



SUMMONS

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE HART DISTRICT COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, HARLINGTON WAY, FLEET ON THURSDAY 28 NOVEMBER 2019 AT 7.00 PM

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 At the start of the meeting, the Lead Officer will confirm the Fire Evacuation Procedure.**
- 2 The Chairman will announce that this meeting may be recorded and that anyone remaining at the meeting has provided their consent to any such recording – please see our protocol on [Attending and Reporting Meetings](#).**

1 MINUTES OF PREVIOUS MEETING

To confirm the Minutes of the Council Meeting held on 26 September 2019.
Paper A

2 APOLOGIES FOR ABSENCE

3 DECLARATIONS OF INTEREST

To declare disclosable pecuniary, and any other, interests.

4 PRESENTATION – MEN’S SHED

Alan Walker, Chairman, Church Crookham and Fleet Men’s Shed to present.

5 COUNCIL PROCEDURE RULE 12 – QUESTIONS BY THE PUBLIC

To receive any questions from members of the public submitted pursuant to Council Procedure Rule 12.

*Note: The text of any question under Council Procedure Rule 12 must be given to the Chief Executive not later than **Noon on Friday, 22 November 2019.***

6 COUNCIL PROCEDURE RULE 14 – QUESTIONS BY MEMBERS

To receive any questions from Members submitted pursuant to Council Procedure Rule 14.

*Note: The text of any question under Council Procedure Rule 14.3 must be given to the Chief Executive not later than **5.00 pm on Monday, 25 November 2019.***

*The text of any question under Council Procedure Rule 14.4 must be submitted to the Chief Executive before **10.00 am on Thursday, 28 November 2019.***

7 CHAIRMAN’S ANNOUNCEMENTS

8 CABINET MEMBERS’ ANNOUNCEMENTS

9 CHIEF EXECUTIVE’S REPORT

10 MINUTES OF COMMITTEES

The Minutes of the following Committees, which met on the dates shown, are submitted.

In accordance with Council Procedure Rule 14.1, Members are allowed to put questions at Council without Notice in respect of any matters in the Minutes to the Leader of the Council or any Chairman of the relevant meeting at the time those Minutes are received by Council.

Meeting	Date	Page Numbers	For Decision
Overview and Scrutiny	17 September 2019		
Overview and Scrutiny (draft)	15 October 2019		
Cabinet	3 October 2019		
Cabinet (draft)	7 November 2019		Minute 71 - Garden Community Programme (Recommendation 8)
Licensing (draft)	5 November 2019		Minute 16 - Taxi Policy
Planning	9 October 2019		
Planning (draft)	13 November 2019		

11 FLEET AND HARTLEY WINTNEY NEIGHBOURHOOD PLANS – BRINGING INTO LEGAL FORCE

Following positive referendum results for the Fleet and Hartley Wintney Neighbourhood Plans, the purpose of this report is to bring the Plans into legal force to form part of the statutory development plan for Hart District. **Paper B**

RECOMMENDATION

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

12 OUTSIDE BODIES - FEEDBACK FROM MEMBERS

To receive any updates from Members who are representatives of the Council on an Outside Body.

Date of Despatch: 19 November 2019

COUNCIL

Date and Time: Thursday, 26 September 2019 at 7.00 pm

Place: Council Chamber, Civic Offices, Fleet

Present:

COUNCILLORS –

Wheale - (Chairman)

Ambler	Davies	Neighbour
Axam	Delaney	Oliver
Bailey	Dorn	Quarterman
Blewett	Drage	Smith
Butler	Farmer	Southern
Clarke	Forster	Tomlinson
Cockarill	Harward	Wildsmith
Collings	Kennett	Worlock
Crampton	Kinnell	Wright
Crisp	Lamb	
Crookes	Makepeace-Browne	

In attendance: Fiona Eastman, Co-Founder, Victoria's Promise

Officers Present:

Daryl Phillips	Joint Chief Executive
Sabrina Cranny	Committee Services

24 MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting held on 25 July 2019 were confirmed and signed as a correct record.

Councillor Forster referred to Councillor Kinnell's announcement discussing Hart's 2019 Air Quality Status Report in section 19. Councillor Kinnell explained there are no longer measurements of particulates as it isn't monitored anymore. There is no specific statutory or requirement to monitor and measure particulates. It is very expensive to monitor so HCC removed it as a budget cut.

25 APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor Radley.

26 DECLARATIONS OF INTEREST

No declarations were made.

27 PRESENTATION BY VICTORIA'S PROMISE

Fiona Eastman, Co-Founder of Victoria's Promise, gave members an overview of the work of the Charity, chosen as a Chairman's Charity for the year.

The charity aims to support and empower young women diagnosed with cancer. Support is available from the point of diagnosis within the Oncology department at Basingstoke hospital. The charity looks to raise £100K per hospital. There are nine volunteers and two paid employees.

Women are offered oncology massages, counselling, chemotherapy beauticians and physical exercise. Families can also expect help in the form of house cleaning, childcare and counselling.

Members thanked Ms Eastman for her information.

28 COUNCIL PROCEDURE RULE 12 – QUESTIONS BY THE PUBLIC

Questions were received from Mr David Turner, details of which are set out in Appendix A attached to these Minutes.

29 COUNCIL PROCEDURE RULE 14 – QUESTIONS BY MEMBERS

No questions were received.

30 CHAIRMANS ANNOUNCEMENTS

The Chairman had attended the following events on behalf of the Council.

5 September	RAF Odiham Annual Reception at Officers' Mess
10 Sept	#LoveBasingstoke Day – Laverstoke Park Farm
11 Sept	Mayor Fareham Civic Day, Civic Offices, Fareham
15 September	Edenbrook Opening event
22 September	Church Crookham & Fleet Men's Shed Official Opening,

The Vice Chairman attended the following events on behalf of the Council:

16 August	Odiham Art Group Annual Art Exhibition Private View, Robert May's School
22 September	Mayor Fareham Annual Civic Church Services, Fareham

Councillor Worlock attended the Hampshire & Isle of Wight Village of the Year competition. Hook village won the following awards:

- Excellence in Community Engagement
- Inspirational Individual
- Highly Commended
- Overall Village

31 CABINET MEMBERS ANNOUNCEMENTS

The Leader of the Council, **Councillor Neighbour**, announced:

"I would like to confirm that we have secured Lord Taylor of Goss Moor as a guest to speak to us and hold a Q&A session on Garden Communities. Lord Taylor is the Chair of the Carglaze Garden Village Strategic Board in Cornwall. The session will start at 7.30pm on Wednesday 23rd October, here in the Council Chamber. Formal invitations will go out in my name tomorrow."

The Cabinet Member for Digital, **Councillor Ambler**, announced the new Change and Digital Manager had started.

A question was asked on the acceptance of e-petitions. Under the Constitution this was not possible at present

The Cabinet Member for Place, **Councillor Cockarill**, announced:
I would like to update Full Council on the progress of the Local Plan Examination. The timetable for the adoption of the Plan is now totally within the hands of the Inspector. There is little more that we can do for the time being as the Inspector is considering the responses to the recent consultation on the various modifications that we had agreed with him.

However, he has indicated that he believes that he will have his report ready for the end of November. We are therefore suggesting to Councillors that subject to a good report, we provisionally look to do an all Councillor briefing on the reserved 12 December Council date, Cabinet on 2 January, and Full Council for adoption on 30 January 2020. Members may wish to note this provisional timetable in their diaries.

The Portfolio Holder was asked as to a specific date by which the Local Plan would be adopted, and the possible need for an additional Council meeting. Councillor Cockarill responded that dates would be circulated as soon as possible.

The Cabinet Member for Regulatory, **Councillor Kinnell**, reported that the Gemco convenience store in Blackwater has had its premises licence revoked following a repeated lack of due diligence under the Licensing Act 2003, along with a failure to comply with the Immigration Act of 2016.

On Friday 6 September, a Licensing sub-committee review hearing had been held. Gemcos' licence, which permitted the sale of alcohol, was removed following a repeated failure of duties to operate compliantly. Hart's Environmental Health team also found out of date food on several occasions at the premises and as a result the business was issued with a Hygiene Improvement Notice and a Simple Caution Certificate.

In June 2018 it was believed that the business had been employing a member of staff that had been sleeping in the store room. The Council worked alongside Hampshire Police and back in August the Home Office Immigration team visited the premises and arrested one immigration offender.

Gemco has 21 days from 6 September to appeal the decision to the Magistrates Court to have their licence reinstated. If it chooses not to, then it must remove all alcohol products from its premises. It is unacceptable for licensed premises to not comply with the law and follow the rules set out in the Licensing Act. Removing a licence is always the last resort, but we need to make sure we are protecting the public from unlawful activities.

I would like to take this opportunity to thank the licensing team for their continued hard work on this case.” A press release will of course be issued in due course.

The Cabinet Member for Commercialisation, **Councillor Quarterman**, reported the new Commercialisation Manager had started.

32 JOINT CHIEF EXECUTIVES’ REPORT

The Joint Chief Executive attended an event held by Berkeley Homes on its Apprenticeship Scheme with a focus on Hartland Park. Consequently Berkeley Homes would be invited to present on the scheme to either Overview & Scrutiny Committee or Council.

33 MINUTES OF COMMITTEES

Meeting	Date
Overview and Scrutiny No questions asked.	16 July 2019
Overview and Scrutiny After a query it was confirmed that Capita had circulated the KPIS.	20 August 2019
Audit Committee (draft) After a query on Capita resourcing, it was confirmed that two accountants were being recruited on a six month contract.	30 July 2019
Licensing Committee (draft) No questions asked.	6 August 2019
Cabinet No questions asked.	1 August 2019
Cabinet (draft)	5 September 2019
Minute No 48 - Hart District Council Vision Councillor Neighbour put the recommendation.	
RESOLVED That the Hart Vision 2040 be adopted.	
Planning Committee (draft) No questions asked	11 September 2019

34 OUTSIDE BODIES - FEEDBACK FROM MEMBERS

Councillor Collings reported on his work with the Military Covenant. An information and training session had been run by Forces Connect South East on 18 September. There was the possibility that a veterans hub and breakfast club would be set up to bring people together.

35 DOGMERSFIELD NEIGHBOURHOOD PLAN – BRINGING INTO LEGAL FORCE

Following a positive referendum result for the Dogmersfield Neighbourhood Plan, Members were asked to bring the Neighbourhood Plan into legal force to form part of the statutory development plan for Hart District.

Councillor Crookes and Councillor Neighbour congratulated Dogmersfield Parish on their Neighbourhood Plan.

DECISION

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

The meeting closed at 8.07pm

COUNCIL PROCEDURE RULE 12

QUESTIONS BY THE PUBLIC

Questions had been received from Mr David Turver:

1) In a paper to O&S and Cabinet late last year, it was envisaged that Hart would seek external resources to support the new settlement project from site promoters. Page 10 of the paper put to O&S about the Shapley Heath Garden Village (SHGV) shows the logos of HDC, Gallagher and Lightwood. Can you explain:

a. What is the nature of the relationship between HDC and the developers now?

Response: There is no formal relationship – we have met once since acceptance into the Garden Community Programme was announced and that was to enable Patricia Hughes, JCX who has not met all the parties to actually meet them.

b. How the promoters/developers are providing financial, resource or other support to the SHGV project?

Response: At this point in time they are not providing any such support. The Cabinet report outlines potential future funding streams in paragraph 7.5 which includes a wide range of options.

c. What structures are being used to oversee the cooperation (e.g. Company, LLP or other)?

d.

Response: The terms of reference for the governance arrangements are in the public domain for consideration by Cabinet on the 3rd October. No other structures are in place.

Mr Turver asked a supplementary question: Is it lawful to squander £150K of public money on a project where you no longer have the cooperation of developers and no arms-length structure to govern the relationship?

Councillor Cockarill responded that Hart had taken legal advice and are content with the way we are proceeding. Future governance arrangements of the scheme as it develops could change, and Hart would then be considering the best way of looking after public funds.

2) It is said that the General Power of Competence (GCP) is designed to enable local authorities to 'do anything that individuals generally may do'. Individuals certainly would not be allowed to pursue new developments outside of the Local Plan or wider planning process. Can you explain:

- a. Whether you have had received legal advice to confirm that it is appropriate to pursue SHGV under the GCP?
- b. The general thrust of that advice?

Response: Legal advice is subject to Legal Privilege, i.e. Councils are not required to share this information. Suffice to say, the Council is confident in its approach to involvement in the Garden Community programme.

Mr Turver asked a supplementary question: What are the risks that spending money on one development option, without considering alternatives amounts to predetermination?

Councillor Cockarill responded that schemes in the garden village community programme do not have guaranteed planning permission. In the future Hart would have to consider a wide range of options on how to meet its housing needs post 2032, so spending the money in no way prevents Hart from looking at other options in the future.

- 3) Appendix 3 of the SHGV paper to O&S shows proposed spend of £30K on land value/equalisation issues. Can you please explain:
 - a. What will the deliverable look like?
 - b. Who will benefit from the deliverable?

Response: To create a garden community you must have a vision and the ability to deliver against that vision. Ascertaining land value and any equalisation agreements in place will help all the stakeholders understand whether a garden community is deliverable.

Mr Turver asked a supplementary question: What are the risks that spending public money to benefit developers and landowners with deep pocket amounts to state aid?

Councillor Cockarill responded that if the project ultimately was not viable, then it would not go forward so the developers would not get any compensation because they have not been developing the site. The background work is done by Hart to make sure it is financially viable.

COUNCIL

DATE OF MEETING: 28 NOVEMBER 2019

**TITLE OF REPORT: FLEET AND HARTLEY WINTNEY
NEIGHBOURHOOD PLANS – BRINGING INTO
LEGAL FORCE**

**Report of: Corporate Strategy and Policy Development
Manager**

Cabinet member: Councillor Graham Cockarill, Place

I PURPOSE OF REPORT

1.1. Following positive referendum results for the Fleet and Hartley Wintney Neighbourhood Plans, the purpose of this report is to bring the Plans into legal force to form part of the statutory development plan for Hart District.

2 RECOMMENDATION:

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

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

3 BACKGROUND

3.1 The Council designated Neighbourhood Areas for the purposes of neighbourhood planning for Fleet and Hartley Wintney on 15 April 2015 and 2 October 2014 respectively. Both Fleet Town Council and Hartley Wintney Parish Council as the qualifying bodies submitted their respective Plans and supporting documents to the Council in January 2019.

3.2 Consultation on the submission Plans took place between January – March 2019. The Council, with the consent of each local Council appointed an independent examiner to undertake the neighbourhood plan examinations and consider whether they should proceed to referendum. The Examiners Reports for each Plan recommended that, subject to a number of modifications required to ensure the Plans met the required basic conditions as set out in legislation, the Plans should proceed to referendum. Cabinet agreed to these modifications and for both Plans to proceed to referendum in July (Hartley Wintney) and August (Fleet) 2019.

3.3 Local referendums were held for both Plans on 7 October 2019. The referendum asked the following statutory question:

Do you want Hart District Council to use the Neighbourhood Plan for [Fleet] [Hartley Wintney] Neighbourhood Planning Area to help it decide planning applications in the neighbourhood area?

3.4 The referendum results were as follows:

Fleet - 2294 (77%) of the 2975 electors who voted (valid votes) were in favour of the Plan.

Hartley Wintney – 1079 (92%) of the 1178 electors who voted (valid votes) were in favour of the Plan.

4 'MAKING' OF THE NEIGHBOURHOOD PLANS

4.1 Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Council to 'make' a Neighbourhood Plan if more than half of those voting in a referendum have voted in favour of the Plan being used to help decide planning applications in the area. The Council is not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

4.2 More than half of those voting for both the Fleet and Hartley Wintney Neighbourhood Plans voted in favour of the Plans being used to help decide planning applications. It is not considered that either Plan, including their preparation, breaches or is incompatible with, any EU obligation or any of the Convention rights. The Plan must be therefore be 'made' by the Council.

4.3 The Neighbourhood Planning (General) Regulations 2012 (as amended) requires the Council to then, as soon as possible after deciding to make a Neighbourhood Development Plan, publish a statement setting out the decision and details of where and when the decision statement may be inspected. The Fleet Neighbourhood Plan Decision Statement is attached as Appendix A, and the Hartley Wintney Neighbourhood Plan Decision Statement at Appendix B.

4.4 The final versions of the Neighbourhood Plans can be viewed at www.hart.gov.uk/fleet and <https://www.hart.gov.uk/hartley-wintney>.

5 NEXT STEPS

5.1 The Neighbourhood Plans will be published on the Council's website along with relevant supporting information including the Decision Statements. Notification of the decision will also be sent to Fleet Town Council and Hartley Wintney Parish Council as the Qualifying Bodies and to all those who have requested to be notified.

5.2 Once 'made', the Plans have full weight as part of the development plan for Hart District in relation to the determination of planning applications in Fleet and in Hartley Wintney.

Contact Details:

Katie Bailey, Corporate Strategy and Policy Development Manager, Katie.bailey@hart.gov.uk

APPENDICES

Appendix A – Fleet Neighbourhood Plan Adoption Decision Statement

Appendix B – Hartley Wintney Neighbourhood Plan Adoption Decision Statement

APPENDIX A - Fleet Neighbourhood Plan Adoption Decision Statement

Hart District Council
Fleet Neighbourhood Development Plan 2018 - 2032
Neighbourhood Plan Decision Statement

Published pursuant to the Localism Act 2011 Schedule 38A(9) and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

1. Summary

- 1.1 In accordance with the above regulations and following a positive referendum result, Hart District Council has made the Fleet Neighbourhood Plan (“the Plan”) part of the Development Plan at a Council meeting on [28 November 2019].
- 1.2 This document sets out the Council’s considerations and formal decision in bringing the Fleet Neighbourhood Plan into legal force following the successful local referendum held on 7 October 2019.

2. Background

- 2.1 The Fleet Neighbourhood Plan Area was designated by Hart District Council on 15th April 2015, under the Neighbourhood Planning (General) Regulations (2012), which came into force on 6 April 2012.
- 2.2 The Fleet Neighbourhood Plan was submitted to Hart District Council on 2 January 2019. The Regulation 16 consultation took place between January and March 2019 whereby the Plan was publicised and comments were invited from the public and stakeholders.
- 2.3 Hart District Council appointed an Independent Examiner; Andrew Ashcroft, to review whether the Plan met the basic conditions required by legislation and whether the plan should proceed to referendum.
- 2.4 The Examiner’s Report concluded that subject to the modifications in the examiner’s report, the Plan meets the Basic Conditions, and the plan should proceed to referendum.
- 2.5 A referendum was held on 7 October 2019. 77% of those who voted (valid votes) were in favour of the plan.

3. Decision and reasons

- 3.1 Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended requires that the Council must make the neighbourhood plan if more than half of those voting have voted in favour of the plan. The Council is not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).
- 3.2 The referendum held on 7 October 2019 met the requirements of the Localism Act 2011, it was held in the town of Fleet and posed the statutory question: 'Do you want Hart District Council to use the Neighbourhood Plan for Fleet Neighbourhood Planning Area to help it decide planning applications in the neighbourhood area'.
- 3.3 The referendum count took place on 8 October 2019 and greater than 50% of those who voted were in favour of the plan being used to help decide planning applications in the Plan area.
- 3.4 The Council has assessed that the Plan including its preparation does not breach, and would not otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). The Plan preparation process was compliant with legal and procedural requirements and more than half of those who voted in the referendum, voted in favour of making the Plan.
- 3.5 The Council decided at the [Council meeting on 28 November 2019] to make the Fleet Neighbourhood Plan 2018-2032, part of the Development Plan for Hart District.

4. Other Information

- 4.1 In accordance with Regulation 19(b) of the Regulations, a copy of this Decision Statement will be sent to:
- The qualifying body, namely, Fleet Town Council
 - The persons who asked to be notified of the decision.
- 4.2 The Decision Statement, the Fleet Neighbourhood Plan and relevant documents can be viewed on the Councils website at www.hart.gov.uk/Fleet and the Town Council website at <http://www.fleet-tc.gov.uk/> and in hard copy at Hart District Council Offices, Harlington Way, Fleet during normal opening hours.

Hart District Council
28 November 2019

APPENDIX B - Hartley Wintney Neighbourhood Plan Adoption Decision Statement

Hart District Council

Hartley Wintney Neighbourhood Development Plan 2017 - 2032

Neighbourhood Plan Decision Statement

Published pursuant to the Localism Act 2011 Schedule 38A(9) and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

1.0 Summary

- 1.1 In accordance with the above regulations and following a positive referendum result, Hart District Council has made the Hartley Wintney Neighbourhood Plan (“the Plan”) part of the Development Plan at a Council meeting on [28 November 2019].
- 1.2 This document sets out the Council’s considerations and formal decision in bringing the Hartley Wintney Neighbourhood Plan into legal force following the successful local referendum held on 7 October 2019.

2.0 Background

- 2.1 The Hartley Wintney Neighbourhood Plan Area, covering the whole of the Parish, was designated by Hart District Council on 2nd October 2014, under the Neighbourhood Planning (General) Regulations (2012), which came into force on 6 April 2012.
- 2.2 The Hartley Wintney Neighbourhood Plan was submitted to Hart District Council on 8 January 2019. The Regulation 16 consultation took place between January and March 2019 whereby the Plan was publicised and comments were invited from the public and stakeholders.
- 2.3 Hart District Council appointed an Independent Examiner; Andrew Ashcroft, to review whether the Plan met the basic conditions required by legislation and whether the plan should proceed to referendum.
- 2.4 The Examiner’s Report concluded that subject to the modifications in the examiner’s report the Plan meets the Basic Conditions, and should proceed to referendum.
- 2.5 A Referendum was held on 7 October 2019. 92% of those who voted (valid votes) were in favour of the plan.

3.0 Decision and reasons

- 3.1 Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended requires that the Council must make the neighbourhood plan if more than half of those voting have voted in favour of the plan. The Council is not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).
- 3.2 The referendum held on 7 October 2019 met the requirements of the Localism Act 2011, it was held in the Parish of Hartley Wintney and posed the statutory question: 'Do you want Hart District Council to use the Neighbourhood Plan for Hartley Wintney Neighbourhood Planning Area to help it decide planning applications in the neighbourhood area'.
- 3.3 The count took place on 8 October 2019 and greater than 50% of those who voted were in favour of the plan being used to help decide planning applications in the Plan area.
- 3.4 The Council has assessed that the Plan including its preparation does not breach, and would not otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). The Plan preparation process was compliant with legal and procedural requirements and more than half of those who voted in the referendum, voted in favour of making the Plan.
- 3.5 The Council decided at the [Council meeting on 28 November 2019] to make the Hartley Wintney Neighbourhood Plan 2017-2032, part of the Development Plan for Hart District with immediate effect.

4. Other Information

- 4.1 In accordance with Regulation 19(b) of the Regulations, a copy of this Decision Statement will be sent to:
- The qualifying body, namely, Hartley Wintney Parish Council
 - The persons who asked to be notified of the decision.
- 4.2 The Decision Statement, the Hartley Wintney Neighbourhood Plan and relevant documents can be viewed on the Councils website at www.hart.gov.uk/hartley-wintney and the Parish Council website at <http://www.hartleywintney.org.uk/> and in hard copy at Hart District Council Offices, Harlington Way, Fleet during normal opening hours.

Hart District Council

28 November 2019

COUNCIL

Date and Time: Thursday, 28 November 2019 at 7.00 pm

Place: Council Chamber, Civic Offices, Fleet

Present:

COUNCILLORS –

Wheale - (Chairman)

Ambler	Davies	Neighbour
Axam	Delaney	Oliver
Bailey	Dorn	Quarterman
Blewett	Drage	Radley
Butler	Farmer	Smith
Clarke	Forster	Tomlinson
Collings	Kennett	Wildsmith
Crampton	Kinnell	Worlock
Crisp	Lamb	Wright
Crookes	Makepeace-Browne	

Officers Present:

Patricia Hughes	Joint Chief Executive
Daryl Phillips	Joint Chief Executive
Gill Chapman	Committee Services

36 MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting held on 26 September 2019 were confirmed and signed as a correct record.

37 APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Cockarill, Harward and Southern.

38 DECLARATIONS OF INTEREST

No declarations were made.

39 PRESENTATION – MEN'S SHED

Allan Walker, Chairman, Church Crookham and Fleet Men's Shed, gave a presentation to Members. Men's Shed are a large version of the shed at the bottom of the garden, a creative space to work on projects, community or personal, sharing skills, knowledge and friendship, a place of leisure where men can come together to

work. The main focus is trying to help other charitable groups, working from a large wooden shed at Crookham Park, with containers on-site enabling further storage and working space. Future plans included looking to include local veterans to get involved.

Though mainly men the Shed is inclusive, with anyone over the age of 18 welcome with or without skills, and Church Crookham and Fleet had had a female member since its inception. Examples of work included nesting boxes, hedgehog boxes, and silent soldiers for the Royal British Legion.

Members asked about sales and fundraising and the Yateley and Hook Men's sheds.

Members were invited to visit the Men's Shed at any time to meet members and see their work, and Members thanked Allan for his presentation.

40 COUNCIL PROCEDURE RULE 12 – QUESTIONS BY THE PUBLIC

Questions had been received from Mr David Turver, details of which are set out in Appendix A attached to these Minutes. In Councillor Cockarill's absence, it was agreed that he would give a written response which would also be circulated to Members. Mr Turver would be allowed to ask any supplementary questions at the January Council meeting.

41 COUNCIL PROCEDURE RULE 14 – QUESTIONS BY MEMBERS

Questions put by Councillors are detailed in Appendix B attached to these Minutes. In Councillor Cockarill's absence, it was agreed that he would give a written response which would also be circulated to Members.

42 CHAIRMANS ANNOUNCEMENTS

The Chairman had attended the following events on behalf of the Council.

17 October	Opening by Lord Lieutenant of new Invictus building at Robert May's School, Odiham
22 October	Community Safety Team Awards at Farnborough College of Technology
26 October	East Hants Civic dinner/Comedy Night at Rake Village Hall, Liss
23 November	Visit to Fleet Lions and Fleet Rotary

The Vice-Chairman had attended:

13 October	Mayor Winchester Law Sunday Service, Winchester Cathedral
10 November	Remembrance Day Parade Fleet

Councillor Butler attended the Remembrance Day Service at Church Crookham.

Councillor Kennett added that following the parade in Fleet on Remembrance Sunday he had received a letter of thanks from Air Commodore Tyack, President of the Royal British Legion. Councillor Kennett particularly thanked the licensing,

parking and business support departments for their contribution to the success of the day.

The Chairman congratulated Hook Parish Council on their success at the Hampshire Association of Local Council's Annual General Meeting, winning Glass Trophy for the Best Use of Social Media by a Hampshire Local Council 2019, runner-up for Best Council website, and runner-up for Anne Atkins as Best Council Clerk in Hampshire 2019.

Members were informed that the Fleet Christmas Festivities on 27 November were very successful, and the Chairman particularly thanked Sue Tilley and her team from Fleet Town Council for their hard work.

The Chairman announced that she would be holding the Chairman's Dinner on 24 January 2020 at the Harlington Centre. With a 1920's theme, invitations would be going out imminently and she hoped the Members would support it.

43 CABINET MEMBERS ANNOUNCEMENTS

The Cabinet Member for Finance and Corporate Services, **Councillor Radley**, reported:

This weekend our Taxi Marshal pilot starts – there will be 2 marshals from 00:00 – 04:00 on the rank by Moo Moos, coordinating the queue, passengers and taxis in an effort to assist in the safe dispersal of patrons, as well as improve safety of all involved! Thanks go to Fleet BID who are part funding this, with the rest coming from Community Safety.

Additionally - Community Safety are holding crime prevention roadshows in the run up to Christmas – they will be in the Hart Shopping Centre on 13 December from 11:00 – 13:00 along with Trading Standards and hopefully the Police.

The Cabinet Member for Community, **Councillor Bailey**, reminded Members that earlier this year Cabinet had approved the purchasing of a property for a resident with severe disabilities. The completion on a property was scheduled for early December, and it would take several months to adapt and will be ready for occupancy early spring. The proposed occupant is delighted.

The Cabinet Member for Regulatory, **Councillor Kinnell**, reported:

The public consultation on the proposed Dog Fouling PSPO has now concluded and on Monday, I met with Katie Bailey and Keith Holland to run through the responses that we received.

Since the PSPO is a key decision for Cabinet, it will need to be advertised as such. The original date for consideration by Cabinet was 2nd January, however, the deadlines for the run up to Cabinet are somewhat shortened due to Christmas and the New Year breaks. So, after discussion with the officers, I have agreed to push this forward to February, thereby giving them more time for proper assessment of the results and preparation of the Cabinet report.

44 JOINT CHIEF EXECUTIVES' REPORT

The Joint Chief Executives' reported that:

- A Standards Committee would be arranged to discuss, amongst other things, the process and procedures of the allegations against Councillors, and a review of the Petitions Scheme in light of a request from Cllr Forster
- Election preparations were going to plan, Andrew Tiffin and his team were working hard to keep everything on track, with no problems showing at the moment.
- The new Head of Place would be starting in December
- The Development Peer Review had gone well and thanks go to the Peer Review team
- The Inspector's report on the Local Plan had been expected this month, but had been put back in light of the General Election
- Hook Neighbourhood Plan had been challenged and would be going to judicial review. There was also a potential threat of a judicial review with respect to the Crondall Neighbourhood Plan.

45 MINUTES OF COMMITTEES

Meeting	Date
Overview and Scrutiny No questions asked.	17 September 2019
Overview and Scrutiny (draft) No questions asked.	15 October 2019
Cabinet No questions asked.	3 October 2019
Cabinet (draft)	7 November 2019

After questions on Minute 71, the Leader confirmed that the governance arrangements were being reviewed and any revisions would be considered by both Overview and Scrutiny Committee and then Cabinet, and that the spending plan did not need to be approved by Homes England.

The Leader, in consideration that the Cabinet minutes were still in draft and therefore still to be confirmed by Cabinet, announced that the Recommendation to Council, decision 8 of Minute 71, would be withdrawn and he would be recommending at the next Cabinet that this would be considered as part of the budget process.

The Recommendation to Council, Minute 71, decision 8, was therefore withdrawn for further consideration by Cabinet.

Licensing Committee (draft)

5 November 2019

A question was asked on the GPS systems in taxis. The Chairman of the Licensing Committee agreed to circulate a written response.

Minute 16 - Taxi Policy

RESOLVED

That the revised Taxi Policy be adopted.

Planning Committee

9 October 2019

No questions asked.

Planning Committee (draft)

13 November 2019

No questions asked.

46 FLEET AND HARTLEY WINTNEY NEIGHBOURHOOD PLANS – BRINGING INTO LEGAL FORCE

Following positive referendum results for the Fleet and Hartley Wintney Neighbourhood Plans, Council was asked for its approval to bring the Plans into legal force to form part of the statutory development plan for Hart District.

RESOLVED

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

47 OUTSIDE BODIES - FEEDBACK FROM MEMBERS

Councillor Axa reported on the Farnborough Aerodrome Consultative Committee. Farnborough Airport is now owned by an investment bank, with no apparent significant changes planned for the future.

Councillor Ambler had attended a meeting of Basingstoke Canal JMC, reporting that Basingstoke and Deane BC had joined the management committee, with a view to helping to create a footpath along the canal into Basingstoke, which the canal society fully supported.

The meeting closed at 8.06 pm

COUNCIL PROCEDURE RULE 12

QUESTIONS BY THE PUBLIC

Mr Turver asked:

Question 1 - Hart Cabinet recently recognised the serious impact of climate change globally and agreed that there is a need for urgent action. The Local Plan, Planning Inspector and Garden Communities bid all agreed the new settlement was not required. The Bid and Vision document described a new settlement of up to 10,000 houses. Why are you pursuing this project that could emit approximately 1m tonnes of CO₂ in its construction, damage vital green infrastructure and be less sustainable than urban regeneration?

Response:

The Government has invited the Council to be part of the Garden Communities project. The project is an integral part of the Government objective to boost significant the supply of new homes to meet its ambition to deliver over 300,000 new homes per annum. Its vision and expectation is that garden communities will deliver high-quality place-making across the country. It sees it as a fresh opportunity to stimulate economic growth in new places, and a chance to aspire beyond identikit housing and town centres that look like anywhere and nowhere. It's a call to developers, investors, local authorities and local enterprise partnerships to build communities with local character, good employment opportunities, strong services, integrated and accessible transport, innovative uses of technology – and beautiful green spaces.

In their own right these are sustainable developments and it does not follow that simply because land lies within an urban area that its redevelopment is more sustainable. Quite the contrary. In my view the Garden community approach provides our community an opportunity to consider creating an innovative, resilient and inclusive place that will stand the test of time. Planning at scale offers us the chance to think holistically about how a place will work, and to understand what mechanisms need to be put in place to help turn an ambitious vision into a real place. The term 'Garden Community' in my view carries with it not just an opportunity but also a responsibility to create exemplar world-class new communities. It is therefore of great importance to our communities right across the District that we fully explore and evaluate the Garden Community opportunity.

Question 2 - The Future High Streets bid recognised that a “do nothing scenario would not be viable”; that local business confidence in Fleet Town centre is extremely low; 88% said Fleet didn't meet all of their retail and leisure needs and 52% would not recommend a visit to the town centre. A masterplan and business case to address these issues would cost £100K. How can you justify not undertaking this urgent project?

Response:

The Fleet Neighbourhood Plan sets out very clear objectives as to how the community sees the future of Fleet. In recognition of this the Council has put together a cross party working group to work on bring forward an ambitious and deliverable redevelopment centred a key Neighbourhood Plan site identified as Zone 1 which is centred on the Civic Quarter. It comprises the largest realistic and deliverable development opportunity and will bring with it substantial regeneration and community benefits.

COUNCIL PROCEDURE RULE 14

QUESTIONS BY MEMBERS

Councillor Forster asked:

Will this Council fully support a request to the County Council to deliver at least 6 secure exclusive motorcycle and scooter parking spaces on Fleet Road - provided they do not lose any existing car or blue badge spaces.

Councillor Oliver responded:

In principle this Council would support a request to HDC for provision of 6 secure motorcycle parking bays on Fleet High Street. However, it would like to see the detail of the proposal to ensure no negative impacts on access or accessibility for retailers and high street users in any location(s) proposed.

Councillor Crampton asked:

As far as we are aware, there have been two meetings this year between Hart District Council and Homes England following the successful Garden Communities programme bid. Who attended these meetings, what was discussed and when will these discussions be made public?

Response:

As outlined in the Cabinet paper on the Garden Community (Appendix 3), in November, there have been two meetings with Homes England, the first in August and the second in October.

I had the pleasure of attending the first meeting, which Homes England called their 'inception meeting' which essentially welcomed Hart to the Garden Community Programme. Homes England took the minutes of that meeting but they have yet to be shared with us.

The meeting in October was between Officers, Homes England and at their request, promoters/developers. No minutes were taken but the following actions were agreed;

- a request for any agreements in place between the promoter and developer to be shared with the Council
- Recognition that as the project progressed, a collaboration agreement may be required between the Council and the promoter and developer and a request for examples to be shared.
- consideration of what technical reports might be needed to help the exploration of the Garden Community with a small group to work together on how these could be best commissioned,
- being vigilant for new funding windows that may open up to help finance the exploration work.