

# CABINET

Meeting held on Tuesday, 28th May, 2019 at the Council Offices, Farnborough at 7.00 pm.

## Voting Members

Cllr K.H. Muschamp, Deputy Leader and Customer Experience and Improvement Portfolio Holder (in the Chair)

Cllr Marina Munro, Planning and Economy Portfolio Holder  
Cllr A.R. Newell, Democracy, Strategy and Partnerships Portfolio Holder  
Cllr P.G. Taylor, Corporate Services Portfolio Holder  
Cllr M.J. Tennant, Major Projects and Property Portfolio Holder

Apologies for absence were submitted on behalf of Cllrs D.E. Clifford and M.L. Sheehan.

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 **10<sup>th</sup> June, 2019**.

### 1. **MINUTES –**

The Minutes of the meeting of the Cabinet held on 2nd April, 2019 were confirmed and signed by the Chairman.

### 2. **GENERAL FUND PROVISIONAL OUTTURN 2018/19 –** (Cllr Paul Taylor, Corporate Services Portfolio Holder)

The Cabinet considered Report No. FIN1920, which set out the provisional outturn position on the General Fund (revenue and capital) for 2018/19, subject to audit. The Report set out the General Fund Revenue Summary and revenue balances, with the principal individual variations between the current approved estimates and actual expenditure.

The Cabinet was advised that, in its original budget for 2018/19, the Council had set a savings figure of £1.550 million, in addition to £325,000 of expected staff turnover savings. It was reported that substantial savings of £867,000 had been achieved during the first half of 2018/19 and this, along with further savings of £158,000 identified in a zero based budgeting exercise, had been incorporated into the Council's revised budget, as set out in Appendix A to the Report.

The provisional outturn showed an improvement in the Council's financial position, with a net underspend of approximately £2,233,065 against non-salary budgets. A summary of the key variances between the provisional outturn position and the current approved budget was set out in Appendix B to the Report. The net effect of the variances was to increase the General Fund revenue balance to approximately £3.251 million, which exceeded the top of the range of balances set out in the Medium Term Financial Strategy (£1 million - £2 million). It was proposed to transfer

any amount over the £2 million upper limit for the General Fund to the Stability and Resilience Reserve, the Service Improvement Fund and the Commercial Reserve, as set out in Table 3 of the Report.

It was reported that the revised Capital Programme of £45.737 million had been approved by the Council on 21st February, 2019. A portfolio summary of all approved projects was set out at Appendix C to the Report.

**The Cabinet RESOLVED** that

- (i) the draft revenue and capital budget outturn position, as set out in Report No. FIN1920, be noted;
- (ii) the carry forward requests from 2018/19 into 2019/20, as set out in Appendix F to the Report, be approved; and
- (iii) subject to the final outturn position, the transfers between the General Fund, the Stability and Resilience Reserve, the Service Improvement Fund and the Commercial Reserve, as set out in the Report, be approved.

**3. COUNCIL PLAN 2018/19 - QUARTERLY UPDATE ON KEY ACTIONS JANUARY - MARCH 2019 –**

(Cllr Adrian Newell, Democracy, Strategy and Partnerships Portfolio Holder)

The Cabinet received Report No. ELT1902, which set out the Council's performance management monitoring information for the fourth quarter of the 2018/19 municipal year. The Report indicated that most actions or initiatives were on track. It was reported that the Overview and Scrutiny Committee would be carrying out a comprehensive review of the Council's performance information.

**The Cabinet NOTED** the progress made towards delivering the Council Plan 2018/19, as set out in Report No. ELT1902.

**4. REGENERATING RUSHMOOR - QUARTER 4 PROGRESS REPORT –**

(Cllr Martin Tennant, Major Projects and Property Portfolio Holder)

The Cabinet received Report No. RP1911, which set out progress towards the Council's Regenerating Rushmoor Programme for the fourth quarter of 2018/19. The Report indicated that good progress was being made in most areas.

**The Cabinet NOTED** the progress made towards delivering the Regenerating Rushmoor Programme, as set out in Report No. RP1911.

**5. BUSINESS RATES - DISCRETIONARY GROWTH INCENTIVE RELIEF APPLICATION –**

(Cllr Paul Taylor, Corporate Services Portfolio Holder)

The Cabinet considered Report No. FIN1916, which set out details of an application for discretionary rate relief, under the Council's Discretionary Growth Incentive Relief Policy, from Farnborough International Limited (Hall No. 1, Farnborough International Exhibition Centre, ETPS Road, Farnborough).

**The Cabinet RESOLVED** that discretionary rate relief of £60,000 per year be awarded to Farnborough International Limited in respect of the 2018/19, 2019/20 and 2020/21 financial years.

6. **BUSINESS RATES - DISCRETIONARY RATE RELIEF POLICY FOR DISCRETIONARY REVALUATION RELIEF –**  
(Cllr Paul Taylor, Corporate Services Portfolio Holder)

The Cabinet considered Report No. FIN1917, which set out proposed amendments to the Council's Discretionary Rate Relief Policy to reduce business rates liabilities to those businesses that had been worst affected by the 2017 Business Rates national revaluation.

Members were informed that the proposed amendments were in respect of the percentage reduction to be awarded to qualifying businesses for the 2018/19 and 2019/20 financial years, in line with the tapered funding allocation received from the Government.

**The Cabinet RESOLVED** that

- (i) an increase in the percentage of relief awarded to qualifying ratepayers from 17% to 18.5% of the increase in rates payable for the financial year 2018/19, as set out in Report No. FIN1917, be approved; and
- (ii) the award of relief equating to 7% of the increase in rates payable for the financial year 2019/20, as set out in the Report, be approved.

7. **REVOCAION OF FOUR SUPPLEMENTARY PLANNING DOCUMENTS –**  
(Cllr Marina Munro, Planning and Economy Portfolio Holder)

The Cabinet considered Report No. EPSH1927, which set out a proposal to revoke four supplementary planning documents, following the adoption of the Rushmoor Local Plan in February, 2019.

The Cabinet was informed that the four documents were considered to be out of date and many of the provisions contained within them had been incorporated into the new Rushmoor Local Plan. It was confirmed that eight supplementary planning documents would remain in force following this revocation and the effectiveness of these would be kept under review.

**The Cabinet RESOLVED** that, in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, the revocation of the Aldershot Urban Extension Supplementary Planning Document (SPD), the Housing Density and Design SPD, the Sustainable Design and Construction SPD and the Telecommunications SPD be approved, effective from 10th June, 2019.

8. **CONSULTATION ON DRAFT STATEMENT OF COMMUNITY INVOLVEMENT –**  
(Cllr Marina Munro, Planning and Economy Portfolio Holder)

The Cabinet considered Report No. EPSH1928, which set out a revised Statement of Community Involvement (SCI) and sought agreement for this to be published for consultation.

Members were reminded that the Council's current SCI had been adopted in 2013 and was in need of updating, following the introduction of a number of changes to planning legislation since then. The purpose of the SCI was to set out how people and groups could engage with the planning system and get involved in the creation of local planning policy, neighbourhood planning and the planning application decision-making process.

**The Cabinet RESOLVED** that the draft Statement of Community Involvement (2019) be approved for public consultation for a period of six weeks.

9. **PUBLIC CONSULTATION ON THE DRAFT AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT –**  
(Cllr Marina Munro, Planning and Economy Portfolio Holder)

The Cabinet considered Report No. EPSH1929, which set out the draft Affordable Housing Supplementary Planning Document (SPD) and sought agreement for this to be published for consultation.

Members were informed that the purpose of this SPD was to provide further guidance to support the implementation of the affordable housing policy contained in the recently adopted Rushmoor Local Plan and the housing delivery objectives of the Rushmoor Housing and Homelessness Strategy 2017-2022. It was explained that the Council's current affordable housing guidance was out of date and had less weight in decision making than an SPD, which could constitute a material consideration in planning decisions.

**The Cabinet RESOLVED** that

- (i) the draft Affordable Housing SPD be approved for public consultation for a period of six weeks; and
- (ii) the Head of Economy, Planning and Strategic Housing be authorised to make factual amendments to the SPD prior to the public consultation exercise.

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

**The Cabinet RESOLVED** that

- (i) appointments be made to Cabinet working groups for the 2019/20 Municipal Year as follows:-

### **Budget Strategy**

Corporate Services Portfolio Holder -	Cllr P.G. Taylor
Additional Cabinet Member -	Cllr A.R. Newell
Conservative Group (3) -	Cllrs Mrs. D.B. Bedford, J.B. Canty and S.J. Masterson
Labour Group (2) -	Cllrs Gaynor Austin and A.H. Crawford
Liberal Democrat Group (1) -	Vacancy

### **Member Development**

Democracy, Strategy and Partnerships Portfolio Holder -	Cllr A.R. Newell
Additional Cabinet Member -	Cllr Marina Munro
Conservative Group (2) -	Cllrs J.E. Woolley and vacancy
Labour Group (2) -	Cllrs Sophie Porter and P.F. Rust
Liberal Democrat Group (1) -	Vacancy

- (ii) the Head of Democracy, Strategy and Partnerships, in consultation with the Leader of the Council, be authorised to make appointments to these Groups during the 2019/20 municipal year, in order to fill vacancies.

#### **11. KPI LIMITED - ALTERATION TO DEVELOPMENT AGREEMENT – (Cllr Martin Tennant, Major Projects and Property Portfolio Holder)**

The Cabinet considered Report No. RP1913, which provided details of a request by Key Property Investments (KPI) Limited to extend the long-stop dates for the completion of Blocks 3 and 4 in the redevelopment of Farnborough town centre.

Members were reminded that the Council, as freeholder of the sites, retained step-in rights, should completion not be achieved by the target dates. It was reported that KPI Limited had made some progress on Block 3 and had demonstrated good faith by agreeing to pay the sum of £100,000 as a deposit to the Council, which would be returnable once a contract had been let for the construction of Block 3.

The Cabinet expressed its support for this approach and stressed the importance of progressing this part of the development.

**The Cabinet RESOLVED** that the proposed amendment to the development agreement between Rushmoor Borough Council and KPI Limited and St. Modwen, to allow the long-stop date for Block 3 to be extended to 31st October, 2021 and, in relation to Block 4, for work to be commenced within one year of the practical completion of Block 3, with Block 4 to be completed within two years of commencement of work on it, with a long-stop date of 31st October, 2024, be approved.

**12. LEASEHOLD DISPOSAL - ALDERSHOT TOWN FOOTBALL CLUB, HIGH STREET, ALDERSHOT –**

(Cllr Martin Tennant, Major Projects and Property Portfolio Holder)

The Cabinet considered Report No. RP1912, which sought authority to grant a new long leasehold interest in the EBB Stadium, High Street, Aldershot to Love of the Game Limited trading as Aldershot Town Football Club (ATFC).

Members were informed that the new lease would assist the club with the redevelopment of the stadium and ancillary uses on the site. The Cabinet was assured that conditions would be in place to safeguard the Council's interests, as freeholders of the site, and these were set out in the Report. It was confirmed that the stadium occupied a prominent position on the High Street and was considered important to the regeneration of Aldershot town centre as a whole.

**The Cabinet RESOLVED** that

- (i) the grant of a new 118 year leasehold interest to Love of the Game Limited, trading as Aldershot Town Football Club, as set out in Report No. RP1912, be approved; and
- (ii) the Executive Head of Regeneration and Property, in consultation with the Major Projects and Property Portfolio Holder, be authorised to conclude negotiations for the grant of the new long lease, the rent reserved under the new lease being £1 per annum, to allow the club to raise funding for the redevelopment of the stadium site, subject to the conditions outlined in the Report.

**13. NO. 168 HIGH STREET, GUILDFORD - ADMINISTRATION OF STEAMER TRADING LIMITED –**

(Cllr Martin Tennant, Major Projects and Property Portfolio Holder)

The Cabinet considered Report No. RP1910, which set out information around the administration of the Council's tenant, Steamer Trading Limited and future options for the site in respect of No. 168 High Street, Guildford, which was owned by the Council. The Chairman welcomed Cllr K. Dibble, who had requested to address the Cabinet on this issue.

Members were informed that the Council had accepted the surrender of Steamer Trading Limited's lease in order to be able to market the property again. This exercise had identified a new, potential tenant for the unit and, whilst this would result in a lower income for the Council compared to the previous tenant, it was considered that this represented the best option in the current trading conditions. It

was noted that this option would also necessitate further expenditure of £131,000 in respect of securing the lease and improving a vacant office suite at the rear of the building. Cllr Dibble expressed concern over the credentials of the suggested new tenant and requested that further checks should be carried out before the Council committed to the granting of a lease.

The Cabinet was supportive of the suggested approach and agreed that the Council should retain ownership of the property at this stage. In answer to a question, it was confirmed that the shops and individual offices were all subject to separate agreements with the Council.

**The Cabinet RESOLVED** that

- (i) subject to further reference checks, the letting to the new recommended occupier, as set out in Report No. RP1910, along with the necessary amendments to the budget, be approved; and
- (ii) the Executive Head of Regeneration and Property, in consultation with the Leader and the Major Projects and Property Portfolio Holder, be authorised to deal with the granting, renewing, surrendering and terminating of leases up to the value of £250,000 at this site until 28th November, 2019, as set out in the Report.

14. **THE GALLERIES AND HIGH STREET MULTI-STOREY CAR PARK, ALDERSHOT REDEVELOPMENT –**

(Cllr Martin Tennant, Major Projects and Property Portfolio Holder)

The Cabinet considered Report No. RP1909, which set out an update on the Galleries and High Street Multi-Storey Car Park scheme.

The Cabinet was reminded that previously it had delegated powers to officers to confirm the final agreement with Shaviram Aldershot Limited but it was considered that, owing to the sensitivity and significance of the development to the regeneration of Aldershot town centre as a whole, it had been considered prudent to bring this matter back to the Cabinet. In response to a question, it was confirmed that the reduction in car parking spaces as a result of the scheme would be covered by spare capacity elsewhere in the town centre.

**The Cabinet RESOLVED** that, subject to confirmation that best consideration, under Section 123 of the Local Government Act 1972, could be achieved or, alternatively, any undervalue would be within the £600,000 limit set out in the General Consent Order

- (i) the disposal of the Council's legal interest in the existing High Street Multi-Storey Car Park, Aldershot and the acquisition of a long lease of a new 250 space car park within the Galleries redevelopment, as set out in Report No. RP1909, be approved; and
- (ii) the Executive Head of Regeneration and Property, in consultation with the Major Projects and Property Portfolio Holder, be authorised to agree the final terms of the transaction, which will include the following documents:

- Housing Infrastructure Funding (HIF) agreement with Homes England for the Galleries project;
- Grant funding agreement between the Council and Shaviram Aldershot Limited;
- Agreement for the surrender of the lease of the High Street Multi-Storey Car Park, in accordance with the Heads of Terms in the Exempt Appendix 2 to the Report; and
- Agreement to lease a new car park of approximately 250 spaces within the Galleries redevelopment, in accordance with the Heads of Terms in the Exempt Appendix 2 to the Report.

**NOTE:** The Cabinet considered that the section of the above resolution that referred to the Housing Infrastructure Funding (HIF) agreement with Homes England for the Galleries project was being made under urgency provisions to allow for the prompt signing of the document.

The Meeting closed at 7.58 pm.

CLLR D.E. CLIFFORD, LEADER OF THE COUNCIL

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