



NOTICE OF MEETING

Meeting:	Cabinet
Date and Time:	Thursday, 5 January 2017 at 7pm
Place:	Council Chamber, Civic Offices, Fleet
Telephone Enquiries to:	01252 774141 (Mrs G Chapman) gill.chapman@hart.gov.uk
Members:	Burchfield, Crampton, Crookes, Forster, Gorys, Kennett, Morris, Parker (Chairman)

Joint Chief Executive

CIVIC OFFICES, HARLINGTON WAY
FLEET, HAMPSHIRE GU51 4AE

AGENDA

**COPIES OF THIS AGENDA ARE AVAILABLE IN LARGE PRINT
AND BRAILLE ON REQUEST**

1 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of 1 December 2016 are attached to be confirmed and signed as a correct record. **Paper A**

2 APOLOGIES FOR ABSENCE

3 CHAIRMAN'S ANNOUNCEMENTS

4 DECLARATIONS OF INTEREST

To declare disclosable pecuniary or any other interests.

5 PUBLIC PARTICIPATION (ITEMS PERTAINING TO THE AGENDA)

6 LOCAL PLAN STEERING GROUP

To note the minutes of the meetings of the Local Plan Steering Group meetings of 29 November 2016 and 13 December 2016. **Paper B**

7 HEALTH AND WELLBEING BOARD

To note the minutes of the meeting of 8 December 2016. **Paper C**

8 LEISURE CENTRE WORKING GROUP

To note the minutes of the meeting of 13 December 2016. **Paper D**

9 COUNCIL TAX SUPPORT SCHEME 2017/18

To report on the recently completed public consultation, and determine a Council Tax Support Scheme for 2017/18. **Paper E**

RECOMMENDATION

That Cabinet considers this report and in the light of the updated financial position of the Council, agrees not to proceed with a new Council Tax Support Scheme in 17/18.

10 FLEET BUSINESS IMPROVEMENT DISTRICT

To seek Cabinet agreement as to how to vote in the forthcoming Fleet Business Improvement District (BID) ballot, setting out the commitments in relation to the operating process and baseline agreement of services that form part of the BID process. **Paper F**

RECOMMENDATION

- 1 That the Chief Executive be authorised to vote 'yes' on behalf of the Council in the BID ballot;
- 2 That the indicative content of the Draft Operating Agreement and Schedules as set out in Appendices 1 and 2 are noted, and delegated authority is given to the Portfolio Holder for Economic Development and Corporate Finance working in conjunction with officers to finalise the details of the Operating Agreement and Baseline Services;
- 3 That the addition to the 2016/17 budget of £2,804 (current estimate) to provide for payment of the council BID levy in the event of a 'yes' vote and £1,625 to cover the Ballot Cost (appointment of external ballot company) is approved;

- 4 That in the event of a 'yes' vote, either the Portfolio Holder for Economic Development and Corporate Finance or the Portfolio Holder for Town and Village Regeneration is nominated as the council's BID Board representative.

11 BRAMSHOT FARM SANG

To update Cabinet on the latest position with regard to the procurement of Bramshot Farm as a SANG and also to set out the next stages. **Paper G**

RECOMMENDATION

- 1 That the purchase of Bramshot Farm be completed by March 2017 and the Joint Chief Executive be authorised to agree the final Heads of Terms for the purchase, and to draw down the full interest free loan offered by the LEP to cover all associated costs.
- 2 That the Joint Chief Executive be authorised to immediately draw down the use of the advance LEP £150k interest free loan allocation to cover the cost of initial work already spent on developing the project and to use the remaining advance LEP funds to cover all future work associated with the advance delivery of the project including the procurement of project management advice, as well as instructing WYG to secure planning permission and to prepare an initial SANG management plan.
- 3 That the Capital works required to deliver the SANG be included in the Council's Capital Programme.

12 UPDATE ON USE OF S106 EDUCATION CONTRIBUTIONS

To bring to conclusion the outstanding issues with regard to S106 Education contributions that are held by Hart. Cabinet initially considered this matter on 6 October 2016 (report attached at Appendix A) and this report addresses recommendations B, C, and D of the October report. **Paper H**

RECOMMENDATION

In consideration of the agreement reached between the Leader of Hart and others, and the Leader of Hampshire County Council and others, that Cabinet:

- 1 Suspends Standing Order 18.6 in relation to recommendations B, C, and D of the October 2016 Cabinet report in accordance with Standing Order 24;
- 2 Withdraws the decisions made on recommendations B, C, and D contained in the 6 October 2016 Cabinet report: S106 Education Developer Contributions Developer Contribution Funds and agrees the following:
 - a All existing and future S106 developers contributions funds secured by Hart District Council on behalf of Hampshire County Council for educational purposes should be paid over to the County Council;

- b No S106 developer contributions funds secured by Hart District Council for educational purposes shall be retained or used by the District Council for any purposes associated with the future of the site of the current Hart Leisure Centre; and
- c Officers will work with Hampshire County Council to draw up a suitable working Protocol for the County Council involvement in S106 Agreements.

13 EXCLUSION OF THE PUBLIC

The following item contains exempt information. Should Cabinet wish to discuss any exempt information Cabinet must first decide whether the public interest in maintaining an exemption outweighs the public interest in disclosing the information.

If it is decided that the public interest in maintaining the exemption outweighs the public interest in disclosing it, it is recommended that Cabinet agrees to exclude the press and public from the meeting in accordance with paragraph 1 of Schedule 12A of the Local Government Act 1972 (as amended), in order to consider that business.

14 UPDATE ON CREATION OF HART TRADING COMPANY

To update Cabinet on proposed changes to the model following the first meeting of the Member Working Group, to obtain comments about the developing proposal for Hart District Council to set up a local trading company, and to seek Cabinet direction and approval for one of two options to progress the development of a trading company. **Paper I**

RECOMMENDATION

To approve the ongoing development of a trading company that reflects the new model proposed by the Member Working Group as set out in Appendix I and to give either;

- 1 Approval to the spend of £150k with the aim to deliver the new Trading Company as quickly as possible, or
- 2 To approve a budget of £50k, and use internal resources, for delivery of the new Trading Company with the ambition to be operational by January/March 2018.

This report is Confidential.

15 CABINET WORK PROGRAMME

The Cabinet Work Programme is attached for consideration and amendment.
Paper J

Date of Despatch: 22 December 2016

CABINET

Date and Time: 1 December 2016

Place: Council Chamber, Civic Offices, Fleet

Present:

COUNCILLORS

Burchfield, Crampton, Crookes, Forster, Gorys, Kennett, Morris, Parker (Chairman)

In attendance: Axam, Cockerill, Neighbour

Officers:

Patricia Hughes	Joint Chief Executive
Phil Turner	Head of Community Services
Andrew Vallance	Head of Corporate Services
Katie Bailey	Corporate Strategy and Policy Development Manager
Gareth John	Senior Lawyer, Surrey Heath Borough Council

78 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of 3 November 2016 were confirmed and signed as a correct record.

79 APOLOGIES FOR ABSENCE

None received.

80 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced he had attended an RSPCA event the previous day, recognising those services who had achieved the Gold Paw Award, another sphere of endeavour where Hart do very well. He added the Executive's thanks to Hart's committed and hard working Dog Wardens

81 DECLARATIONS OF INTEREST

None declared.

82 PUBLIC PARTICIPATION (ITEMS PERTAINING TO THE AGENDA)

None.

83 LEISURE CENTRE WORKING GROUP

The minutes of the meeting of 8 November 2016 were noted.

84 TREASURY MANAGEMENT STRATEGY– HALF YEAR REVIEW 2016/17

Cabinet considered the Council's treasury management activities and performance during the first half of the 2016/17 financial year (April-September).

DECISION

That the treasury management activities during the first half of the 2016/17 financial year be noted.

85 ROTHERWICK NEIGHBOURHOOD PLAN – BRINGING INTO LEGAL FORCE

Following a positive referendum result for the Rotherwick Neighbourhood Plan, agreement was sought to recommend to Council to bring the Neighbourhood Plan into legal force to form part of the statutory development plan for Hart District.

RECOMMENDATION to Council:

That under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 the Rotherwick Neighbourhood Plan be 'made' (brought into legal force) to form part of the statutory Hart Development Plan with immediate effect.

86 WINCHFIELD NEIGHBOURHOOD PLAN: EXAMINERS REPORT

Cabinet considered the outcome of the independent examination into the Winchfield Neighbourhood Plan. Agreement was sought to the Examiners recommended changes (and other minor modifications), and to proceed to a local referendum.

DECISION

- 1 That the changes proposed to the Winchfield Neighbourhood Plan as set out in the "Decision Statement" in Appendix I be agreed, and that subject to those changes the Plan meets the 'basic conditions'
- 2 That the plan proceeds to a local referendum based on the geographic boundary of Winchfield Parish consistent with the defined Neighbourhood Area.

87 CRONDALL CONSERVATION AREA CHARACTER APPRAISAL AND MANAGEMENT PROPOSALS

Cabinet were asked to adopt the Crondall Conservation Area Character Appraisal and Management Proposal.

DECISION

- 1 That the refreshed Crondall Conservation Area Character Appraisal and Management Proposals be adopted.

- 2 That a fresh Article 4 Direction removing certain permitted development rights granted by Schedule 2, Part 1 and 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order), be served.

88 HART DISTRICT LOCAL AUTHORITY LOTTERY

Agreement was sought to the establishment of a local authority lottery for Hart District that would support the local voluntary and community sector.

Members sought clarification on

- the criteria for the identification of good causes and the opportunity to bring these criteria back to Cabinet for final approval
- the engagement with Hart Voluntary Action on this initiative
- the risks associated with gambling and the measures the Council will put in place to minimise those risks
- the costs of administration, without a sliding scale based on size of fund

DECISION

- 1 That a Hart District Council run Lottery be introduced in 2017 to be known as the Hart Lottery
- 2 That subject to due diligence, the Council works with Gatherwell, the external lottery management company behind Aylesbury Vale and Portsmouth lotteries, to deliver the Hart Lottery
- 3 That the purpose of the lottery be to raise funds for local charities, voluntary organisations and good causes that benefit residents within Hart
- 4 That the initial set up fee for year 1 of £4,300 be sourced from reserves to initiate the lottery
- 5 That the ongoing £1,000 annual licence and membership fees be assigned from ongoing lottery income streams
- 6 That an annual marketing budget of up to £2,000 be allocated to the lottery (from ticket receipts) to ensure ongoing lottery awareness and promotion to drive ticket sales and to promote the lottery amongst good causes
- 7 That two Council officers – the Head of Corporate Services and the Corporate Strategy and Policy Development Manager, be nominated to be the personal license holders
- 8 That the Council hosts a launch event to promote the lottery – to include press, PR, and social media, as well as provide additional first draw prizes
- 9 After consultation with an appropriate Member of Overview and Scrutiny, that delegated authority be given to the Portfolio holder for Finance and Economic Development to agree criteria for the inclusion of good causes and

a policy and process for the allocation of the good causes central pot in conjunction with relevant officers.

10 That there is a 12 month review of the initiative be carried out.

89 SUPPORT FOR PRIVATE SECTOR HOUSING CASEWORK FROM APRIL 2017

Cabinet were updated on changes to the Council's funding for Disabled Facilities Grants (DFGs), and recent decisions taken by Hampshire County Council regarding caseworker support provision for DFGs in Hart, and asked to approve the proposals.

Members sought clarification regarding the process of referrals and opportunities to improve to the delivery of the service, including the requirements for Occupational Therapy specialisms as part of this.

DECISION

- 1 That the recruitment of a Disabled Facilities Grant Caseworker be approved.
- 2 That from April 2017 the Housing Service spot purchases additional support from third party surveying services and/or occupational therapy as and when may be required to facilitate the expedition of individual DFGs.

90 THE SWAN INN, NORTH WARNBOROUGH

Cabinet were updated on progress regarding the potential compulsory acquisition (CPO) of land and buildings at the Swan Public House, North Warnborough.

Members sought clarification on:

- The timescales on the next steps, with confirmation that the process would take a minimum of 12 months to complete.
- Financial risks and the modelling upon which the appraisals have been made.
- How the Council could reach decisions on the final use of the site, and final ownership, at some future point in time.

NB Appendices 2 and 3 were Confidential.

DECISION

That the continuation of work towards the Compulsory Purchase Order is confirmed, and the timetable is noted.

91 CABINET WORK PROGRAMME

The Cabinet Work Programme was considered and amended.

The meeting closed at 8.10pm

LOCAL PLAN STEERING GROUP

DRAFT MINUTES

Date: 29 November 2016

Time: 7pm

Venue: Committee Room I, Civic Offices, Fleet

Councillors present:

Parker, Radley, Leeson, Crampton, Jenny Radley, Oliver, Forster, Renshaw, Morris, Gorys, Wendy Makepeace-Brown, Ambler, Neighbour, Axam, Burchfield, Cockarill

Officers: S Jenkins, V Potts, I Mawer, H Stevens, D Hawes, K Bailey.

I Local Plan Timetable

- 1.1 Members were updated on the proposed local plan timetable leading up to consultation on a draft (Regulation 18 Plan).
- 1.2 In summary, the intention is for a draft (Regulation 18) Plan to be agreed for consultation by Council at the end of January 2017. Prior to this there would be a special Cabinet with input from the Local Plan Steering Group.
- 1.3 The programme was identified as being dynamic but there is a commitment to meet the following key dates:
- | | |
|--------------------------------|---------------------------|
| 13 th December 2016 | Local Plan Steering Group |
| 25 th January 2017 | Special Cabinet |
| 26 th January 2017 | Council |
| 3 rd February 2017 | Start of consultation |
- 1.4 Officers identified that alongside preparation of the draft Plan, work was also on-going to finalise the evidence base including the Sustainability Appraisal and Habitat Regulation Assessment. Members questioned the timing for availability of key elements of the evidence base. It was agreed that officers would produce a schedule of when key evidence documents would be available.

2 Local Plan – Generic Policies

- 2.1 Officers presented a revised version of the generic policies which had been amended following previous discussions with Members. A number of further changes were proposed which will be incorporated into the Plan and a revised schedule of changes produced. In addition, the following work was identified from discussions on the generic policies:
- production of a briefing note on Article 4's in relation to permitted development rights for conversion from B1 to residential;
 - review the evidence on cemetery need and provision; and

- look at how education is covered in the Plan and what changes might be beneficial.

- 2.2 It was noted that there were some generic policies related to evidence arising from the SHMA (such as affordable and specialist housing), that would be brought to members at a future date.

3 Next Meetings

- 3.1 13 December 2016 in the Council Chamber.
24 January 2017 – meeting/venue tbc

LOCAL PLAN STEERING GROUP

DRAFT MINUTES

Date: 13th December 2016

Time: 7pm

Venue: Council Chamber, Civic Offices, Fleet

Councillors present:

Parker, Ambler, Axam, Burchfield, Clarke, Cockarill, Crampton, Crookes, Dickens, Forster, Gorys, Kinnell, Leeson, Makepeace-Brown, Morris, Neighbour, Oliver, Radley (James), Radley (Jenny), Renshaw, Wheale,

Officers: D Phillips, S Jenkins, V Potts, K Thurlow, H Collier, D Hawes, K Bailey

I Local Plan: Spatial Strategy

I.1 Members received a presentation from officers which:

- summarised the plan preparation process up to this point
- identified the objectively assessed housing need arising from the SHMA
- identified the need for an additional uplift to account for affordable housing needs
- identified a set of constants which had been identified in assessing each spatial option including; development at Sun Park; development at Hartland Park, North East Hook and Cross Farm
- identified spatial options which had been rejected
- identified 4 spatial options for consideration with a recommended option

I.2 Members discussed a number of issues in relation to the presentation and agreement to the way forward. These included:

- further clarification for the need for and methodology for calculating the affordable housing uplift;
- concerns at whether the assumptions for Hartland Park were appropriate;
- the need to better understand the evidence behind the options;
- questions regarding density comparisons;
- questions relating to the mix of homes, and whether in the long term, providing a greater number of smaller homes is appropriate; and
- the preference for a new settlement without urban extensions.

Outcome

I.3 It was agreed that:

- further detail relating to the affordable housing uplift would be presented to Members; and,
- further testing of a new settlement option would take place and be brought back for consideration.
- further meeting dates to be discussed.



Local Children's Partnership

**Notes of the Meeting of
8 December 2016
Council Chamber, Hart District Council**

Present:

Cllr Dr Anne Crampton, Cllr Jenny Radley, Cllr Steve Forster, Liz Glenn (LG), Gill Chapman Hart District Council – Hart District Council

Caroline Winchurch - Hart Voluntary Action

Aggie Tikoisuva – Army Welfare Service

Becky Kundi – HCC Family Support Service

Clare Kennedy – Homestart Rushmoor and Hart

Claire Davis

Donna Wallbank – Frogmore Junior School

Emma Charan – Hawley pre-school

Francis Bland – Mustard Seed

Jane Gardner - Inclusion Hampshire

Cllr Jenny Radley

Jill Corbett - Hampshire Public Health

Jon-Paul Summerscales – Aldershot Garrison (substitute for Richard Wyatt)

Julie Andrews – Court Moor School

Karen Wilkins - School Nursing

Kate Williams – Parent Support Advisor, Court Moor School

Katy Delaney – No Limits

Linda Keegan – Court Moor School

Lisa Jones – Yateley School Adult & Community Learning

Mandy Quinn – Hawley pre-school

Marian Camilleri - CAMHS

Melanie Buck - School Nursing

Michelle Stickland - North East Hants & Farnham CCG

Nikki Lewin – Frogmore Community College

Ouida Grant – Hart CAB

Roz Parkes – Hawley Primary School

Sally Duncan – Hampshire Libraries

Sara Owen - North East Hants & Farnham CCG

Tracy Brown – Robert Mays School

I APOLOGIES

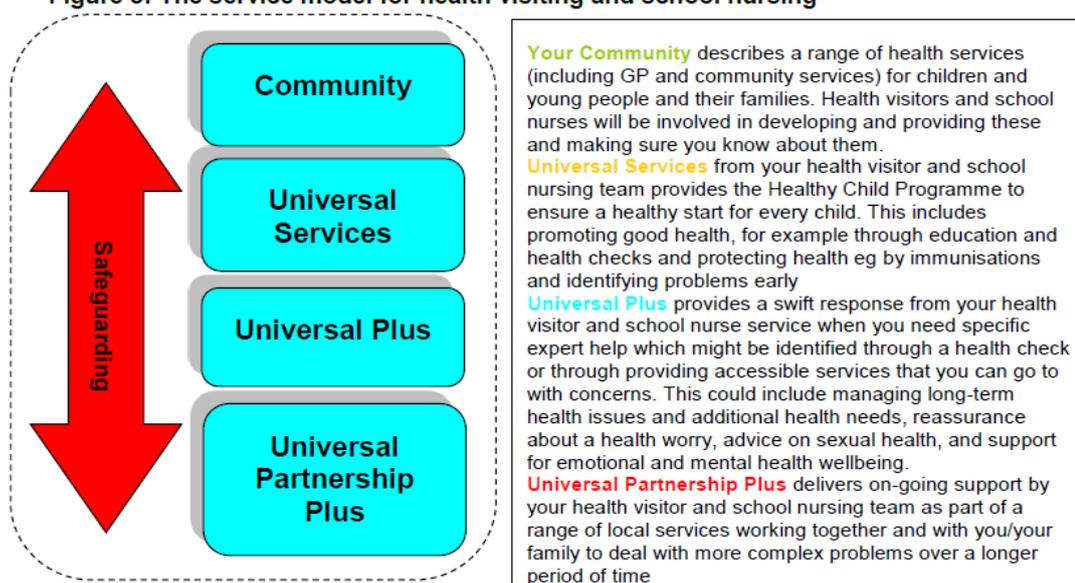
Patricia Hughes, Dr Steven Clarke, Karen Evans, Sara Wise, Heather Dunn (Heatherside), Richard Wyatt

2 0-19 HEALTH VISITING & SCHOOL NURSING INCLUDING HEALTHY WEIGHT

Jill Corbett reported:
PH Nursing

- 4 tier model in line with the national Healthy Child Programme - 0-5 element is led by health visiting service and 5-19 element by school nursing

Figure 3: The service model for health visiting and school nursing



- Commissioned by HCC Public Health
- Public Health are expecting more continuity for families from 0-5 service to 5-19 service
- Contract awarded to NHS Southern Health (current provider)
- 0-5 service combines Health Visiting, Family Nurse Partnership and closer working with Barnardo's, live from 1 April
- Changes to school nursing will include 1. Increase in number of qualified school nurses, 2. Inclusion of other settings including colleges, home schooling and youth offending, 3. Introduction of Chat Health text service
- Emotional wellbeing is main issue being raised by young people through Chat Health
- Both services have a focus on emotional & mental health and healthy weights, especially with vulnerable families.

Discussion centred around:

- Use of children's centres by health visiting service and the alternatives including Parish and Town Council buildings
- The need to make a link between the School Nursing 'Chat Health' service and the online counselling service being introduced by Hampshire Youth Access.

Healthy Weights

- School nursing service delivers the Child Measurement Programme in Hampshire, 95% of all children in Hampshire are weighed and measured
- Hart has low rates of unhealthy weight but should aspire to even better rates in other countries such as some Scandinavian countries
- Pilot with Hampshire Hospitals NHS Trust with midwives, health visiting service and Family Support Service to identify families with children at risk of becoming overweight and skilling up staff to have conversations about healthy weight to support families to make lifestyle changes
- At secondary school level, interventions include the School Nursing service, work with schools on incorporating healthy lifestyle topics into curriculum, physical activity initiatives, looking at what's available in the canteen.

3 HART AND RUSHMOOR 0-19 FAMILY SUPPORT SERVICE (FSS)

Becky Kundi presented. (Slides circulated)

- The new FSS joins up Children's Centres and Early Help Hubs, and strengthens link with Supporting Families
- FSS is one part of a broader support offer which also includes Public Health Nursing, Supporting Families and CAMHS Single Point of Access
- The service will be seeing a smaller number of families but more frequently (weekly rather than fortnightly)
- HENRY programme and other sessions will continue to be delivered for families at level 2 & 3
- If you would like to discuss with the service whether a family meets the threshold for support, you can call 01252 796324 between 8.30am - 12.30pm daily
- Partners are welcome to sit in on a level 3 multi-agency early help meeting – to arrange this please email hartandrushmoor.earlyhelp@hants.gov.uk
- Families can self-refer by contacting Hants Direct
- The team consists of 1 ½ ATM, 12 ½ Family Support Workers, 2 ½ Play Workers, admin, and volunteer coordinators.

4 CAMHS SINGLE POINT OF ACCESS

Marian Camilleri (CAMHS) and Katy Delaney (No Limits) presented (Slides circulated)

- Work with children and young people up to age 18 (19 for young person with a learning disability or in care)
- Future in Mind monies (over and above usual CAMHS funding) has been used to commission partnership working and Single Point of Access (SPA) to improve access to mental health & emotional wellbeing support
- NHS Sussex NHS Partnership who deliver the CAMHS service are working more closely with Hampshire Youth Access (HYA - a partnership of 12 counselling agencies) and Barnados, to help children and young people access the right support at the right time (a stepped care model)
- No Limits is the umbrella organisation for the HYA partnership and are part of multiagency team with CAMHS, making decision about referrals

- Hart Voluntary Action provides counselling for 11-25 year olds as part of the HYA partnership
- No Limits provide 1 children's counsellor for North Hampshire
- No Limits are looking to offer group work in schools. There has been low uptake from Hart schools so far.
- Online counselling will be introduced from January 2017
- The SPA will help families, GPs and schools to get advice and support. All referrals will be considered by a single team of specialist mental health workers from CAMHS and No Limits.
- Anyone can refer someone to the SPA. The service will talk people through whether a referral is appropriate and how to complete the referral form if necessary – telephone 0300 304 0050
- Referrals must include information about the child/young person's mental health issue(s) – some forms from schools do not include this information
- A separate eating disorder SPA has been introduced – telephone 0300 304 0062.

5 HAMPSHIRE MATERNITY AND CHILDREN COLLABORATIVE OPERATING PLAN

Michelle Stickland presented. (Slides circulated)

- The Collaborative commissions services on behalf of the 5 CCGs
- All information can be found in the slides

6 PHYSICAL ACTIVITY INITIATIVES

Liz Glenn introduced herself as the health & wellbeing officer for HDC and explained that the Council are looking to refresh their health & wellbeing plan for 2017/18. Key priorities will include healthy weight and emotional wellbeing & mental health. Physical activity initiatives cut across both priorities.

Liz is keen to make any links with LCP partners to look at what is already being done around these themes, and identify opportunities to work together, share good practice, and address unmet need. HDC and Hart Voluntary Action are looking at the best way to achieve this and hope to hold further joint meetings of the HWB and LCP in 2017. Dates will be confirmed.

HDC and Hart Voluntary Action will be working with Everyone Active (leisure centre provider) to explore opportunities to encourage more children and young people to get active, for the benefit of their emotional wellbeing and weight. This may include stress busting yoga or similar. They will be looking to engage with schools to deliver this work.

Discussions were around promoting exercise that doesn't feel like 'exercise', teaching practical skills on cooking and eating well and maximising the use of local community centres for this, gardening including herb gardens and vegetable gardens and the Countryside team encouraging outside interests.

This could be a topic for a future meeting or workshop.

7 DATE OF NEXT MEETING

There being no other business, the date of the next meeting of the Hart Health and Wellbeing partnership was noted as 2pm on **16 February 2017**. It is anticipated that this meeting will focus on the NHS Sustainability & Transformation Plans (STPs).



Leisure Centre Working Group (LCWG)

Minutes

13^h December 2016 @ 3.00pm small meeting room ELC

Councillors: K Crookes - Chairman, A Crampton, A Oliver

Officers: P Hughes (PH), Paul Weavers (PW)

Apologies: Cllr D Neighbour

Observers:

No	Item	Note/Action
1	Apologies; Cllrs D Neighbour.	ALL
2	Mins of previous meeting accepted	ALL
3.	<p>Current Issues with Everyone Active</p> <p>3.1 Legal chasing signing of outstanding documentation from EA, however are hopeful that these matters will get resolved a bit quicker in future.</p> <p>3.1.1 Funding agreement for variations – only one point outstanding still to be agreed on which is dependant on EA providing evidence of an earlier agreement.</p> <p>3.1.2 YBC Novation – PH explained current position. There is a break clause due in July 2017. Meanwhile PW to speak to David Burrell ref possibility of using YBC for HLC once EA move out. HLC will only require a deminimus clean though, so YBC may not be very receptive to this option.</p> <p>3.2 Price for life proof by members – EA have decided not to proceed with for the time being, and accept that existing member's prices will remain the same. They may wish to re-visit this at a later date though.</p> <p>3.3 Quarterly income / expenditure reports from EA – First two quarters outstanding, and third one due end of Dec. DL believes he is being sent these this week, and will forward on accordingly to PW.</p>	<p>INFO</p> <p>INFO</p> <p>PW</p> <p>INFO</p> <p>PW</p>

	<p>4.2 HDC are therefore not planning to handover ELC to EA until the 1st April 2017</p> <p>4.3 EA had hoped to open/launch in March, but HDC are now seeking confirmation of when, based on the new completion date. WDC confirmed that their original instruction that the site will be full PPE until handover date, could be relaxed for designated safe / finished areas. Further discussions to be held early next year on this. This could enable EA to open the doors to the public early April, rather than have to wait another 1 or 2 weeks whilst they train up staff, and hold test events.</p> <p>4.4 EA asked WDC if it might therefore be possible to hold an open day on the 25th March, (show round only, facilities will not be able to be used)). WDC still feels this could be difficult but both parties are working together to see what is possible.</p> <p>4.5 All wayleaves are now in place and signed, including BT.</p> <p>4.6 Still awaiting results back on the testing of the integrity of the pipework that failed in the pool. Tests results are expected back 1st week in January 2017.</p> <p>4.6 WDC have now submitted their CE (compensation event) for the 3 week delay due to pool view, which was agreed back in March 2016. £116,000. (overspend on original budget) This is a reduction from the £167,438 that they could be entitled to claim.</p>	<p>INFO</p> <p>INFO</p> <p>INFO</p> <p>INFO</p> <p>INFO</p> <p>INFO</p>
<p>5</p>	<p>Transfer</p> <p>5.1 Licence to under let the Hart Leisure Centre– no progress. CEO is aware.</p>	<p>INFO</p>
<p>6</p>	<p>Existing Hart Leisure Centre; the future.</p> <p>6.1 PH reported that conversations are ongoing with HCC, HDC’s Leader and Cllr KC has also now met with HCC’s Leader.</p> <p>6.2 An opportunity of working together on a solution has been identified. Officers are working through the details and may come forward with a Cabinet report in due course.</p> <p>6.3 Hoarding tenders are now back, will be reviewed and scored, with the winner being announced mid January.</p> <p>6.4 Tender for the boarding will need to be re-advertised in January, as only 1 company responded.</p>	<p>INFO</p> <p>INFO</p> <p>PW</p> <p>PW</p>

7	Official Opening of the new Hart Leisure Centre. 7.1 It was suggested to combine the VIP ceremony with the Civic Day on Wednesday 5 th April. PW to discuss with Cllr Southern and Amy.	PW
8	Date of next meeting Tuesday 21st February 3.00pm CR3	ALL

CABINET

DATE OF MEETING: 5 JANUARY 2017

TITLE OF REPORT: COUNCIL TAX SUPPORT SCHEME 2017/18

Report of: Head of Corporate Services

Cabinet Member: Councillor Ken Crookes, Economic Development and Corporate Finance

I PURPOSE OF REPORT

- 1.1 To report on the recently completed public consultation, and determine a Council Tax Support Scheme for 2017/18.

2 OFFICER RECOMMENDATION

- 2.1 That Cabinet considers this report and in the light of the updated financial position of the Council, agrees not to proceed with a new Council Tax Support Scheme in 17/18.

3 BACKGROUND

- 3.1 The Council Tax Benefit system was abolished on 31st March 2013 and replaced by the Council Tax Support Scheme. This scheme can be determined locally by the Billing Authority having had due consultation with precepting authorities, key stakeholders such as Housing Associations, Advice Agencies and residents. There are currently 2,940 residents claiming Council Tax Support in the Hart District area; 1,340 are pensioners who are protected under the legislation and receive Council Tax Support as prescribed by Government (broadly similar to the level of Council Tax Benefit). It is only in regard to the 1,600 working age claimants where a local scheme can be determined which can change the level of Support provided.
- 3.2 The financial year 2016/17 is the fourth year of operating the Council Tax Support scheme with Hart's criteria being aligned to the old Council Tax Benefit scheme, so that working age benefit claimants do not have their level of support reduced (known as the default scheme). In operating the existing scheme at Hart, it is estimated that the Council have to contribute an additional £40,000 per annum when compared on a like for like basis with the funding arrangements prior to 2013/14. (Government funding for the scheme was reduced by around 10% at the time of the transfer of responsibility and has subsequently been wrapped up in the formula funding regime and Business Rate Retention Scheme).
- 3.3 Under CTS, all billing authorities responsible for collecting council tax are under a statutory duty to design and agree a CTS scheme. Schemes for an upcoming financial year must be agreed upon by 31st January each year. If any changes are suggested, councils must run a consultation with stakeholders, including residents. Any changes to schemes come into effect on 1st April.

- 3.4 From April 2016, only 41 councils (out of 326) are continuing to provide the levels of support available under the former Council Tax Benefit (CTB) system. Hart is currently one of those 41 Councils.
- 3.5 Cabinet considered a report on the Council Tax Support Scheme at its August meeting where it was agreed to carry out public consultation in relation to a suggested change to the scheme alongside other alternatives that would have the same financial impact.

4 CONSULTATION

- 4.1 An extract of the document that was published with the consultation is set out below:

Change Under Consideration

From 1st April 2017, the Council is considering making a change to its Council Tax Reduction Scheme.

Council Tax Support for working age claimants would be based on 80% of the charge (i.e. no support would be available for the first 20% of the charge). If agreed this would mean residents of working age who currently receive 100% support would have to pay 20% of the charge and those working age claimants who receive partial support (i.e. not 100%), would see the level of their support proportionately reduced.

Whilst Hart District Council collects the Council Tax, the amounts collected benefit the precepting authorities in the following proportions: Hampshire County Council (70.4%), Hampshire Police and Crime Commissioner (10.5%), Hampshire Fire and Rescue Authority (4.1%), Hart District Council (10.2%) and parishes (4.8%). It is therefore estimated that Hart will benefit by approximately £33,000 per year; following deduction of the ongoing costs for administering the revised scheme, the net benefit is estimated to be in the region of £28,500 per annum.

We have also considered alternative ways of maintaining the amount of financial support provided by the existing Council Tax Reduction Scheme. We ask about these options in the Questionnaire, and they are set out below for information. It should be borne in mind that some or all of these measures may in any event have to be implemented to some extent in order to meet the financial challenges that the Council will face in next year's budget setting process.

1. Increasing the Level of Council Tax

It should be noted that depending on the level of increase a local referendum may be required to agree that the increase can go ahead.

2. Making savings in other Council Services and/or increases in other forms of income such as car parking charges.

If we decide to keep the current levels of Council Tax Support this will mean there is less money available to deliver other services provided by the Council; additionally increasing Council fees and charges on other services could be considered.

3. Using Council savings

The Council has balances (reserves) built up from previous years through careful financial management. These could be used to maintain the existing scheme over the

short term but could not be sustained in the medium to long term. If used for this purpose, clearly these savings could not be used for any other aspect of services or any economic situation that might arise.

5 FINDINGS FROM CONSULTATION

5.1 The consultation period ran for 3 months from September to the end of November. An on-line questionnaire was made available for all members of the public consulting on whether the Council should proceed with the suggested change or whether to leave the scheme unchanged and use alternative funding methods that would have the same financial impact. A press release advising on the consultation was issued in September. In addition, 3,200 letters were issued to taxpayers (this consisted of the 1,600 working age CTS claimants and 1,600 randomly selected from the rest of the customer base).

5.2 There were only 313 public responses from a customer-base of 38,400 (0.8%) with responses as follows:

A	Should proceed with the suggested change	171
B	Should not proceed with the suggested change and use an alternative method	118
C	Don't know	24

5.3 From those that selected 'B' above, the alternative methods which were opted for are shown below:

Increase the level of Council Tax	50
Make spending savings in other services or increase other Council fees	34
Use Council reserves	26
Don't know	8

5.4 In addition, the Head of Finance consulted with the CAB and other support organisations with their feedback being to leave the scheme unchanged as those customers who would be most impacted by the suggested change would generally be those in the community who had the lowest incomes and would be in need of most support.

6 IMPACT ON CUSTOMERS

6.1 The increased amount of Council Tax as a result of the suggested change would be approximately £330,000 for 2017/18 (the majority of this income would go to Hampshire County Council, £33,000 would come to Hart). The scheme for Council Taxpayers of pensionable age is set by the government and would not be affected by any changes. It would be the 1,600 Council Taxpayers of working age who would face extra amounts to pay. Those taxpayers (approximately 800) who have been receiving 100% support would have to pay 20% of the charge (for example for a Band D charge of £1,550 the extra charge would be £310 per annum).

- 6.2 For those that receive partial support (approximately 800 taxpayers) depending on the level of their support, they would lose support up to a maximum of 20% of the charge. Appendix I provides examples of how the scheme being considered may affect claimants in different circumstances.
- 6.3 The table below gives further analysis of the claimant-types who would be affected.

Claimant Information	No. of cases
Families with children up to the age of 18	400
Couples	60
Lone parents	790
Single person	350
Total	1,600

7 FINANCIAL IMPLICATIONS

- 7.1 In August Cabinet agreed to the consultation on the Council Tax Support Scheme based on the Medium Term Financial Plan and the need to keep the Councils financial options open, should there be a significant impact on revenue in the 17/18 Government Settlement.
- 7.2 Whilst still provisional, the Government settlement for 17/18 was announced on 17 December. The settlement for 17/18 is still challenging, however it does provide the Council with a range of options for making the savings, including efficiencies and income generation. In light of this, and the impact on residents, the recommendation is that this scheme is not implemented in 17/18 but may need to be reconsidered for implementation in 18/19, once the financial position becomes clearer.

CONTACT: Andrew Vallance, Head of Corporate Services, andrew.vallance@hart.gov.uk

CABINET

DATE OF MEETING: 5 JANUARY 2017

TITLE OF REPORT: FLEET BUSINESS IMPROVEMENT DISTRICT

Report of: Corporate Strategy and Policy Development
Manager

Cabinet member: Councillor Ken Crookes, Corporate Finance and
Economic Development

I PURPOSE OF REPORT

1.1. This report seeks Cabinet agreement as to how to vote in the forthcoming Fleet Business Improvement District (BID) ballot and sets out the commitments in relation to the operating process and baseline agreement of services that form part of the BID process.

2 OFFICER RECOMMENDATION

2.1 That the Chief Executive is authorised to vote 'yes' on behalf of the Council in the BID ballot;

2.2 That the Corporate Strategy and Policy Development Manager, in consultation with the Portfolio Holder for Economic Development and Corporate Finance be authorised to agree with the BID Company an Operating Agreement and Baseline Services Agreement;

2.3 That the addition to the 2016/17 budget of £2,804 (current estimate) to provide for payment of the council BID levy in the event of a 'yes' vote and £1,625 to cover the Ballot Cost (appointment of external ballot company) is approved;

2.4 That in the event of a 'yes' vote, either the Portfolio Holder for Economic Development and Corporate Finance or the Portfolio Holder for Town and Village Regeneration is nominated as the council's BID Board representative.

3 BACKGROUND

3.1 In November 2016 Cabinet considered a report on the progress of the Fleet BID and having had regard to the BID Proposals, agreed to support the BID in principle, and agreed the repayment of the BID collection costs.

3.2 Since then, formal notification of the intention to request the Council to hold a BID ballot has been received and the formal statutory process has been started. As set out in the previous Cabinet Report, the proposed BID ballot date is 23rd March.

4 FLEET BID OPERATION

- 4.1 Assuming there is a 'yes' vote then there needs to be formal agreement between the Council and the BID company as to how the BID is run. In particular this needs to cover the BID levy collection process, and the agreement to a set of baseline services provided by the Council as the BID is not intended to subsidise council services. Services provided through the BID would then be over and above these service levels.

Operating Agreement

- 4.2 The Operating Agreement defines the principles and processes for collecting the levy; enforcing the payment of the levy; reporting on collection and bad debt; monitoring provisions between the BID and the local authority; and providing regular detailed and summary information on the service to the BID as the client. The Operating Agreement will be finalised following the ballot.

Baseline Services Agreement

- 4.3 It is a requirement under the BID Regulations that the BID proposals include a statement of the existing baseline services provided by the local authority or other public authorities in the BID area. A baseline agreement should then be agreed at the start of the BID's term setting out the baseline services the local authority is going to provide and services to be provided by the BID. It is best practice for this agreement to be subject to an annual review as it is unlikely that services will remain unchanged over the five year term of the BID.

- 4.4 A set of existing baseline services provided by the District Council in the BID area has been provided to the BID Group and this forms the basis of the baseline agreement. This is currently in draft at the moment and will be finalised with the BID Company following the ballot.

Other BID Operating Matters

- 4.5 The Operating Agreement also includes arrangements for the management and administration of the BID. This includes details of the BID board which will include a representative from Hart District Council. It is recommended that this representative be either the Portfolio Holder for Economic Development and Corporate Finance or the Portfolio Holder for Town and Village Regeneration.

5 FLEET BID VOTE

- 5.1 As a landowner, the Council will have 8 votes due to the number of hereditaments held. The strengthening of the district's town and village centres is one of the Councils Corporate Plan priorities, and the recently adopted Economic Development Strategy Action Plan includes an overall aim of 'A Vibrant and Creative Place' with actions including liaison with Town and Parish Councils and supporting local communities and an identified outcome of increased numbers of visitors.
- 5.2 In view of this, and the previous Cabinet decision to support the BID in principle it is recommended that the Council votes 'yes' in support of the BID at the ballot in March 2017.

6 FINANCIAL IMPLICATIONS

6.1 The financial implications for the Council in relation to the BID are as follows:

Ballot Cost (appointment of external ballot company): £1,625
Levy cost (per annum) in the event of a 'yes' vote: £2,804 (current estimate)

6.2 The Council will also incur costs in the collection and administration of the BID Levy but these costs can be reclaimed from the levy.

7 ACTION

7.1 The formal request for undertaking a BID ballot is expected in February at which point ballot documents will be prepared via the appointed external ballot company. In addition, officers will continue to work on the practical agreements and arrangements that are required to start the BID in the event of a 'yes' vote in the ballot.

Contact Details: Katie Bailey, Corporate Strategy and Policy Development Manager, Ext 4146

CABINET

DATE OF MEETING: 5 JANUARY 2017

TITLE OF REPORT: BRAMSHOT FARM SANG

Report of: Joint Chief Executive/Monitoring Officer

Cabinet member: Councillor Stephen Parker, Planning and Councillor Ken Crookes, Finance

I PURPOSE OF REPORT

- 1.1 To update Cabinet on the latest position with regard to the procurement of Bramshot Farm as a SANG and also to set out the next stages.

2 OFFICER RECOMMENDATION

- 2.1 That the purchase of Bramshot Farm be completed by March 2017 and the Joint Chief Executive be authorised to agree the final Heads of Terms for the purchase, and to draw down the full interest free loan offered by the LEP to cover all associated costs.
- 2.2 That the Joint Chief Executive be authorised to immediately draw down the use of the advance LEP £150k interest free loan allocation to cover the cost of initial work already spent on developing the project and to use the remaining advance LEP funds to cover all future work associated with the advance delivery of the project including the procurement of project management advice, as well as instructing WYG to secure planning permission and to prepare an initial SANG management plan.
- 2.3 That the Capital works required to deliver the SANG be included in the Council's Capital Programme.

3 BACKGROUND

- 3.1 In July 2016 Cabinet authorised the Joint Chief Executive to secure an interest free loan from the LEP to cover the cost of procuring Bramshot Farm to set up and administer a Strategic SANG and subject to securing the loan to complete the purchase of Bramshot Farm. The Council has now secured agreement with the LEP for an interest free loan of approximately £5m. The Council can now apply to draw down the loan at any point up until 31 March 2017. The current indicative timetable shows an estimated date of claim by the end of January 2017 to enable purchase of the Bramshot Farm site in February (£3m).
- 3.2 In the meantime the LEP has agreed to advance £150k of the loan to cover the initial cost to the Council in putting the administrative arrangements in place for both securing also preparing the necessary arrangements to deliver the SANG.

4 CONSIDERATIONS

- 4.1 The Council is now in a position to compete the purchase of Bramshot Farm in accordance subject to some final details being agreed over the Heads of Terms.
- 4.2 In the meantime, White Young Green (WYG) have been commissioned to prepare and submit a planning application to secure permission to use the land as SANG. The application will also seek permission to carry out the necessary physical infrastructure such as the provision of a car park and the the circular walk etc. This planning application is to be submitted shortly.
- 4.3 Natural England has indicated that pre-allocating of development proposals against the SANG can start once planning permission has been granted. This is likely to be early Spring 2017. The actual work on site will commence late Spring 2017 with a view to the SANG being open in late Autumn 2017.

5 FINANCIAL IMPLICATIONS

- 5.1 The purchase of Bramshot Farm is fully funded by the interest free LEP loan. The Capital works (outlined in Appendix I) required to deliver the SANG need to be recognised in the Council's Capital Programme albeit that all the works will be covered by the interest free loan that has been secured from the LEP. There is to be no unfunded cost to the Council.

6 ACTION

- 6.1 The purchase of Bramshot Farm is to be completed and WYG to submit a planning application for use of the land as SANG. Works in accordance with the Capital Programme are expected to start in the summer.
- 6.2 A further report will be brought back to Cabinet in the spring to agree any allocation criteria.

Contact Details: Daryl Phillips, Ext 4492, email: daryl.phillips@hart.gov.uk

APPENDICES

Appendix I - Capital works required to deliver the SANG

Appendix I – CAPITAL WORKS

Item	Cost	Estimated Qualifying Expenditure	Breakdown of individual items	Narrative	Estimated Expenditure Date
Legal consultants, etc	£ 170,000.00	£ 170,000.00	£ 150,000.00	Planning, project management and design fees	Mid February - 31st March 2018
			£ 20,000.00	Repayment to the HCA for the SANGs feasibility study, land valuation and preliminary surveys	completed
Purchase of Bramshot Farm	£ 3,000,000.00	£ 3,000,000.00			Mid February - 31st March 2017
Stamp Duty	£ 139,500.00	£ 139,500.00		Stamp duty - based on the SDLT Rules from 17th March 2016	Mid February - 31st March 2017
Capital Costs	£ 1,154,500.00	£ 1,154,500.00	£ 7,000.00	Biodiversity study /Mitigation	Mid February - 31st March 2018
			£ 50,000.00	Car Park build	
			£ 10,000.00	Drainage	
			£ 10,000.00	Grassland enhancement Per ha	
			£ 10,000.00	Management Plan	
			£ 30,000.00	Access Track (passing points)	
			£ 500,000.00	Agricultural Buildings	

Item	Cost	Estimated Qualifying Expenditure	Breakdown of individual items	Narrative	Estimated Expenditure Date
			£ 100,000.00	Pathway installation	
			£ 87,500.00	Board Walking	
			£ 150,000.00	Soft Landscaping	
			£ 200,000.00	Hard landscaping (play area, picnic site, site furniture, interpretation etc.)	
Initial purchase of New vehicles (based on 2016 figures)	£ 117,500.00	£ 117,500.00	£ 17,000.00	Ford Ranger	Mid February - December 2017
			£ 10,000.00	ATV	
			£ 50,000.00	Tractor	
			£ 9,000.00	Ride on mower	
			£ 1,500.00	Hedge flail	
			£ 5,000.00	Topper (grass cutter)	
			£ 15,000.00	Chipper	
			£ 5,000.00	livestock Trailer	
			£ 5,000.00	General Purpose Trailer	

Item	Cost	Estimated Qualifying Expenditure	Breakdown of individual items	Narrative	Estimated Expenditure Date
Annual works to improve land	£ 233,334.00	£ 233,334.00		Implementation of capital works and works needed to improve the land to a suitable condition, snagging /remediation of capital projects	1st April 2016 - 31st March 2022
Capitalised staffing cost	£ 471,286.00	£ 471,286.00	Please see separate sheet	Staff time allocated towards the management of the capital work to construct the SANGs	April 2017 - March 2023
Total		£ 5,286,120.00			

CABINET

DATE OF MEETING: 5 JANUARY 2017

TITLE OF REPORT: UPDATE ON USE OF S106 EDUCATION CONTRIBUTIONS

Report of: Joint Chief Executive/Monitoring Officer

Cabinet member: Councillor Stephen Parker, Planning and Councillor Ken Crookes, Finance

I PURPOSE OF REPORT

To bring to conclusion the outstanding issues with regard to S106 Education contributions that are held by Hart. Cabinet initially considered this matter on 6th October 2016 and this report addresses recommendations B, C, and D (the whole minuted decision is attached as Appendix I) of the October report.

2 OFFICER RECOMMENDATION

In consideration of the agreement reached between the Leader of Hart and others, and the Leader of Hampshire County Council and others, Cabinet:

- 1 Suspends Standing Order 18.6 in relation to recommendations B, C, and D of the 6th October 2016 Cabinet report in accordance with Standing Order 24;
- 2 Withdraws the decisions made on recommendations B, C, and D contained in the 6th October 2016 Cabinet report: S106 Education Developer Contributions Developer Contribution Funds and agrees the following:
 - a All existing and future S106 developers contributions funds secured by Hart District Council on behalf of Hampshire County Council for educational purposes should be paid over to the County Council;
 - b No S106 developer contributions funds secured by Hart District Council for educational purposes shall be retained or used by the District Council for any purposes associated with the future of the site of the current Hart Leisure Centre;
 - c Hampshire County Council be invited to be signatories on any education related matters to be secured through S106 Planning Obligations; and
 - d Officers will work with Hampshire County Council to draw up a suitable working Protocol for the County Council involvement in S106 Planning Obligations.

3 CONSIDERATIONS

3.1 October Cabinet report recommendations B and C

Following Cabinet's decision not to release some S106 education developer contributions funds to Hampshire County Council because of lack of clarity and justification for its proposed use, further discussions have taken place and a further very informed submission has been made by the County Council. This positive response to Cabinet's concerns is welcome. It addresses in full all outstanding matters and therefore all remaining and future S106 education funds secured by Hart should be passed to the County Council as Hart has no further purpose in retaining them. Cabinet should therefore withdraw recommendation B and C of the October Cabinet report

3.2 October Cabinet report recommendation D

In light of positive discussions with the County Council over the future of the site of the existing Hart Leisure Centre there is also now no reason for Hart to retain or use any S106 funds secured for educational purposes in associated with either the "mothballing" or future use of this soon to be decommission leisure facility. The funds should more properly be used to deliver new school places as originally intended. Cabinet should therefore withdraw recommendation D of the October Cabinet report.

3.3 The approach to securing future S106 Education and other Developer Contributions

The availability of school places is a material consideration in the determination of planning applications. Hart however, as Local Planning Authority, and using the criteria as set out in Government Guidance and statute as reflected in Recommendation E of the 6th October 2016 Cabinet report (contained with Appendix 1), will still have to satisfy itself whether any financial contribution is necessary for any particular development and if any such contribution is compliant with the CIL Regulations (these principle apply to any approach to securing developer contributions irrespective of whether they are education related). In addition, Hart will need to consider what is an appropriate contribution to request in the context of development viability, and any other infrastructure needs which contributions are also being sought for. This approach is reflected in the recent Joint Ministerial Statement published by Brandon Lewis (then Minister of State for Housing and Planning) and Lord Nash (Parliamentary Under Secretary of State for Schools) earlier this year (attached at Appendix 2).

Although no arrangement can be allowed to fetter the discretion of Hart acting as Local Planning Authority, it is appropriate for the County Council to be included as a signatory to any future Education related S106 Planning Obligation and to ensure that the developer pays any education related financial contribution sums secured direct to the County Council. This could operate in the same way as the current Highway Agency agreement.

The County Council has recently published updated advice on its approach to securing developer financial contributions towards education provision. It is not

intended to be an adopted planning document but it does represent a useful starting point for the County Council to use when it negotiates with developers. A copy will be published on Hart's web site.

4 FINANCIAL IMPLICATIONS

There are no material financial implications for the Council arising from this report.

5 ACTION

Officers will work with the County Council to draw up a suitable Protocol for the County Council involvement in Section 106 Planning Obligations. The protocol would need to address issues such as compliance with the criteria as set out in Recommendation E of the October 2016 Cabinet report, timeliness of decision making to ensure that performance in the determination of planning applications is not affected by delays in completing any necessary S106, and prepayment of outstanding funds if not used for the intended purpose or if unspent after a certain period of time.

Contact Details: Daryl Phillips, Ext 4492, email: daryl.phillips@hart.gov.uk

APPENDICES

Appendix 1 – Extract from the Minutes of the 6th October 2016 Cabinet Paper Use of S106 Education Contributions

Appendix 2 - Joint letter from Brandon Lewis and Lord Nash -11 March 2016

6th October 2016 Cabinet Decision

- A. That the following projects have contributions paid to the County Council:
- Tavistock Infants and All Saints Church of England Junior - £223,940.03
 - Oakwood Infant and Greenfield Junior - £247,548.79
 - Hook Infants and Junior - £110,497.29
- B. That the following contribution requests be refused unless more clarity and justification was provided:
- Tweseldown Infant and Church Crookham Junior (£650,859.03)
 - Calthorpe Park School (£631,909.53 less £304,500 overpayment)
 - Buryfields Infant and Mayfield Junior (£24,889.20)
 - Robert Mays Secondary (£877,923.42)
- C. That the overpayment of £304,500 referred to in recommendation B above should be reserved for future projects to meet, at the discretion of the District Council, secondary education needs within the Fleet area.
- D. That £2m of the funds held by the District Council for secondary education be reserved for any changes that are deemed necessary to adapt the site of the current Hart Leisure Centre for education use to include any funds necessary for demolition and site clearance.
- E. That no further S106 Planning Obligation would be sought unless:
- a) It was necessary to make the development acceptable in planning terms;
 - b) It was directly related to the development; and
 - c) It was fairly and reasonably related in scale and kind to the development, and where evidence was provided to enable the Council to assess whether any financial contribution meets the following policy tests:
 - d) There was quantified evidence of the additional demands on facilities or infrastructure which were likely to arise from the proposed development;
 - e) There was up-to-date, quantified evidence of the extent to which existing facilities or infrastructure were able or unable to meet those additional demands;
 - f) A clear methodology existed for calculating any financial contribution which is shown to be necessary to improve existing facilities or infrastructure, or provide new facilities or infrastructure, to meet the additional demands;
 - g) Details are provided of the specific facilities or infrastructure on which any financial contribution will be spent; and
 - h) Where the project does not conflict with the five planning permission pooling limitations as set in the CIL Regulations.



Department for
Communities and
Local Government

Brandon Lewis MP

Minister of State for Housing and Planning

Department for Communities and Local Government

4th Floor, Fry Building
2 Marsham Street
London SW1P 4DF
www.gov.uk/dclg



Department
for Education

Lord Nash

Parliamentary Under Secretary of State for Schools

Department for Education

Sanctuary Buildings
Great Smith Street
Westminster London SW1P 3BT
tel: 0370 000 2288
www.education.gov.uk/help/contactus

Dear Chief Executive,

Supporting housing development to increase housing supply, and providing a high quality school place for every child are two of the Government's top priorities.

We want to help people fulfil their aspirations of owning their own home and to help local authorities provide high quality school places particularly where the need for additional school places has increased due to new housing and growing communities. A key concern many of you have raised is how to secure funding to establish new schools, or expand existing ones, where they are needed.

The purpose of this letter is to set out the various opportunities for securing funding for both the expansion of existing schools and new schools to support housing growth.

Accommodating new demand for school places from new housing

Where major new housing developments create an *additional* need for school places, then you as the local authority should expect a substantial contribution from the developer towards the cost of meeting this requirement. However, you will want to consider what is an appropriate contribution to request in the context of any other infrastructure needs which contributions are also being sought for. You should also consider carefully representations from developers about the timing of their contributions. Where there are genuine concerns that funding new school places alongside the development may render it unviable if homes are yet to be sold, we would encourage local authorities to be flexible in seeking such obligations up front.

One way of resolving these cash flow difficulties is to support the creation of a new school through the Government's central free schools programme. The Government is committed to opening 500 free schools by 2020 and the Department for Education (DfE) invites applications to establish new schools through this programme each March and September. While local authorities themselves cannot run or propose these new schools, many authorities have encouraged successful and well-established local education providers to establish new schools through the process. The upfront costs of establishing the new school are funded centrally. Whilst we still expect that developers should contribute to capital costs, these contributions can be provided later on, after the school has been established and new homes built and sold. This can help to overcome cash flow issues and enable developments to proceed. Additionally, in circumstances where a development generates a requirement for additional school places but not enough funding for a whole new school, the DfE free schools programme can help bridge that gap. Both types of arrangements require careful structuring and early engagement with the Education Funding Agency (EFA). You can contact the EFA at FreeSchools.EFACAPITAL@education.gsi.gov.uk.

Accommodating existing additional demand for school places

Where the demand for additional school places is generated by population growth within a local area without a large scale extension of the housing stock, the cost of these additional places, including the transition funding required until that school reaches capacity, should be met by the local authority. £3.6 billion of basic need capital funding has already been allocated to local authorities for 2015-18, and we intend to continue to roll forward the timing of allocations so that you will always know levels of funding at least three years in advance. These allocations are made on a formulaic basis, using the information you provide through the annual school capacity survey about the size of existing schools and forecast pupil numbers. You can then choose whether to use this funding for the construction of a new free school through the well-established 'presumption process', with the authority providing the site, or to use it to expand existing schools.

You can also encourage applications to the central free school programme where the need for additional school places is caused by existing additional demand. Again, the DfE funds the upfront costs of establishing the new school centrally, and this has no bearing on any existing basic need allocation you may have received. The Secretary of State for Education has asked her Regional Schools Commissioners to work closely with local authorities to identify where free schools can help meet demographic pressures and to seek suggestions from local authorities as to suitable school operators. We encourage you to consider this option carefully, including whether you can support the development of new provision via this route by providing sites on a long lease and minimal cost basis, and how you could work with the DfE to identify the best local operators to run new schools.

We hope this is helpful in providing clarity about the routes to secure funding for new school places, but if you would like more information or would like to discuss it further please contact daniel.bridger@communities.gsi.gov.uk at the Department for Communities and Local Government and jane.balderstone@education.gsi.gov.uk in relation to free schools or victoria.dare@education.gsi.gov.uk in relation to new school places, at DfE.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Brandon Lewis', with a long horizontal flourish extending to the right.

Brandon Lewis MP
Minister of State for Housing

A handwritten signature in blue ink, appearing to read 'Lord Nash', with a long horizontal flourish extending to the right.

Lord Nash
Parliamentary Under Secretary of State for Schools

CABINET

KEY DECISIONS/ WORK PROGRAMME AND EXECUTIVE DECISIONS MADE

January 2017

Cabinet is required to publish its Key Decisions and forward work programme to inform the public of issues on which it intends to make policy or decisions. The Overview and Scrutiny Committee also notes the Programme, which is subject to regular revision.

Report Title	Ref (Note 1)	Outline/Reason for Report/Comments	Original Due Date	Revised Due Date	Key Decision Y?	Cabinet Member (Note 2)	Service (Note 3)
Update on Local Trading Company	Aug 16	To seek approval for a new delivery model	Jan 17			SG	H
Update on use of S106 Education Contributions	Dec 16	For Approval	Jan 17			KC	JCX
Council Tax Support Scheme	Oct 16	Report further to consultation	Jan 17		Y	KC	F
Special Cabinet		25 January 2017 –Draft Hart Local Plan: Strategy and Sites					
Fleet Business Improvement District	Dec 16	Next Steps and Ballot Vote	Jan 17			KC	JCX
Bramshot Farm	Dec 16	Update on purchase	Jan 17			KC/SP	JCX
Treasury Management Strategy	Annual	Update	Feb 17			KC	F
2016/17 Revenue Budget, Capital Programme and Council Tax Proposals	Annual	Approval. Recommendation to Council.	Feb 17			KC	F
Blue Badge	Feb 16	Report on issues of blue badge charging	July 16	Mar 17	Y	MM	TS&EM

Report Title	Ref (Note 1)	Outline/Reason for Report/Comments	Original Due Date	Revised Due Date	Key Decision Y?	Cabinet Member (Note 2)	Service (Note 3)
Budget Monitoring	Quarterly	Quarterly Budget Monitoring	Mar 17 Sept 17 Nov 17			KC	F
On Street Parking	Aug 16	Consideration of on-street parking issues	Jan 17	Mar 17	Y	SF	TS&EM
Waste Retender	Aug 16	Approval of the procurement	Feb 17	Mar 17	Y	SF	TS&EM
Making of Winchfield Neighbourhood Plan	April 16	Recommendation to Council	Dec 16	Mar 17		SP	PP
Service Plans	Annual	Service Plans 2017/18	April 17			BB	All
Food Safety Service Plan	Annual	For approval	June 17			JK	RS
Suitable Alternative Natural Green Space (Sang)	May 16	Annual Monitoring report	June 17			SP	PP
Outside Bodies	Annual	To confirm representatives on Outside Bodies	June 17			SP	JCX
Medium Term Financial Outlook	Annual	Review	Aug 17			KC	F
Revenue and Capital Outturn 2016/17	Annual	Report on outturn.	Aug 17			KC	F
Treasury Management 2016/17	Annual	Report on Treasury Management Activities 2016/17.	Aug 17			KC	F
Car Parking Maintenance Review	Dec 15	Overview of how we are maintaining our car parks and how we effectively make use of our resources	Mar 16	TBC		MM	TS&EM
Treasury Management Strategy	Nov 16	Half Year Review 2017/18	Dec 17			KC	CCS

Report Title	Ref (Note 1)	Outline/Reason for Report/Comments	Original Due Date	Revised Due Date	Key Decision Y?	Cabinet Member (Note 2)	Service (Note 3)
Odiham Neighbourhood Plan	Nov 15	Response to submission documents	TBC			SP	PP
Local Plan Submission Plan	June 16	Consideration of Submission plan	TBC			SP	PP
Devolution	Mar 16	Hampshire Devolution - progress/ approval	TBC			SP	JCX

Notes:

1 Date added to Programme

2 Cabinet Members

SP Leader & Planning Policy

KC Economic Development

BB Corporate Services

SG Housing

AC Community Wellbeing

JK Regulatory Services

SF Environment

MM Town Regeneration

3 Service:

JCX Joint Chief Executive

CS Community Safety

F Finance

SLS Shared Legal Services

HS Housing Services

CCS Corporate Services

PP Planning Policy

MO Monitoring Officer

RS Regulatory Services

L&EP Leisure and Environmental Promotion

TS &EM Technical Services and Environmental Maintenance

EXECUTIVE DECISIONS - None

CABINET

Date and Time: 5 January 2017 at 7pm

Place: Council Chamber, Civic Offices, Fleet

Present:

COUNCILLORS

Burchfield, Crampton, Crookes, Forster, Gorys, Kennett, Morris, Parker (Chairman)

In attendance: Cllrs Axam, Cockerill, Dickens, Oliver, Neighbour, Radley (James)

Officers:

Patricia Hughes	Joint Chief Executive
Daryl Phillips	Joint Chief Executive
Phil Turner	Head of Community Services

92 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of 1 December 2016 were confirmed and signed as a correct record.

Item 88, point 9 of the decision – a meeting had taken place to look at the criteria for good causes, which the Chairman of Overview and Scrutiny had approved. There appeared to be some delay on gaining the respective licences for the lottery, thus taking slightly longer than anticipated.

93 APOLOGIES FOR ABSENCE

None received.

94 CHAIRMAN'S ANNOUNCEMENTS

The Leader wished everyone a Happy New Year. The Leader also announced that Cabinet would defer item 105, the Update on the Creation of the Hart Trading Company. Further investigations were underway, including a visit to another Council who had taken this route. The report would therefore be deferred to a future meeting.

95 DECLARATIONS OF INTEREST

None declared.

96 PUBLIC PARTICIPATION (ITEMS PERTAINING TO THE AGENDA)

None.

97 LOCAL PLAN STEERING GROUP

The minutes of the meetings of the Local Plan Steering Group meetings of 29 November 2016 and 13 December 2016 were noted.

With regard to the minutes of the meeting dated 13th December;

– A question was raised on point 1.3 of the minutes related to the testing of a new settlement. However, this had been part of an earlier resolution. The Leader responded that testing is a continual process as further information becomes available to us. The officers had tested a new settlement option, however officers had been asked to benchmark against work already completed for this site.

– A question was raised on point 1.2 of the minutes with regard to further clarification and the methodology of the affordable housing uplift. The Joint Chief Executive advised that a briefing paper was being prepared on this topic and a Members' group had been specifically created to consider this issue.

- A question was raised on the implications for timescales for delivery of the local plan, as further work was needed on the affordable uplift and testing of a new settlement. The set back could amount to 4-6 weeks.

- A question was raised regarding the final bullet point in 1.1 as it was understood that Officers would support each of the four options. In response, officers had stated that each of the options were deliverable but no commentary was provided as to soundness of these options.

98 HEALTH AND WELLBEING BOARD

The minutes of the meeting of 8 December 2016 were noted.

99 LEISURE CENTRE WORKING GROUP

The minutes of the meeting of 13 December 2016 were noted.

100 COUNCIL TAX SUPPORT SCHEME 2017/18

Members considered the recently completed public consultation, with a view to determining a Council Tax Support Scheme for 2017/18.

DECISION

Not to proceed with a new Council Tax Support scheme and that the existing Council Tax Support Scheme be continued.

101 FLEET BUSINESS IMPROVEMENT DISTRICT

Cabinet agreement was sought as to how to vote in the forthcoming Fleet Business Improvement District (BID) ballot, considering the commitments in relation to the

operating process and baseline agreement of services that form part of the BID process.

Members considered and debated:

- the cost of the election per business,
- whilst recognising the positive business case for the BID, that there needs to be strong commitment and buy in from the businesses as it does add an additional burden of the additional business rates
- The ability to recoup the election and levy costs
- The number of votes that the Council has and whether this means financial implications are increased.

DECISION

- 1 The Joint Chief Executive be authorised to vote 'yes' on behalf of the Council in the BID ballot;
- 2 The indicative content of the Draft Operating Agreement and Schedules, as set out in Appendices 1 and 2 are noted, and delegated authority be given to the Portfolio Holder for Economic Development and Corporate Finance working in conjunction with officers to finalise the details of the Operating Agreement and Baseline Services;
- 3 The addition to the 2016/17 budget of £2,804 (current estimate) to provide for payment of the council BID levy in the event of a 'yes' vote and £1,625 to cover the Ballot Cost (appointment of external ballot company) be approved;
- 4 In the event of a 'yes' vote, the Portfolio Holder for Town and Village Regeneration be nominated as the Council's BID Board representative.
- 5 The Council will seek to recoup all costs associated with the ballot and levy, where possible.

102 BRAMSHOT FARM SANG

Cabinet were updated on the latest position with regard to the procurement of Bramshot Farm as a SANG and the next stages set out. Members sought clarification and gained confirmation on:

- The full cost of the SANG would be met by the loan
- The SANG would provide capacity to provide over 1600 houses
- That it does not compel or pressurize the Council to build houses, but through careful control, does facilitate a range of developments already anticipated both in Hart and Rushmoor
- The opportunities to further expand the SANG capacity in the areas adjacent to the land is under consideration
- That the Council could, in compliance with the requirements of Natural England, pre-allocate SANG for development and then reallocate to alternative SANG provision, as it comes on line

- The level of information required to allow for pre-allocation and re-allocation of such SANG capacity will be substantive to ensure effective use of each allocation.

DECISION

- I The Joint Chief Executive be authorised to:
 - I.1 Agree the final Heads of Terms for the purchase of Bramshot Farm
 - I.2 Complete the purchase
 - I.3 Draw down the full interest free loan offered by the LEP to cover all associated costs.

- 2 The Joint Chief Executive be authorised to immediately draw down the use of the advance LEP £150k interest free loan allocation to cover the cost of initial work already spent on developing the project and to use the remaining advance LEP funds to cover all future work associated with the advance delivery of the project including the procurement of project management advice, as well as instructing WYG to secure planning permission and to prepare an initial SANG management plan.

- 3 The Capital works required to deliver the SANG be included in the Council's Capital Programme.

103 UPDATE ON USE OF S106 EDUCATION CONTRIBUTIONS

Members considered the report, which aimed to bring to conclusion the outstanding issues with regard to S106 Education contributions that are held by Hart. Cabinet initially considered this matter on 6 October 2016 and the report addressed recommendations B, C, and D of the October report.

Members sought and gained clarification that:

- the reference in the letter from Brandon Lewis, to accommodating existing demand for school places is the responsibility of Hampshire County Council, not Hart District Council.
- That funding received is used for provision within the district now and in the future. Confirmation was given that as a signatory, Hampshire County Council would be party with developers and would have to be able to prove to that developer, how the project directly delivered education provision for that site in accordance with the CIL regulations. In addition changes to the collection methodology (from the 1st April 2016) and the methodology as identified in the October report means that future agreements must stipulate exactly where provisions will be spent (with a maximum of funds from 5 developments per project).

- The proposed protocol is to enable a working relationship to be developed with HCC to secure future educational infrastructure associated with new development. It cannot however be drafted to fetter the discretion of the District Council acting as local planning authority.
- This protocol would set the ground rules and principles, Planning Committee may need to consider this in more detail should a development proposal require delivery of education outside the district, on a case by case basis.

DECISION

- 1 Standing Order 18.6 in relation to recommendations B, C, and D of the October 2016 Cabinet report be suspended in accordance with Standing Order 24;
- 2 The decisions made on recommendations B, C, and D contained in the 6 October 2016 Cabinet report: S106 Education Developer Contributions Developer Contribution Funds, be withdrawn.
- 3 That the following be agreed:
 - a All existing and future S106 developers contributions funds secured by Hart District Council on behalf of Hampshire County Council for educational purposes be paid over to the County Council;
 - b No S106 developer contributions funds secured by Hart District Council for educational purposes shall be retained or used by the District Council for any purposes associated with the future of the site of the current Hart Leisure Centre; and
 - c Hampshire County Council be invited to be signatories on any education related matters to be secured through S106 Planning Obligations; and
 - d Officers work with Hampshire County Council to draw up a suitable working Protocol for the County Council involvement in S106 Agreements emphasizing that any education contributions must be used for developments within the district and that this protocol be considered by Cabinet for approval.

104 EXCLUSION OF THE PUBLIC

DECISION

Item 105 was deferred and no exclusion decision was taken.

**I05 UPDATE ON CREATION OF HART TRADING COMPANY
DECISION**

That the item be deferred to a future meeting.

I06 CABINET WORK PROGRAMME

The Cabinet Work Programme was considered and amended.

The meeting closed at 8.30 pm