority to vary the terms of the 2014 Section 106 Agreement in respect of amendments to the definitions of Registered Provider Mortgagee and the Mortgagee in Possession to satisfy the requirements of the lenders to the Registered Affordable Housing Provider (Synergy Housing Limited, part of the Aster Group) for securitisation purposes.

**RESOLVED:** That the Solicitor to the Council, subject to being satisfied, in consultation with the Head of Economy, Planning and Strategic Housing, with the proposed terms, be authorised to enter into a Deed of Variation, incorporating the changes outlined in the Head of Economy, Planning and Strategic Housing's Report No. PLN1834 (as amended at the meeting).

The meeting closed at 8.05 pm.

CLLR B.A. THOMAS (CHAIRMAN)

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**Development Management Committee  
5th December 2018**

**Appendix "A"**

**Application No. & Date Valid:**      **18/00683/FULPP**                      **18th September 2018**

**Proposal:**                      Erection of extension to front of existing building to provide additional workshop area and a mezzanine office at **Unit 10 Springlakes Industrial Estate Deadbrook Lane Aldershot**

**Applicant:**                      Camberley Rubber Mouldings Ltd

**Conditions:**                      1                      The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2                      The permission hereby granted shall be carried out in accordance with the following approved drawings - Dawson Group Drawing Nos.4381G 00 REV05 GROUND FLOOR PLAN; 4381G 01 REV.03 SECTION; 4381G 04 REV04 MEZZANINE PLAN; 4381G 03 REV03 PROPOSED SITE PLAN; 4381G 08 REV00 CAR PARK EXISTING; 4381G 09 REV00 CAR PARK PROPOSED; 4381G 05 REV03 S-E ELEVATION; 4381G 06 REV04 S-W ELEVATION; 4381G 07 REV03 N-E ELEVATION; & 4381G 02 REV02 EXISTING SITE PLAN; BLUE JET 1:500; and BLUE JET 1:1250.

Reason - To ensure the development is implemented in accordance with the permission granted.

3                      Construction of the following elements of the development hereby approved [the external walls, roofing materials, and window frames/glazing] shall not start until a schedule and/or samples of the materials to be used in them have been submitted to, and approved in writing by, the Local Planning Authority. Those elements of the development shall be carried out using the materials so approved and thereafter retained.

Reason - To ensure satisfactory external appearance. \*

- 4 Construction or demolition work of any sort within the area covered by the application shall only take place between the hours of 0800-1800 on Monday to Fridays and 0800-1300 on Saturdays. No work at all shall take place on Sundays and Bank or Statutory Holidays.

Reason - To protect the amenities of neighbouring residential properties and to prevent adverse impact on traffic and parking conditions in the vicinity.

- 5 The roller shutter door in the extension hereby approved shall be kept shut except when being used for access to and from the building. No works that are audible at the facade of the nearest nearby residential property shall take place within the building whilst the door is open.

Reason - To protect the amenities of occupiers of nearby residential properties.

- 6 The parking spaces shown on the plans hereby approved shall be retained at all times solely for these purposes for the use of occupiers of, and/or visitors to, the property.

Reason - To ensure the provision and availability at all times of adequate on-site parking arrangements.

- 7 No sound reproduction equipment, conveying messages, music, or other sound which is audible outside the premises shall be installed on the site.

Reason - To protect the amenity of neighbouring properties.

- 8 No additional floorspace over and above the existing 3,090 sqm plus the 203 sqm hereby approved (including mezzanine floorspace) shall be provided and/or installed within the building hereby approved.

Reason - In order for the Council to retain control over the future quantum of floorspace at the site in the interests of the amenities of the area and the safety and convenience of highway users.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015, (or any Order revoking and re-enacting that Order), no further windows, doors or openings of any kind (including in respect of the installation of plant and/or extraction equipment shall be inserted in the elevations

and/or upon the roof of the development hereby permitted.

Reason - To protect the amenities of neighbouring residential properties.

- 10 In the event that unforeseen ground conditions or materials which suggest potential or actual contamination are revealed at any time during implementation of the approved development it must be reported, in writing, immediately to the Local Planning Authority. A competent person must undertake a risk assessment and assess the level and extent of the problem and, where necessary, prepare a report identifying remedial action which shall be submitted to and approved in writing by the Local Planning Authority before the measures are implemented.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared and is subject to approval in writing by the Local Planning Authority.

Reason - To ensure that the site is safe for the development permitted and in the interests of amenity and pollution prevention.

- 11 Prior to first occupation or use of the development hereby approved a fully detailed landscape and planting scheme for the boundary of the application site adjoining Field Way shall be first submitted to and approved in writing by the Local Planning Authority.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the development hereby approved or the practical completion of the development hereby approved, whichever is the sooner, and shall be retained thereafter.

Reason - To bolster the existing screen landscape planting on this boundary of the site in order to maintain adequate visual screening of the site from these neighbouring residential properties. \*

# DEVELOPMENT MANAGEMENT COMMITTEE

Meeting held on Wednesday, 16th January, 2019 at the Council Offices, Farnborough at 7.00 pm.

## **Voting Members**

Cllr J.H. Marsh (Vice-Chairman) (in the Chair)

Cllr Mrs. D.B. Bedford  
Cllr D.M.T. Bell  
Cllr R.M. Cooper  
Cllr Sue Dibble  
Cllr Jennifer Evans  
Cllr C.P. Grattan  
Cllr Mara Makunura

Apologies for absence were submitted on behalf of Cllr P.I.C. Crerar, Cllr A.R. Newell and Cllr B.A. Thomas.

Cllr Veronica Graham-Green attended the meeting as a Standing Deputy.

## **Non-Voting Members**

Cllr Barbara Hurst (Planning and Economy Portfolio Holder) (ex officio)

Cllr D.M.T. Bell was present at the start of the meeting only and left after his Declarations of Interest.

### **51. DECLARATIONS OF INTEREST**

Cllr D.M.T. Bell declared a prejudicial interest in respect of planning application 18/00818/FULPP (Nos. 68-70 Giffard Drive, Farnborough) as he was a patient at the medical practice associated with the planning application and, in accordance with the Members' Code of Conduct, left the meeting during the discussion and voting thereon.

### **52. MINUTES**

The Minutes of the meeting held on 5th December, 2018 were approved and signed by the Vice-Chairman.

### **53. PLANNING APPLICATIONS**

**RESOLVED:** That

(i) planning permission/consent be refused in respect of the following application as set out in Appendix “A” attached hereto for the reasons mentioned therein:

\* 18/00818/FULPP (Nos. 68-70 Giffard Drive, Farnborough);

(ii) the applications dealt with by the Head of Economy, Planning and Strategic Housing, where necessary in consultation with the Chairman, in accordance with the Council’s Scheme of Delegation, more particularly specified in Section “D” of the Head of Economy, Planning and Strategic Housing’s Report No. PLN1902, be noted;

(iii) the current position with regard to the following applications be noted pending consideration at a future meeting:

18/00225/LBCPP (Ramsden Garden Wall Memorial – Montgomery Lines, Aldershot);

18/00367/OUTPP (Former Police Station, Pinehurst Avenue, Farnborough);

18/00614/FULPP (Randell House, Fernhill Road, Blackwater, Camberley);

18/00887/FULPP (Abercorn House, Fernhill Road, Blackwater, Camberley);

\* The Head of Economy, Planning and Strategic Housing’s Report No. PLN1902 in respect of this application was amended at the meeting

#### 54. **SITE VISIT**

**RESOLVED:** That a site visit be undertaken in respect of the following planning application for the reason set out:

<b>Application No.</b>	<b>Address</b>	<b>Reason for Site Visit</b>
18/00887/FULPP	Abercorn House, Fernhill Road, Blackwater, Camberley	To assist in consideration of the application given the proximity to properties in Woodlands Close.

#### 55. **REPRESENTATIONS BY THE PUBLIC**

In accordance with the guidelines for public participation at meetings, the following representations were made to the Committee and were duly considered before decisions were reached:

<b>Application No.</b>	<b>Address</b>	<b>Representation</b>	<b>In support of or against the application</b>
18/00818/FULPP	Nos. 68-70 Giffard Drive, Farnborough	Mr. P. Boyle  Dr. I. Stuart	Against  In support

## 56. **APPEALS PROGRESS REPORT**

The Committee received the Head of Economy, Planning and Strategic Housing's Report No. PLN1903 concerning the following new appeals:

<b>Address</b>	<b>Description</b>
Park End, No. 152 Sycamore Road, Farnborough	Against the refusal of planning permission for the erection of a three-bedroom detached house on land to the rear, with access to the public highway via King George Close. It was noted that this appeal was being dealt with by means of the written procedure and that an application for costs against the Council had also been made.
Nos. 110-118 Victoria Road, Farnborough	Against the refusal of planning permission for the demolition of Nos. 110-118 Victoria Road and the erection of 42 apartments (27 one-bedroom and 15 two-bedroom) for the elderly (sixty years of age and/or partner over fifty-five years of age), guest apartment, communal facilities, access, car parking and landscaping. It was noted that this appeal was being dealt with by means of the written procedure.

**RESOLVED:** That the Head of Economy, Planning and Strategic Housing's Report No. PLN1903 be noted.

## 57. **APPLICATION NO. 18/00140/FULPP - MEUDON HOUSE, MEUDON AVENUE, FARNBOROUGH**

The Committee received information regarding an urgent decision, made in consultation with the Vice-Chairman, to extend the deadline for the completion of the Section 106 Planning Obligation in respect of the redevelopment of the above site comprising the demolition of existing structures and the erection of 205 dwellings comprising 93 one-bedroom flats; 80 two-bedroom flats and 32 three-bedroom townhouses with associated access, parking and landscape arrangements, in accordance with the application under the above reference.

Members were reminded that the Committee had resolved to grant planning permission on 7th November, 2018 for the above redevelopment, subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 19th December, 2018.

It was reported that despite best endeavours between the parties, the applicants had been concerned that the deadline would not be achievable and had requested an extension of the deadline to 31st January, 2019.

The extension of time for completion of the agreement after the deadline of 19th December, 2018 had required further authority to grant planning permission. Therefore, in accordance with Part 3 - 'Responsibility for Functions', Paragraph 6 of the Constitution, the Head of Economy, Planning and Strategic Housing, in consultation with the Vice-Chairman of the Development Management Committee, had amended the terms of the resolution of 7th November, 2018 to extend the deadline for the completion of the Planning Obligation under Section 106 until 31st January, 2019.

**RESOLVED:** That the report be noted and the action taken be endorsed.

58. **APPLICATION NO. 18/00623/FULPP - NOS. 110-118 VICTORIA ROAD, FARNBOROUGH**

The Committee received information regarding an urgent decision, made in consultation with the Vice-Chairman, to extend the deadline for the completion of the Section 106 Planning Obligation in respect of the redevelopment of the above site comprising the demolition of five detached dwellings and the erection of 42 apartments (26 one-bedroom and 16 two-bedroom) for the elderly (60 years of age and/or partner over 55 years of age), guest apartment, communal facilities, access, car parking and landscaping, in accordance with the application under the above reference.

Members were reminded that the Committee had resolved to grant planning permission on 10th October, 2018 for the above redevelopment, subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 6th December, 2018.

It was reported that the applicants had been unable to complete the required agreement in accordance with the resolution because they had experienced difficulty in obtaining the necessary signatures to complete the legal agreement, specifically a bank mortgagee, and the applicants had requested an extension in time to obtain this signature and complete the agreement.

The extension of time for completion of the agreement after the deadline of 6th December, 2018 had required further authority to grant planning permission. Therefore, in accordance with Part 3 - 'Responsibility for Functions', Paragraph 6 of the Constitution, the Head of Economy, Planning and Strategic Housing, in consultation with the Vice-Chairman of the Development Management Committee, had amended the terms of the resolution of 10th October, 2018 to extend the deadline for the completion of the Planning Obligation under Section 106 until 18th January, 2019.

**RESOLVED:** That the report be noted and the action taken be endorsed.

59. **NOS. 110-118 VICTORIA ROAD, FARNBOROUGH - SECTION 106 AGREEMENT**

The Committee received the Head of Economy, Planning and Strategic Housing's Report No. PLN1907 which requested authority for the Council to complete a Section 106 legal agreement in relation to Nos. 110-118 Victoria Road, Farnborough.

The Committee was reminded that permission had been refused by the Development Management Committee in March, 2018 for the demolition of Nos. 110-118 Victoria Road and the erection of 42 apartments (27 one-bedroom and 15 two-bedroom) for the elderly (60 years of age and/or partner over 55 years of age), guest apartment, communal facilities, access, car parking and landscaping for Reasons relating to:

1. the height and massing of the proposed building;
2. the unacceptable loss of privacy to the occupiers of No. 108 Victoria Road by virtue of overlooking between the development and this property;
3. the unacceptable living environment for residents by virtue of the lack of kitchen windows serving a number of flats;
4. conflict in respect of parking provision for cars, mobility scooters and cycles and unacceptable refuse collections arrangements, with the objectives policy CP16 of the Rushmoor Core Strategy and the Council's adopted Car and Cycle Parking Standards 2017 and regard to policy IN2 of the Rushmoor Local Plan Draft Submission June 2017.
5. failure to secure Section 106 contributions towards Special Protection Area Mitigation and Avoidance;
6. failure to secure Section 106 contributions towards public open space; and
7. failure to secure Section 106 contributions towards transport provision.

The applicants had approached the Solicitor to the Council to request that work should be undertaken with the Council to produce a draft Section 106 Agreement seeking to address Reasons for Refusal Nos. 5, 6 and 7 and to address the issue of affordable housing. Authority was therefore being sought from the Development Management Committee for the Head of Economy, Planning and Strategic Housing, in consultation with the Corporate Manager, Legal Services, to prepare the necessary draft Section 106 Agreement to address these matters.

The Committee was assured that by entering this Agreement, the Council's position in relation to the Reasons for Refusal set out above was not affected, but would remove the need for the Council to defend these matters, as far as can be agreed, as part of any appeal. It was noted that the issue of SANG mitigation would not form part of this Agreement.

The Committee was also reminded that permission had been granted by the Development Management Committee in October, 2018 for a revised scheme involving the demolition of five detached dwellings and the erection of 42 apartments (26 one-bedroom and 16 two-bedroom) for the elderly (60 years of age and/or partner over 55 years of age), guest apartment, communal facilities, access, car parking and landscaping.

**RESOLVED:** That the Head of Economy, Planning and Strategic Housing, in consultation with the Corporate Manager - Legal Services, be authorised to enter into a legal agreement to address the impact of the development as set out above and in detail in the report considered by the Development Management Committee on 28th March, 2018.

The meeting closed at 7.45 pm.

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# LICENSING, AUDIT AND GENERAL PURPOSES COMMITTEE

Meeting held on Monday, 28th January, 2019 at the Council Offices, Farnborough at 7.00 pm.

## Voting Members

Cllr J.E. Woolley (Chairman)  
Cllr Jacqui Vosper (Vice-Chairman)

Cllr Sue Carter  
Cllr M.S. Choudhary  
Cllr Liz Corps  
Cllr A.H. Crawford  
Cllr B. Jones  
Cllr Marina Munro  
Cllr M.D. Smith

## 29. MINUTES

The minutes of the meeting held on 26th November, 2018 were approved and agreed by the Chairman.

## 30. SELECTION OF THE MAYOR AND DEPUTY MAYOR 2019/20

The Chief Executive reported on the outcome of the selection process for the Mayor-Elect and the Deputy Mayor-Elect for 2019/20. The Chief Executive had contacted the appropriate Members on the seniority list and reported that Cllr Peter Frank Rust was the next Member able to accept the nomination for Deputy Mayor. Through normal progression, Cllr Sue Carter, currently Deputy Mayor, would progress to the position of Mayor for 2019/20.

The Committee **RECOMMENDED TO THE COUNCIL** that:

- (i) Cllr Sue Carter be appointed as Mayor-Elect for the 2019/20 Municipal Year; and
- (ii) Cllr Peter Frank Rust be appointed as Deputy Mayor-Elect for the 2019/20 Municipal Year.

## 31. INTERNAL AUDIT UPDATE

The Committee considered the Audit Manager's Report No. AUD1901, which described the work carried out by Internal Audit for quarter 3 and the proposed work to be delivered for quarter 4.

Members were advised that the following audit work had been carried out in quarter 3:

- Council depot
- Transparency Code follow-up

It was noted that there had been a delay in some of the audits carried out by the contract auditors due to two officers being on long periods of sickness. There had been an assurance from the senior auditor at Wokingham Borough Council that all the audits required would be completed by the end of March, as per the contract.

The Committee was advised that the following work was expected to be delivered in quarter 4, subject to change due to the changing needs of the organisation or resource availability:

- Contract management
- Corporate governance
- Benefits
- Recovery
- Sales ledger
- Purchase of property follow-up
- Card payments follow-up
- Contract letting and tendering follow-up
- IT portable equipment follow-up
- Planning applications
- Disabled Facilities Grant
- Capital Programme Management
- Risk management

During discussion, Members referred to the audit findings on the Depot and the lessons to be learned going forward. Following a question, the Chief Executive undertook to provide cost/benefit analysis information to the Committee.

**RESOLVED:** That

- (i) the audit work carried out in quarter 3 be noted;
- (ii) the update to the expected deliverables for quarter 4 be noted; and
- (iii) the expected deliverables for quarter 4 be endorsed.

## 32. **EXTERNAL AUDIT PLAN**

The Chairman welcomed Justine Thorpe (Audit Manager, Ernst & Young) to the meeting. The Committee received a copy of Ernst & Young's Audit Plan for the 2017/18 audit, which provided a basis on which to review the proposed approach and scope for the audit in accordance with the requirements of the Local Audit and Accountability Act 2014, the National Audit Office's 2015 Code of Audit Practice, the

Statement of Responsibilities issued by Public Sector Audit Appointments (PSAA) Ltd, auditing standards and other professional requirements.

The Audit Plan summarised the auditor's initial assessment of the key risks driving the development of an effective audit for the Council and outlined the planned audit strategy in response to those risks. It was noted that the Audit Plan would cover the work that was planned to provide the Council with:

- an audit opinion on whether the financial statements gave a true and fair view of the financial position as at 31st March 2019 and of the income and expenditure for the year then ended; and
- a conclusion on the Council's arrangements to secure economy, efficiency and effectiveness.

The audit would also take into account several key inputs, including:

- strategic, operational and financial risks relevant to the financial statements;
- developments in financial reporting and auditing standards;
- the quality of systems and processes;
- changes in the business and regulatory environment; and
- management's views on all of these inputs.

During discussion, the Executive Head of Finance and Audit Manager of Ernst & Young answered questions regarding the valuation of land and buildings, depreciation of assets, the budget strategy and budget savings and income generation.

**RESOLVED:** That the Audit Planning report by Ernst & Young for the year ended 31st March 2019 be noted.

### 33. **CERTIFICATION OF CLAIMS AND RETURNS ANNUAL REPORT**

The Committee received the external auditor's report on housing benefit subsidy certification work for the Council's 2017-18 housing benefit claim.

It was noted that the housing benefits subsidy claim with a total value of £35,785,954 had been checked and certified. Ernst & Young had not had to amend the Council's claim. The certification fee for the 2017-18 housing benefit subsidy claim was £8,652.

From 2018-19 onwards the Council would be responsible for appointing its own reporting accountant to undertake the certification of the housing benefit subsidy claim in accordance with the Housing Benefit Assurance Process requirements that had been established by the Department for Work and Pensions. The Council had not appointed Ernst & Young as its reporting accountant from 2018-19.

**RESOLVED:** That Ernst & Young's report on housing benefit subsidy certification work for the 2017-18 housing benefit claim be noted.

#### 34. **TREASURY MANAGEMENT AND INVESTMENT STRATEGY 2019/20**

The Committee considered the Executive Head of Finance's Report No. FIN1905, which set out the proposed Treasury Management Strategy and Investment Strategy for 2019/20, including the borrowing and investment strategies and treasury management indicators for capital finance for 2019/20 and the Minimum Revenue Provision Statement.

It was noted that CIPFA had conducted reviews of the Prudential Code and the Treasury Management Code of Practice in 2017 and that the Ministry of Housing, Communities and Local Government had also issued revised guidance on Local Government Investment. The Treasury Management Strategy Statement for 2019/20 and the Investment Strategy had been prepared in accordance with the new guidance.

Arlingclose advice continued to indicate that the Council should diversify investment risk by spreading smaller amounts over an increasing number of counterparties wherever possible. The Council was progressively incurring further borrowing and Arlingclose had advised that, in the circumstances of some current investments reaching their maturity date, the Council should replace them with long-term pooled funds. This strategy allowed for the maintained level of principal sums to be invested during a period when borrowing was increasing.

The Committee noted that the Council had incurred prudential code borrowing in 2017/18 in the sum of £5.89 million in relation to its capital expenditure. Further borrowing to support the financing of the Council's approved Capital Programme for the year 2018/19 would also be required. The Council would commence the 2019/20 financial year in a position where investment holdings continued to remain significant (although less than in previous financial years) but it also carried some accumulating debt. There would be an inevitable requirement to incur some further borrowing to service capital expenditure in future years.

It was advised that careful observation of the "gross debt v capital financing requirement" indicator would need to be undertaken progressively throughout the financial year. Where a material change to the proposed strategies during the year was required, a revised strategy would be presented to the Council before the change was implemented.

During discussion, Members raised the question about Arlingclose being invited to brief the Committee. It was agreed that this would be actioned as a briefing seminar for all Members. Questions were also raised regarding the valuation of commercial properties, which were answered by the Executive Head of Finance.

**RESOLVED:** That:

- (i) the Cabinet be recommended to approve

- (a) the Treasury Management Strategy and Annual Borrowing Strategy as set out in Appendix A to the Executive Head of Finance's Report No. FIN1905;
  - (b) the Annual Investment Strategy, as set out in Appendix B; and
  - (c) the Minimum Revenue Position Statement, as set out in Appendix C; and
- (ii) an all Member seminar be organised on the role and work of Arlingclose in due course.

The meeting closed at 8.17 pm.

CLLR J.E. WOOLLEY (CHAIRMAN)

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