

**COUNCIL**

**Date and Time:** Thursday, 26 November 2020 at 7.00 pm

**Place:** Council Chamber, Civic Offices, Fleet

**Present:**

**COUNCILLORS –**

Kennett - (Chairman)

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

Officers Present:

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

**47 SUSPENSION OF STANDING ORDERS**

It was unanimously agreed to suspend Standing Orders 9.3 (Show of Hands for Voting, 22.1 (Standing to Speak) and 22.2 (Chairman Standing).

**48 MINUTES OF PREVIOUS MEETING**

The Minutes of the Meeting held on 24 September 2020 were confirmed and signed as a correct record.

**49 APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillor Davies. Councillor Wheale was not in attendance.

**50 DECLARATIONS OF INTEREST**

No declarations were made.

**51 COUNCIL PROCEDURE RULE 12 – QUESTIONS BY THE PUBLIC**

A question had been received from Mr Steve Forster, details of which are set out in Appendix A attached to these Minutes.

**52 COUNCIL PROCEDURE RULE 14 – QUESTIONS BY MEMBERS**

Questions put by Councillors are detailed in Appendix A attached to these Minutes.

**53 CHAIRMANS ANNOUNCEMENTS**

Following the announcement today that Hart are in Tier 2 (Covid response measures) the Chairman took the opportunity to wish everyone a happy Christmas.

**54 CABINET MEMBERS ANNOUNCEMENTS**

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

Business rates schemes – there are two schemes, the Closure scheme which covers the second lockdown and the Discretionary scheme. We have had 207 applications for the Closure scheme, of which the first 78 were paid this morning and another 32 will be paid on Monday, the final hundred or so are in the process of being paid. The Discretionary scheme opened Monday and to date we have had 44 applications. The first tranche closes 6 December with payments made soon after that, and the last payment will be on 22 December, ensuring that recipients will receive their money before Christmas.

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

Following successful recruitment, Hart Community Safety has now been complete and fully functioning since the start of November. Efforts have been concentrated on sharing contacts for the team, and what they can support with, as far as possible across the community including Councillors, Town & Parish Council Clerks, schools, Neighbourhood Watches and local Neighbourhood Policing Teams (NPT). Responses to the team have been very positive so far and some great connections have been made.

A couple of local Anti-social behaviour issues have already been tackled:

- Edenbrook Country Park and bike track issues are being looked at in partnership with Hart Countryside services
- Youth nuisance noise in Yateley has prompted visits to residents to assess the situation and has been alerted to the detached youth workers of Vision 4 Youth to address whilst out and about
- ASB caused by vehicle nuisance on the Blackbushe Industrial Estate is also being looked at with the local NPT with Community Safety leading on evidence gathering for Police to serve section 59 notices where possible. Contact has also been established with the landowner to

request measures be taken to prevent the site being used as a racetrack e.g., the installation of rubber humps or similar

Feedback was provided last week to the Office of the Police and Crime Commissioner for their latest Bid Funding round and projects providing support across the Hart area addressing the Community Safety Partnership priorities were supported.

Safeguarding continues to be handled by Community Safety and there have been three referrals since taking the service back in house.

The Cabinet Member for Digital, **Councillor Ambler**, announced

We are now close to the rollout of modern.gov to members. This is a cloud-based app that provides secure access for Members to view and annotate the latest documents along with automatic download of agendas, reports, decisions and meeting minutes.

The package provides for full meeting management, from production and publication of agendas and minutes to register of interests, all in one platform. The plan is to have a 'soft launch' involving a small group of Members. Those of you involved will already have received an invitation from Steve Bennett to a training session. Following those sessions your feedback will be used to structure training for all Members prior to a full rollout which is anticipated for the New Year.

The Cabinet Member for Community, **Councillor Bailey**, reported

**Hart Response Hub** - So far we have received over 50 referrals into hub since second lockdown and many more referrals are being passed to hardship team for assistance and support this time round – needing more practical support – financial, food, medicines.

**Recovery** - A small team is working on community recovery and 19 groups have been supported with a small grant to help them restart face to face activity. Also supported Hart Food Bank with 2 orders on things they were running low on.

**Revocation Notice** - After almost 2 years of work on a property in Hook, we are pleased to be able to serve a "revocation notice" to all parties as work is now complete. The property was seriously at fault in terms of fire safety and the work of the Private Sector Housing Team has led to a great result. There are a good number of leaseholders who want to rent out or sell and they can now do so.

**Rough sleepers head count** - This is an annual England wide count. Ours is an estimate; a joint effort across all agencies in Hart. For many years we have reported a zero count but this year we had 2. We are aware of both and have been working with them to engage and come in. One now in B&B; the other one, work is still under way. (They were in a tent in Ewshot and in a pill box at Fleet station).

The Cabinet Member for Regulatory, **Councillor Kinnell**, updated Members on what the Environmental Health team had been up to recently:

Environmental Health have been out and about ensuring businesses are complying with the current lockdown restrictions. They have been patrolling Harts businesses, providing support and advice, as well as ensuring that they are adhering to Covid guidelines. As part of this work, we have been building, (and web publishing), a database that shows which local businesses remain open, which includes any changes to their normal way of trade, so for example, a food business that has moved from “eat in”, to takeaway or delivery service during the lockdown.

I am pleased to advise that the general level of compliance within Hart’s businesses has been found to be remarkably high and reflects well on the responsibility of our local business community.

So, going forward from the national lockdown restrictions that are due to end on the 2nd December, Environmental Health will continue to provide support and advice to businesses, community groups, towns/parishes etc. for undertaking safe festive period events. Whilst we are not yet fully clear what events may ultimately be proposed, Environmental Health will be working behind the scenes to ensure event organisers have undertaken suitable Covid risk assessments, as well as helping to ensure compliance with Covid controls.

Councillor Forster asked if all complaints about premises being open during the current lockdown were being investigated. Councillor Kinnell invited Councillor Forster to forward any complaints he had received so that they could be cross-checked.

The Cabinet Member for Environment, **Councillor Oliver**, reported:

Firstly, I am pleased to update the Council and residents of Hart that all of our waste and recycling services have been maintained throughout the second Covid-19 lockdown. As members will remember, during the first Covid-19 lockdown we had to reduce or suspend some services (most notably Green Waste collections) due to staff shortages. Well done to our Waste and Recycling team and our partner Serco.

Secondly, we will be issuing a leaflet to all Hart residents detailing the collection arrangements for the 2020 Christmas period (collection days will change). We will also take this opportunity to remind residents on what we can currently recycle in Hampshire and what can be placed in our Blue bins.

## 55 JOINT CHIEF EXECUTIVES’ REPORT

The Joint Chief Executives’ reported that it had been announced we are in Tier 2 in terms of Covid controls and an email had been sent to all Councillors earlier with the details. Many of the areas of work have been referenced by the Portfolio Holders, demonstrating the approach is touching all parts of the Organisation. Included in the Council’s work are:

- Social isolation payments to support residents who have to socially isolate and are on Universal Credit, and who cannot work from home. Information is available on the Hart website
- Supporting the Track and Trace system that will be going live with the County next week
- Grant funding support from the Hart economic development team for businesses to enable them to access grant funding from the LEP, Government or elsewhere
- Council offices car park is a regular site for mobile testing unit
- The hardship fund - for those residents who may be really struggling
- Identifying vaccination sites within Hart and the roll out of broader testing across the communities in the district.

## 56 MINUTES OF COMMITTEES

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

<b>Meeting</b>	<b>Date</b>
<b>Overview and Scrutiny</b>	<b>15 September 2020</b>
No questions asked	
<b>Overview and Scrutiny (draft)</b>	<b>20 October 2020</b>
No questions asked	
<b>Audit (Draft)</b>	<b>27 October 2020</b>
No questions asked	
<b>Cabinet</b>	<b>1 October 2020</b>
No questions asked	
<b>Cabinet (draft)</b>	<b>5 November 2020</b>
No questions asked.	

### **Minute 56 – Revised Financial Regulations**

Councillor Neighbour, seconded by Councillor Radley, put the recommendation.

### **DECISION**

**That the revised Financial Regulations be adopted.**

**Minute 57 – Revised Draft update to Contract Standing Orders**

Councillor Neighbour, seconded by Councillor Radley, put the recommendation.

**DECISION**

**That the updated Contract Standing Orders be adopted.**

**Licensing (draft) 3 November 2020**

No questions asked.

**Standards 13 August 2020**

No questions asked.

**Standards (draft) 3 November 2020**

No questions asked.

**Minute 4 – Members’ Code of Conduct Update** (see item 12 below)

**Minute 5 – Guidance on the Code of Conduct – Public Interest Test** (see item 13 below)

**Planning 14 October 2020**

No questions asked.

**Planning (draft) 11 November 2020**

No questions asked.

**57 PROCEDURE TO BE FOLLOWED IN EVENT OF A GRIEVANCE AGAINST A MEMBER OF THE COUNCIL**

Members considered an updated procedure to be followed in event of a grievance against a Member of the Council.

Members sought assurance that the Monitoring Officer was comfortable with regard to the accumulation of minor transgressions, and that he would be able to act fairly and consistently, and were advised that the role of the Independent Person appointed by the Council under Section 28 of the Localism Act as a check and balance would act as a control on a number of issues and remain within the boundaries.

**DECISION**

That the procedure to be followed in the event of a grievance against a member of the Council be adopted.

**58 MEMBERS' CODE OF CONDUCT – UPDATE**

Council considered the recommendations of the Standards Committee (Minute No 4) that adjustments be made to the Hart District Council Members Code of Conduct. The Monitoring Officer stressed that the updated document was not about stopping freedom of speech, but about civility, and the manner and way things were done in an open and transparent way.

Members discussed issues around confidentiality and the treatment of items of an exempt nature, and the need to reflect in the terms of reference of working parties etc how confidential items would be clearly highlighted to all parties, by Officers and Councillors.

A further question was raised about the implications of the Local Government Association (LGA) consultation on a possible revised model Code of conduct. It was clarified that if there were substantial differences between the LGA recommended model Code and the Hart Code then the matter may be referred to the Standards Committee and brought back to Members for review if necessary. Members were also assured that sufficient safeguards were in place to ensure that allegations of harassment would be properly scrutinised with the involvement of the Independent Persons appointed under Section 28 of the Localism Act.

**DECISION**

That the adjusted Hart District Council Members Code of Conduct be agreed.

**59 GUIDANCE ON THE CODE OF CONDUCT - PUBLIC INTEREST TEST**

Council considered the recommendation from Standards Committee (Minute No 5) that the public interest test for the assessment of allegations that there had been a Breach of the Code of Conduct, be adopted.

**DECISION**

- A. The public interest test be used in the consideration of allegations that a member had broken the Code of Conduct; and
- B. The Hart Code of Conduct Arrangements for Dealing with Allegations be amended to include:
  - Public interest – Any decision whether to investigate allegations that the Code of Conduct had been broken would be a proportionate response to the issues raised, and expected outcomes would take into account the wider public interest and the cost of undertaking an investigation. Complaints would only be investigated where the allegations were reasonably considered to be serious matters and follow the public interest tests as set out.

- Alternative course of action – a complaint would only be investigated where there was no other action which could be taken which would achieve an appropriate outcome in the circumstances of the case.

## 60 OUTSIDE BODIES - FEEDBACK FROM MEMBERS

Councillor Quarterman reported that the Blackwater Valley Advisory Committee on Public Transport had resumed meetings in a virtual capacity, with a meeting on 21 October 2020. Responsibility for chairing meetings rotated around the Councils involved, and for the current Council year it was Hart's turn to chair, so he would be chairing these meetings for the remainder of the Council year. The next meeting is scheduled for Wednesday 20 January 2021.

The meeting closed at 7.54 pm

DRAFT

## **COUNCIL PROCEDURE RULE 12**

### **QUESTIONS BY THE PUBLIC**

#### **Mr Steve Forster asked:**

Why has the petition I submitted on behalf of over 1000 signatories, which was fully compliant with the Hart petition scheme, not been allowed to be presented at cabinet or full council.

#### **Councillor Neighbour responded:**

Under the constitution Petitions fall under an executive decision of the Council therefore it has been included in the Agenda for next week's December Cabinet meeting.

Mr Forster asked a supplementary question regarding why the petition had not been presented at the Cabinet meeting last month and Councillor Neighbour responded that it would be debated at the December Cabinet next week.

## **COUNCIL PROCEDURE RULE 14**

### **QUESTIONS BY MEMBERS**

#### **Councillor Forster asked:**

How much in total has been spent by Hart District Council on the pedestrianisation and closure project of Fleet Road and Upper Street, with a full breakdown of costs?

#### **Councillor Neighbour responded:**

We have collated all the paid invoices and estimates and the total is roughly £58K in works and surveys and £67k in fees. *(Details attached as Appendix B to these minutes).*

Councillor Forster asked a supplementary question on whether any other costs would come in, if the excess had to be repaid, or could the remaining funds be used for free parking over the Christmas period to help visitors and residents. Councillor Neighbour responded that discussions with the LEP (Local Enterprise Partnership) were ongoing regarding repayment of funds.

## FLEET ROAD PEDESTRIANISATION - as at 26 November 2020

<u>Works &amp; Surveys</u>	<u>Commentary</u>	<u>Cost</u>	
Externiture Ltd	Bus stop real time information	£340.00	Paid Invoice
Sign Wise (UK) Ltd	Signage	£1,065.37	Paid Invoice
Central Linemarking Ltd	Roadmarkings	£2,755.00	Paid Invoice
Nigel Jeffries Landscapes Ltd	Supply additional 10No. Planters	£9,000.00	Paid Invoice
Nigel Jeffries Landscapes Ltd	Supply 18No. Planters and Maintenance	£17,454.00	Paid Invoice
Nigel Jeffries Landscapes Ltd	Secure 18No. Planters and relocate	£1,374.00	Paid Invoice
Footfall Survey	Footfall survey	£1,000.00	Paid Invoice
Forest traffic management	Bay suspension traffic management	£14,973.86	Paid Invoice
Total Cost of works & surveys		£47,962.23	
<u>Fees</u>	<u>Commentary</u>	<u>Cost</u>	
Phil Jones Associates Ltd	EM3 LEP BID and DfT	£4,867.20	Paid Invoice
Phil Jones Associates Ltd	Development of Covid-19 measures Baseline Analysis & Design	£4,800.00	Paid Invoice
Phil Jones Associates Ltd	Placemaking outline design	£5,900.00	Paid Invoice
Phil Jones Associates Ltd	Design & : Construction support - Fees	£22,400.00	Cost Estimate
Phil Jones Associates Ltd	Principal : Contractor role	£5,376.00	Cost Estimate
Arcadis Consulting (UK) Ltd	Project management	£10,000.00	Cost Estimate
Rise Associates	Business engagement	£4,214.00	Cost Estimate
Total fees		£57,557.20	
<b>Grand total of works and fees</b>			<b>£105,519.43</b>

## **OVERVIEW AND SCRUTINY MEETING**

**Date and Time:** Tuesday, 17 November 2020 at 7pm

**Place:** Council Chamber, Civic Offices, Fleet

**Present:**

### **COUNCILLORS**

Axam, Davies, Dorn, Drage, Farmer, Lamb, Makepeace-Browne, Smith, Tomlinson (substituting Wright), Wildsmith, Worlock (Chairman),

**In attendance:** Councillors Cockarill, Radley, Ambler

### **Officers:**

Daryl Phillips	Joint Chief Executive
Patricia Hughes	Joint Chief Executive
Emma Foy	Head of Corporate Services and S151 Officer
Mark Jaggard	Head of Place
Emma Whittaker	Planning Manager
Steven Bennett	Change and Digital Manager
Ashley Grist	Contracts and Procurement Manager
Celia Wood	Committee Services

## **51 MINUTES OF PREVIOUS MEETING**

The minutes of the meeting of 10 October 2020 were confirmed and signed as a correct record.

## **52 APOLOGIES FOR ABSENCE**

Apologies had been received from Councillor Wright, substituted by Councillor Tomlinson.

## **53 DECLARATIONS OF INTEREST**

None.

## **54 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman brought to the attention of the Committee Members a recent communication regarding an Overview and Scrutiny mid-year review and a request for any suggestions they may have for agenda items.

## **55 PUBLIC PARTICIPATION (ITEMS PERTAINING TO THE AGENDA)**

None.

## **56 MINUTES FROM CLIMATE CHANGE WORKING GROUP**

The Chairman proposed that an interface between the Climate Change Working Group and O&S for feedback be added to the O&S Work Programme at the next meeting.

Minutes from the meeting held on 8 October 2020 were noted.

## **57 MINUTES FROM CRIME & DISORDER COMMITTEE**

There was a query on accuracy of the minutes regarding the record of attendance for the Commander of the Aldershot Garrison and Kirsty Jenkins from Hart. Neither were present at the meeting.

Minutes from the meeting held on 21 September 2020 were noted and an oral update from the Head of Community Services on the progression of the transition of the Community Safety Team back to Hart was requested for the next O&S meeting.

## **58 MINUTES FROM FLOODING MULTI-AGENCIES MEETING**

Members were asked to consider how the parish flooding meetings could be structured in a way that would allow them to be held in a virtual format. Any suggestions to be forwarded to the Chair for a subsequent discussion.

Minutes from the meeting held on 12 October 2020 were noted.

## **59 FLEET ROAD PEDESTRIANISATION REMOVAL**

The Portfolio Holder for Place & Economic Development gave an oral update to confirm the decision to seek the removal of the Fleet Road pedestrianisation scheme (Executive Decision attached).

Members commented on the potential for future consultation should a similar scheme be proposed in the future. It was agreed that the cost associated with the Scheme both for its implementation, and removal to be circulated to all Members.

Councillor Cockarill asked for a note of thanks to the Hampshire Highways Team be recorded on the minutes for their quick and helpful responses.

## **60 NATIONAL COVID-19 RESTRICTIONS FROM 5 NOVEMBER 2020**

The Joint Chief Executive gave an oral update to Committee on the implications for the delivery of Council services from 5 November 2020 arising from the new national COVID-19 restrictions. It was highlighted that essentially the Council was better prepared to face the current 'lock-down' challenge and conventional decision making was likely to be maintained unless there was an absolute emergency. In the meantime the two new grant schemes will soon be available:

- Local Restrictions Support Grant - for businesses that are legally obliged to close as a result of the national restrictions. (Businesses that would have closed but have chosen to change their business to provide takeaway, click and collect or online with delivery services will be counted as closed).
- Additional Restrictions Support Grant (ARG) - not yet open - a discretionary grant scheme to help those businesses who are not legally obliged to close but who may have been severely impacted by the lockdown. Officers are currently reviewing the government guidance setting out the support available through the ARG as daily advice is still being issued by the Government on how it should be implemented.

Members discussed:

Could updates on any emergency decisions be circulated to all Members as they are made?

When could local businesses expect funds from grants to arrive in their accounts and were assured that regular updates will be sent albeit that the Government was still issuing advice on how the respective schemes were to be administered. Therefore, no firm date/timetable could be set at this time.

The redistribution of resources by moving Hart Officers around to fill gaps in the service over the pandemic period which may result in some delay in response times. Members were asked to prioritise enquiries to Officers through the use of the councillor enquiries email address and to recognise that in this prolonged period of uncertainty everyone's well-being was important.

Thanks, were expressed to all the Officers continuing to work throughout another lockdown to continue to maintain the delivery of an excellent level of service despite the difficulties and restrictions.

## **61 COMMERCIALISATION STRATEGY PRESENTATION (Digitalisation)**

The Digitalisation Portfolio Holder and Digital Manager gave a presentation.

Members considered the following issues:

- The impending launch of Mod.Gov (digitalisation of the Committee Services).
- Reduced costs involved in the production of papers and how this can be measured for future updates.
- How the Covid-19 pandemic has accelerated the move to working remotely and for improved digital platforms. In line with this, the support the Council can give to staff to work from home will form part of the Revitalise Hart Programme.
- What levels of assistance and/or up to date devices Members may require for the digitalisation changes. Email to be sent out to all Members inviting feedback.

Members thanked the Portfolio Holder and Digital Manager for their comprehensive update.

## **62 DEVELOPMENT MANAGEMENT SERVICE ACTION PLAN**

Members of the Overview & Scrutiny Committee Working Group on the Planning Peer Review reported back on the final version of the Development Management Service Action Plan.

Members discussed:

- That the exercise was invaluable and worked very well with the right mix of Councillors and Officers.
- The group recognised the actions from the Peer Review and tried to group those accordingly with action plans against those.
- Recognition that organisationally and culturally change is required in the areas came across in the review.
- One outstanding action remains to finish off performance measures.

### **DECISION**

That the Final Peer Review Action Plan be recommended to Cabinet for approval.

## **63 HALF YEARLY REVIEW ON TREASURY MANAGEMENT 2020/21**

Members considered the Council's treasury management activities and performance during the first half of the 2020/21 financial year (April-September).

The S151 Officer clarified some points on:

- Members workshops will be running on 3<sup>rd</sup> and 8<sup>th</sup> December to get a better understanding of what treasury management is and understand the different options available to us not yet explored.
- There is confidence that Hart will achieve the £200K forecast based on what is due to mature in the second half of the year.
- The numbers used to calculate the Capital financing requirements come from the approved capital budget each February.
- The capital finance figures to be emailed to Members.

### **DECISION**

That the report be noted and the Committee's observations be considered by Cabinet.

## **64 2021/22 BUDGET & MEDIUM-TERM FINANCIAL STRATEGY**

Members were given an early consideration of the emerging budget for 2021/22 and the draft Medium-Term Financial Strategy (MTFS).

Members considered:

The Strategy assumes that if the new homes bonus is in place the Council can balance the budget with an assumed £5.00 Council Tax increase, keeping fees and charges as they are. If there are any further issues or shocks that will be a challenge to the Council's Financial Strategy.

The MTFS will remain prudent until further funding information is available from Central Government.

An appendix to the document with a breakdown of other budget pressures will be prepared for Cabinet for greater clarity.

*(Councillor Makepeace-Browne left at 9.11pm during this item)*

The Joint Chief Executive confirmed the point that the Edenbrook development would provide income to the Council by way of affordable market rent.

## **DECISION**

That the issues around the emerging budget for 2021/22 and MTFS be noted.

## **65 IT SECURITY AND ACCEPTABLE USE POLICY**

Members were asked to consider the Policy and recommend to Cabinet that it be adopted.

A quick guide to make the policy guidance easier to follow will be submitted to Cabinet as Appendix 1 on the back of the document.

## **DECISION**

That the report be noted and the Committee's observations be considered by Cabinet.

## **66 2020/21 BUDGET MONITORING – TO END OF SEPTEMBER**

Members were advised of the position on revenue and capital expenditure at the end of September before consideration by Cabinet.

Members noted:

An updated position statement will be brought to the next O&S Committee to make Members aware of some of the additional challenges the Council has faced this year as a result of Covid-19 which are not reflected in this statement.

A question was raised around the ongoing Leisure Centre arrangement and it was confirmed that the report does not include revised figures relating to a second lockdown.

A breakdown of budget pressures for 2021/2022 to be provided by the Head of Corporate Services.

#### **DECISION**

1. That the revised projections and reasons for the main revenue variations be noted.
2. That the current spending position for Capital be noted.

#### **67 QUARTER 2 PERFORMANCE REPORT - 2020/21**

The Committee was updated on the Council's performance indicator results for the second quarter of 2020/2021 (1 July 2020 – 30 September 2020).

#### **DECISION**

That the information be noted.

#### **68 CABINET WORK PROGRAMME**

The Cabinet Work Programme was considered and noted.

#### **69 OVERVIEW AND SCRUTINY WORK PROGRAMME**

The Overview and Scrutiny Work Programme was considered and amended as follows:

- Financial updated statement to be added in December
- Discussion on Member training in December or January.
- Update on business grants.

The meeting closed at 9.28pm

## OVERVIEW AND SCRUTINY MEETING

**Date and Time:** Tuesday, 15 December 2020 at 7pm

**Place:** Council Chamber, Civic Offices, Fleet

**Present:**

### COUNCILLORS

Axam, Davies, Dorn, Drage, Farmer, Lamb (7.05pm), Makepeace-Browne, Smith, Worlock (Chairman), Wright

**In attendance:** Councillors Cockarill, Forster, Radley

#### Officers:

Daryl Phillips	Joint Chief Executive
Patricia Hughes	Joint Chief Executive
Emma Foy	Head of Corporate Services and S151 Officer
Mark Jaggard	Head of Place
Kirsty Jenkins	Head of Community Services
Peter Summersell	Sustainability Officer
John Elson	Head of Environment & Technical
Helen Vincent	Committee Services Officer

### 70 MINUTES OF PREVIOUS MEETING

The minutes of the meeting of 17 November 2020 were confirmed and signed as a correct record.

### 71 APOLOGIES FOR ABSENCE

None received.

### 72 DECLARATIONS OF INTEREST

Cllr Farmer declared an interest to Item 83 as he is the Chairman of the Hart Swimming Club. Cllr Forster declared a non-pecuniary interest in Item 79 regarding his involvement with an EV charging Company.

### 73 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced *to Committee Members* that the Overview and Scrutiny mid-year review will be held on Wednesday 6<sup>th</sup> January 2021 at 5.30pm to 6.15pm with an agenda to follow shortly.

### 74 PUBLIC PARTICIPATION (ITEMS PERTAINING TO THE AGENDA)

None.

## **75 SERVICE PERFORMANCE – HEADS OF SERVICE ATTENDANCE**

The Head of Place, Mark Jaggard, attended to discuss service performance across Business Support & Facilities Management, Development Management & Building Control, Environmental Health & Licensing and Planning Policy & Economic Development.

Members were informed of the following:

- COVID safe offices.
- Roll out of equipment and furniture for home working.
- Improved system for virtual meetings and Web Casting.
- Service Targets and Planning performances have been reported in time with major sites being approved.
- Improving the pre-application service.
- Environmental Health issues with fly tipping and bonfires.
- First virtual licensing hearing and committee were held in November.
- Planning white paper implications.
- Economic recovery report commissioned and received.

Members discussed:

- The the Local Plan and the Hook Neighbourhood Plan legal challenges.
- The Council's approach to consultations and engagement with communities/stakeholders
- Wider feedback for DM Service and peer review and setting up an Agent's forum.
- Annual survey for feedback from residents for received quality of service.

Members asked for:

- Further work to redefine the measures and performance of activities of the Planning Improvement Plan by March 2021.
- A summary of the work covered by the Place service.
- What the headcount change has been in the last 12 months.
- A list of stakeholders from the Stakeholder Forum for the Garden Village Programme

Members thanked Mr Jaggard for the comprehensive information.

## **76 COMMUNITY INFRASTRUCTURE LEVY**

The Head of Place provided an update on setting a Community Infrastructure Levy (CIL) Charging Schedule in Hart.

Members discussed:

- Cost implications to be funded through CIL receipts.
- CIL can be used for Local Plan requirements.
- Infrastructure funding statement.

## **DECISION**

Overview & Scrutiny Committee will be consulted on draft CIL charging schedule in mid-year 2021

### **77 COMMUNITY SAFETY TRANSITION**

The Head of Community updated Members on the transition of the shared Community Safety Service which came back to Hart in October. The Council recruited two Officers whose priority has been promoting and making visible the new in-house service. The transition has been better than expected and some elements of the joint Community Safety work will remain.

The Community Safety Partnership continues to be shared across the 3 boroughs and will meet quarterly. The local authorities are one of the partners and others include the Police, Fire, Clinical Commissioning Group and the military.

## **DECISION**

Members requested targets and budgets to be brought through Overview & Scrutiny as part of the process of commenting on the Community Services' Service Plan 2021/2022

### **78 CRIME AND DISORDER COMMITTEE**

Cllr Axam updated the Committee on the progression of the scrutiny work of this joint Committee.

He informed Members that whilst the tripartite Council shared service had been dissolved in October 2020, that the Community Safety Partnership (CSP) continued to exist.

The Chairman thanked Councillor Axam for the update and agreed to pass on any suggestions for improvement direct to the Officers.

### **79 CLIMATE CHANGE WORKING GROUP**

The Sustainability Officer gave an update on the interface between the Climate Change Working Group and the Overview & Scrutiny Committee and explained the changed action plan, work programme and delivery times of the working group which had been delayed by 6 months due to COVID restrictions.

### **80 COVID-19 PANDEMIC UPDATE**

The Joint Chief Executive updated the Committee on the implications for the delivery of Council services arising from the new national COVID-19 Lockdown 2.0.

The Committee were updated on:

- The Council's work with Leisure Centre funding and the short timescale financial settlements available.
- Vaccination commencement at sites in our district for the most vulnerable.
- Wet Pub funding and Tier 2 funding.
- Meetings with voluntary groups and Christmas Plans taking place this week.
- Emergency contacts and guidance has been published on our website of services available over Christmas.

Members thanked the Joint Chief Executive for the regular updates with the fast-paced changes.

## **81 CONFIDENTIALITY OF INTERNAL COUNCIL COMMUNICATIONS**

The Joint Chief Executive provided Members and Officers with an update on the approach to confidentiality with respect to internal communications within the Council.

Members were advised of:

- The new traffic light system being the most effective and simplest approach for levels of confidentiality.
- The default is green/white for all information which can be shared.
- Amber is for information within the council only and not to be shared outside of the Council.
- Red which will be clearly marked as Confidentiality to specific members only.
- Member briefings will be open unless otherwise stated.

Members discussed:

- Updated confidential information should be relevant to live issues.
- Scale of confidentiality.
- Colour coding for clear visibility.
- A Policy Statement will be circulated to all Councillors and Officers to set out guidelines

Cllrs Dorn and Forster were thanked for their assistance with this report.

### **DECISION**

A Policy Statement will be circulated to all Councillors and Officers to set out the guidelines

**82 2020-21 BUDGET MONITORING – POSITION STATEMENT AT  
31 OCTOBER 2020 FOLLOWING LOCKDOWN 2.0**

Members were advised of the position on revenue expenditure following Lockdown 2.0. Members were informed of significant changes to expenditure on a timely basis and which may be outside the standard quarterly budget reporting cycle. This was previously discussed at Overview & Scrutiny on 17 November and at Cabinet on 3 December.

Members discussed:

- Figures reflect compensation for fees and charges in the first Lockdown which is just under £700,000 already received with further claims in for just over £300,000. This scheme will run until March 2021 so this will reduce the forecast over spend.
- Parishes fees and charges were approved by members in February 2020 and any new charges will be agreed at the next budget.

**DECISION**

Members noted the revised projections and reasons for the main revenue variations show in this report.

**83 UPDATE ON BUSINESS RATES GRANTS SCHEMES LOCKDOWN 2.0**

Members were updated on the process and performance regarding the two Lockdown 2.0 Business Rate Grant Schemes that the Government had introduced.

The 'Closed' Scheme for businesses who had to remain closed during the Lockdown period had received 313 applications, 252 have already received payment, 22 in query with 23 duplicates or rejections. Businesses not legible for the 'Closed' schemes would automatically be consider for the Discretionary scheme.

The Discretionary scheme would run until 2022 and would be paid out in three tranches. The numbers of applications received for the first Discretionary Grants tranche was 130, of which 105 have been paid with a further 16 to be paid and 9 still to be checked. This scheme had been extended for a further week to attract more applications.

**DECISION**

The report was noted.

**84 CABINET WORK PROGRAMME**

The Cabinet Work Programme was considered and noted.

## 85 OVERVIEW AND SCRUTINY WORK PROGRAMME

The Overview and Scrutiny Work Programme was considered and amended as follows:

- Community Safety transition update to be pushed back to April 2021.
- The Portfolio Holder for Environment and Technical Services be invited in January to update the Committee on work of the Climate Change Working Group.

The Chairman thanked Members for their contributions over the last 6 months and wished everyone a Happy Christmas.

The meeting closed at 9.28pm

DRAFT

## **CABINET**

**Date and Time:** Thursday, 3 December 2020 at 7pm

**Place:** Council Chamber, Civic Offices, Fleet

**Present:**

## **COUNCILLORS**

Ambler, Bailey, Kinnell, Neighbour (Chairman), Oliver, Quarterman, Radley

**In attendance:** Axam, Crookes, Farmer, Smith, Worlock (*left at 7.32pm*)

### **Officers:**

Patricia Hughes	Joint Chief Executive
Daryl Phillips	Joint Chief Executive
Emma Foy	Head of Corporate Services and Section 151 Officer
Mark Jaggard	Head of Place
Emma Whittaker	Planning Manager
Helen Vincent	Committee Services Officer

## **61 MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting of 5 November 2020 were confirmed and signed as a correct record.

## **62 APOLOGIES FOR ABSENCE**

None received.

## **63 DECLARATIONS OF INTEREST**

Cllr Farmer declared a non-pecuniary interest with regard to Item 78.

## **64 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced the following Executive Decisions that had been made as a matter of urgency.

1. Proposal for three Christmas Markets in December on the Birchayes Car Park in Fleet starting on Saturday 5<sup>th</sup> December.
2. To waiver parking charges in all Council car parks to support Small Business Saturday on 5<sup>th</sup> December 2020.
3. To waiver parking charges in Monachus Lane, Hartley Wintney car park between 4pm – 8pm on Thursday 10<sup>th</sup> December 2020.

## **65 PUBLIC PARTICIPATION (ITEMS PERTAINING TO THE AGENDA)**

None.

## **66 MINUTES FROM CLIMATE CHANGE WORKING GROUP**

Minutes of the meeting held on 8 October 2020 were noted.

## **67 MINUTES FROM HART HEALTH AND WELLBEING PARTNERSHIP**

Minutes from meeting held on 15 October 2020 were noted.

## **68 MINUTES FROM CIVIC REGENERATION WORKING GROUP**

Members were informed that the Working Group is continuing to make good progress and on track to provide a report for Overview & Scrutiny in January. A question raised at Overview & scrutiny Committee reference the possible inclusion of Fleet High Street in the Civic Regeneration Project. It was confirmed that the current project is only to be focused on the Civic Quarter. Further, it was confirmed that a question raised at Cabinet in November, with reference to the effectiveness of the cross-party Working Group, had been debated by the Working Group at its December meeting and all parties had confirmed the Group was working well.

Minutes from the meeting held on 3 November 2020 were noted.

## **69 2020/21 BUDGET MONITORING TO END OF SEPTEMBER**

Cabinet were advised of the position on revenue and capital expenditure at the end of September. This information had been considered at the Overview & Scrutiny Committee meeting of 17 November 2020.

Members were advised of the global issues and impact from the COVID lockdown pandemic. There is an overspend due to loss of income from leisure, planning fees and parking. A revision statement will be going to Overview & Scrutiny Committee.

Members discussed.

- Current gross number of overspend of £900k due to loss of income. This may be reduced subject to receipt of Government funding.
- Revenue recovery from Government is based on 75 pence in the pound being received, based on 90% of budgeted income.

### **DECISION**

- 1 The revised projections and reasons for the main revenue variations be noted.
- 2 The current spending position for Capital be noted.

## **70 TREASURY MANAGEMENT STRATEGY– HALF YEAR REVIEW 2020/21**

Cabinet were informed of the position on revenue and capital expenditure at the end of September. This report had been considered by Overview & Scrutiny Committee at its meeting on 17 November 2020.

The S151 Officer gave a verbal update detailing changes resulting from the second lockdown imposed on the 5 November 2020.

Members discussed the global picture and the Council's approach regarding borrowing limits. Members were invited to join a seminar regarding a more proactive Treasury Management approach for long term investment.

Members were informed that the counterparty limit would be raised to £10m due to assisting business grant claims and may be raised to £15m for a temporarily period of time.

### **DECISION**

That the Treasury Management Activities and performance during the first half of the 2020/21 financial year be noted.

## **71 2021/22 BUDGET & MEDIUM TERM FINANCIAL STRATEGY**

Cabinet were given an early consideration of the emerging budget for 2021/22 and the draft Medium Term Financial Strategy (MTFS). This information had been considered at the Overview & Scrutiny Committee meeting of 17 November 2020.

Members considered the following concerns:

- The uncertainty over any future Government Financial settlement and the timing of any announcement so close to Christmas.
- Future year expectations to be challenging following COVID expenditure.
- Pay increase restraints.
- Scale of budget pressures clarity to be emailed to Members.

### **DECISION**

That the issues around the emerging budget for 2021/22 be noted.

## **72 DEVELOPMENT MANAGEMENT SERVICE ACTION PLAN**

To consider the Development Management Service Action Plan. This report had been considered by Overview & Scrutiny Committee at its meeting on 17 November 2020.

Members discussed:

- The slow down due to COVID.
- Clarification was requested of Planning Application site notices. Statutory requirements state that if site notices don't go up, neighbours are notified by letter. This will be reviewed.
- Improving Ward Members attendance at site visits.

## **DECISION**

That the Development Management Service Action Plan be approved and regularly monitored by Overview & Scrutiny Committee.

### **73 IT SECURITY AND ACCEPTABLE USE POLICY**

The revised IT Security and Acceptable Use Policy was considered.

Members discussed:

- Purchase of corporate laptops to enable working from home.
- Data Security Protection approval.
- Cyber Crime training.
- Phishing testing.
- That the policy contains valuable information when using Council owned equipment and personal equipment.
- Data and Data Management Legislation training requirements and regular updates.

## **DECISION**

That the IT Security and Acceptable Use Policy be approved.

### **74 RENEWAL OF THE SHARED BUILDING CONTROL SERVICE WITH RUSHMOOR BOROUGH COUNCIL**

Cabinet were asked to agree the renewal of the Shared Building Control Service between Hart District Council and Rushmoor Borough Council Building Control Partnership to 31 March 2025.

Members were informed of the cost recovery and split costs which changed to a 60/40 split. Once Rushmoor Council's demand increases this split will be adjusted and there is a clause in the deed to allow this. These costs are only recovery costs against revenue set by both Councils on an annual basis (averaged over three years).

## **DECISION**

Cabinet agreed the recommendation with the correction date to 31 March 2025.

1. That the renewal of the Shared Building Control Service between Hart District Council and Rushmoor Borough Council to discharge the statutory building control functions for both Councils until 31 March 2025 be agreed, unless terminated earlier in accordance with the provisions of the agreed Deed.

2. That the Joint Chief Executive, in consultation with the Portfolio Holder for Place, be given delegated authority to the to finalise the specific terms and conditions and then sign the new Deed (the legal agreement between Hart District Council and Rushmoor Borough Council).

## 75 PETITION

Cabinet received the following petition organised by Mr Steve Forster and signed by over 1,000 residents of Hart District:

***To the Leader, Cabinet and members of Hart District Council***

***The Humble Petition of the residents of North East Hampshire, Declares that there was insufficient consultation ahead of the closure of Fleet Road to traffic; further that there have been significant implications for neighbouring roads as a result of the re-routing of traffics; and further that the closure of the road has made it more difficult for local people to get in to their local town centre.***

***The petitioners therefore urge Hart District Council to re-open Fleet Road as a matter of urgency; further pledge to retain on street parking for cars and motorcycles; and further pledge that access along Fleet Road for cars and motorcycles will be maintained in the future.***

***And the petitioners remain, etc.”***

The petition organiser was given three minutes to present the petition, which Cabinet then discussed.

Members noted that the Petition had been received immediately before the September Council and therefore arrived too late to influence the September Council debate on the Motion to have the pedestrianisation scheme removed. In any event it related to an Executive matter and so was a matter for Cabinet to discuss.

Cabinet decided that it would make the final decision on whether to seek the removal of the scheme by 31 October. This meant that it would have been premature to pre-empt that decision through inclusion on the November Cabinet agenda which had already been published.

The December's Cabinet was therefore, the first most appropriate forum to have an informed discussion.

Members were pleased to note that at Cabinet's request, Hampshire County Council, as the local highway authority, had agreed in November to reopen Fleet Road and had removed the pedestrianisation scheme in its entirety. It was also noted that for social distancing reasons, the County Council has decided that the temporary closure of the Fleet Road parking bays should be reinstated as part of the County Council's approach across the whole county to make safe space for pedestrians.

## **DECISION**

Cabinet Agreed:

1. To thank the petitions for their contribution and to advise that at Hart's request, Hampshire County Council, as the local highway authority, had agreed in November to reopen Fleet Road and had removed the pedestrianisation scheme in its entirety. It was also noted that for social distancing reasons, the County Council has decided that the temporary closure of the Fleet Road parking bays should be reinstated as part of the County Council's approach across the whole county to make safe space for pedestrians.
2. The Joint Chief Executive would provide a written response to the Petition Organiser on the current County Council and M3LEP thoughts on the deliverability of the cycleway link between Fleet Town Centre and Fleet Station.

### **76 CABINET WORK PROGRAMME**

The Cabinet Work Programme was considered and noted.

### **77 EXCLUSION OF THE PUBLIC**

The following item contained exempt information.

## **DECISION**

Members decided that the public interest in maintaining an exemption outweighed the public interest in disclosing the information. In accordance with Section 100A(4) of the Local Government Act 1972, the public were excluded during the discussion of the matters referred to, on the grounds that they involved the likely disclosure of exempt information, as defined in paragraph 3 of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

### **78 HART DISTRICT COUNCIL LEISURE CONTRACT – COVID 19**

Cabinet were asked to consider the current agreement regarding management fee relief to be extended by one month to recognise the financial implications for Everyone Active due to enforced closure of both the Hart and Frogmore Leisure Centres during Lockdown 2.0, and to extend the deadline for the S151 Officer to negotiate and report the final sum for final approval to 31 January 2021.

Members discussed:

- Foregoing the income from Lockdown 2.0 which will be placed in the claim from Central Government of income lost which runs until the end of March 2021.
- Other areas are working together on similar commercial matters.
- Everyone Active has improved performance rates.
- Users of Everyone Active are being passed on the savings in their annual membership.
- Good Publicising of concessions.

## **DECISION**

1. Cabinet agreed to extend the grant of management fee relief from 30 November 2020 to 31 December 2020 and to allow for lost revenue as a result of the closure of both the Hart and Frogmore Leisure Centres during Lockdown 2.0.
2. Cabinet agreed that the S151 Officer and the Portfolio Holder for Finance can authorise and carry out the open book audit and agree any subsidy payable with Everyone Active.

The meeting closed at 8.32pm

## **CABINET**

**Date and Time:** Thursday, 7 January 2021 at 7pm

**Place:** Council Chamber, Civic Offices, Fleet

**Present:**

## **COUNCILLORS**

Ambler, Bailey, Cockarill, Kinnell (7:01pm), Neighbour (Chairman), Oliver, Quarterman, Radley

**In attendance:** Axam (left at 7.48pm and re-joined at 7.56pm), Forster (left at 8.19pm), Kennett, Smith

### **Officers:**

Patricia Hughes	Joint Chief Executive
Daryl Phillips	Joint Chief Executive
Emma Foy	Head of Corporate Services and Section 151 Officer
John Elson	Head of Environment and Technical Services
Philip Sheppard	Infrastructure Team Manager
Christine Tetlow	New Settlement Manager
Helen Vincent	Committee Services

## **79 MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting of 3 December 2020 were confirmed and signed as a correct record.

## **80 APOLOGIES FOR ABSENCE**

None.

## **81 DECLARATIONS OF INTEREST**

None.

## **82 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman informed Members of Emergency Decisions taken this month in light of the most recent Lockdown.

1. Front line reception at the Council Offices are now closed and communication has been put on the website advising residents.
2. Redeploying staff to Covid-19 Response.
3. Re-allocation of the Audit Team to work on the Business Grant Scheme.

**83 PUBLIC PARTICIPATION (ITEMS PERTAINING TO THE AGENDA)**

None.

**84 MINUTES FROM CIVIC REGENERATION WORKING GROUP**

Minutes of the meeting held on 1 December 2020 were noted.

**85 MINUTES FROM CLIMATE CHANGE WORKING GROUP**

Minutes of the meeting held on 7 December 2020 were noted.

**86 2020-21 BUDGET MONITORING – POSITION STATEMENT AT 31 OCTOBER 2020 FOLLOWING LOCKDOWN 2.0**

Members were advised of the position on revenue expenditure as an additional report following Lockdown 2.0. It was important that during these unprecedented times Members were regularly informed of significant changes to expenditure on a timely basis which may be outside the standard quarterly budget reporting cycle.

It was explained that Officers are doing diligent work on the year-end figures which are still being revised. The Finance Team are working hard at allocating additional funds and Cabinet will need to look at making cost savings for 2021-2022 due to reduction in Government funding because of COVID-19 and our level of earmarked reserves will alleviate some of the deficit. Members were advised that the Overview & Scrutiny January Committee meeting will discuss the options for future savings.

**DECISION**

That the revised projections and reasons for the main revenue variations be noted.

**87 UPDATE ON BUSINESS RATES GRANTS SCHEMES LOCKDOWN 2.0**

Cabinet received an update on the process and performance regarding the two Lockdown 2.0 Business Rates Grant Schemes that the Council has implemented during December 2020, and an update on the additional schemes that Hart District Council will be required to administer and deliver over the coming months.

Councillor Radley, thanked Ms Foy, Head of Corporate Services and the Finance Team for their hard work helping the businesses in our Community to receive business grant funds from newly setup Government schemes.

Members were advised of the different schemes accepting claims and further additional discretionary schemes that commenced on 26<sup>th</sup> December and from the 5<sup>th</sup> January 2021, offering further support for organisations who have been severely impacted.

It was suggested not enough information is available in regard to a statement of schemes available to businesses in our Community and information on how to make an application should be better communicated to make the process easier for future claims.

## **DECISION**

That the report be noted.

### **88 COUNCIL TAX BASE 2021/22**

Cabinet were asked to accept the Local Council Tax base for 2021/2022 for onward recommendation to Council.

Members were informed:

- The reason why a number of houses in several Parishes had gone down slightly is partially due to new developments not being fully delivered and partly occupied properties.
- The historical figure and calculation of uncollected tax payments of 1.3% is still tracking at the same level even during the pandemic.

## **RECOMMENDATION to Council**

That in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012, the amount calculated by Hart District Council as its council tax base for the 2021/22 year shall be set at 41,175.55.

### **89 FLEET POND GREEN CORRIDOR**

Cabinet were asked for approval to release funding subject to planning permission and tenders being received within budget.

Members were advised that the scope for works tendered is exactly the same as was considered previously and reported. A Planning Application for the entire scheme is currently being submitted.

## **DECISION**

That funding allocated within the councils' capital programme be released to deliver the Fleet Pond Green Corridor subject to planning permission being granted and the successful tender being within the approved budget.

### **90 NEXT STEPS IN COVID-19 RECOVERY**

Cabinet were updated on the Council's work to support the recovery phase since the last report in October, in response to the outbreak of Coronavirus (COVID-19). It was important to note that the situation remains live as the pandemic continued.

Members were informed that the Council has moved from the COVID-19 Recovery phase back to the response phase. Subsequent to this paper and moving into Lockdown 3.0, this has resulted in resources being reallocated back into the response phase to support our Community and the recovery programme has been impacted.

Members questioned the Recovery Plan and were informed that all statutory services the Council provides to residents are running and working effectively. Additional roles are being undertaken and a clearer picture of business continuity plans will be available next week.

Members discussed:

- Economic Dashboards will be made clearer to the public on our website and to highlight a central database of businesses open during Lockdown.
- The financial and resourcing impact from the outcome of these plans and the possibility of backfilling with agency staff.
- Extending delivery dates presenting more flexibility and resilience for the recovery plan.
- Finances involved with re-allocation of the Fleet Road space resource to be incorporated back into the normal working element.
- Fleet Road enhanced cycle provision to be rolled into the Green Grid Project and M3 LEP funding for delivery of this project to be given in a written response to be provided by the Chief Executive.

## **DECISION**

Cabinet agreed:

- 1 That the updates on the Recovery Plan be noted.
- 2 All decisions regarding resourcing shortages to be considered by the Chief Executives at time critical of each element of our plan and responses.

## **91 CABINET WORK PROGRAMME**

The Cabinet Work Programme was considered and agreed.

## **92 EXCLUSION OF THE PUBLIC**

The following items contained exempt information.

## **DECISION**

Members decided that the public interest in maintaining an exemption outweighed the public interest in disclosing the information.

In accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to, on the grounds that they involved the likely disclosure of exempt information, as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

**93 HART DISTRICT COUNCIL LEISURE CONTRACT – COVID 19**

Members were invited to consider the current position with the current agreement regarding management fee relief to be extended up to the 31st March 2021 and to recognise the financial implications for Everyone Active due to enforced closure of both the Hart and Frogmore Leisure Centres during 2021.

Members considered the paper and agreed the recommendations.

**94 CORPORATE VEHICLE FOR PROPERTY HOLDING PURPOSES**

This report outlined the principle of the creation of a wholly owned company limited by shares to hold and maintain residential assets procured by the Council for commercial return purposes.

*(Council Radley left at 9.15pm and returned at 9.16pm during this item)*

**DECISION**

Cabinet agreed to recommend to Council in January the following:

- (A) Approve the establishment of a Council owned housing limited by Shares to hold and deliver housing and meet the Council's objectives for the housing company as set out in the report. (Section 5)
- (B) Agree that on incorporation of the company, the appointments set out below in Section 6 (The Governance structure) take place. Any future appointments are to be made by Cabinet.
- (C) Accept the recommendation (Section 7) approving the holding vehicle procurement rules.
- (D) Authorise the Joint Chief Executive in consultation with the Leader, and the Chairman of Overview and Scrutiny Committee and the Section 151 Officer to establish the housing company and complete the relevant paperwork and documents as required.
- (E) Confirm that, subject to availability, the company be incorporated as 'Hart Homes Limited'.

The meeting closed at 9.28pm

## **STAFFING COMMITTEE**

**Date and Time:** Thursday, 17 December 2020 at 7pm

**Place:** Council Chamber, Civic Offices, Fleet

**Present:**

Butler, Crampton, Drage, Kennett, Kinnell, Neighbour, Radley, Wildsmith (Chairman), Worlock

**In attendance:** Forster, Oliver

**Officers:**

Patricia Hughes	Joint Chief Executive
John Elson	Head of Environment and Technical Services
Brijesh Mehta	HR & Customer Service Client Officer
Gill Chapman	Committee Services

### **1 MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting held on 11 February 2020 were confirmed and signed as a correct record.

After a query the Joint Chief Executive agreed to update Members on overtime, as Minute 6, at the next meeting.

### **2 APOLOGIES FOR ABSENCE**

None received.

### **3 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that after item 6, subject to Members vote, the public part of the meeting would close.

### **4 DECLARATIONS OF INTEREST**

None.

### **5 ELECTION OF VICE CHAIRMAN**

Councillor Butler was elected as Vice Chairman.

### **6 EXCLUSION OF THE PUBLIC**

The following item contained exempt information.

Members decided that the public interest in maintaining an exemption outweighed the public interest in disclosing the information.

## **DECISION**

In accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to, on the grounds that they involve the likely disclosure of exempt information, as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### **7 FUTURE MANAGEMENT OF JOINT WASTE CLIENT TEAM – STAFFING IMPLICATIONS**

To provide Staffing Committee with the background context relating to the management of the Joint Waste Client team, and to seek approval for the project plan and next steps in this regard.

*This report and its appendices was exempt from publication.*

Members considered the report and agreed the Officer Recommendations.

The meeting closed at 7.42 pm

## **PLANNING COMMITTEE**

**Date and Time:** Wednesday, 09 December 2020 at 7pm

**Place:** Council Chamber, Civic Offices, Fleet

**Present:**

### **COUNCILLORS**

Ambler, Blewett, Cockarill, Kennett, Oliver (Chairman), Quarterman Southern, Worlock

**Officers:**

Emma Whittaker	Planning Manager
Miguel Martinez	Principal Planner
Maxine Lewis	Enforcement Team Leader
Julia Taylor	Planning Officer
Celia Wood	Committee Services Officer

### **32 MINUTES OF THE PREVIOUS MEETING**

The Minutes of the meeting held on 11 November 2020 were confirmed and signed as a correct record.

### **33 APOLOGIES FOR ABSENCE**

Apologies received from Councillors Radley and Delaney.

### **34 CHAIRMAN'S ANNOUNCEMENTS**

None.

### **35 DECLARATIONS OF INTEREST**

None declared.

### **36 PLANNING (MAJOR SITES) SUB-COMMITTEE**

The Minutes of the meeting held on 26 November 2020 were noted.

### **37 GUIDION HOUSE – SECTION 106 AGREEMENT**

The Planning Committee considered whether to grant planning permission in respect of planning application reference number 19/02871/FUL, previously considered at their Meeting held on 12 August 2020, following completion of the Section 106 legal agreement to secure the provision of a Travel Plan for the development, including provisions for monitoring and the payment of an appropriate bond to ensure compliance; and a financial contribution toward

off-site green infrastructure provision.

## **DECISION**

Planning permission **GRANTED** for planning application 19/02871/FUL subject to the completed S106 Planning Obligation AND subject to the conditions previously recommended.

## **38 DEVELOPMENT APPLICATIONS**

Members accepted updates via the Addendum and considered the planning report from the Head of Place.

The meeting closed at 9.22pm

**HART DISTRICT COUNCIL  
DEVELOPMENT APPLICATIONS**

**Decisions/Recommendations – 09 December 2020**

**Item No: 101 – 20/01008/HOU - Stoney Cottage, The Bury, Odiham, Hook, RG29 1LY**

Demolition of existing timber conservatory and erection of a single storey rear extension and associated internal alterations.

**Note:** Items 101 and 102 were discussed simultaneously due to both applications relating to the application for an extension to a Grade 11 listed building.

Members discussed:

- The type of materials to be used and if those (modern) materials would result in the new extension looking significantly different to the host.
- The position and outlook of the dormer window in the design of the roof.
- The width of the pillars that have been designed in line with building regulations.

Members debated:

- That there were not enough strong reasons to refuse
- The change to the property brought by the extension will benefit the occupants and will be an improvement on the existing conservatory.
- Whether this extension would cause significant harm to the significance of the Grade 11 listed building.

After a vote, Members were against refusing both applications.

The Chairman proposed an alternative **Recommendation** to **GRANT** Planning permission and Listed Building Consent for Items 1 and 2 with the following condition:

- That the Committee delegate to the Ward Planning Member, Chairman and Vice-Chairman to consult with the Planning Manager on an agreed list of appropriate conditions to cover the usual 3 years to implement on both the listed building consent and the planning permission for the property.

The new Recommendation and Condition was agreed.

**DECISION – GRANT**

**CONDITIONS**

- 1 That the Committee delegate to the Ward Planning Member, Chairman and Vice-Chairman to consult with the Planning Manager on an agreed list of appropriate conditions to cover the usual 3 years to implement on both the listed building consent and the planning permission for the property.

## **INFORMATIVES**

- 1 The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the National Planning Policy Framework. In this instance, the proposed development was deemed to be unacceptable and the scheme could not be further amended to address the Council's specific concerns without altering the fundamentals of the proposal. The development was therefore determined on the basis of the information provided.

### **Item No 102: 20/01009/LBC - Stoney Cottage, The Bury, Odiham, Hook, RG29 1LY**

Demolition of existing timber conservatory and erection of a single storey rear extension and associated internal alterations.

Members considerations as above.

## **DECISION – GRANT**

## **CONDITIONS**

- 1 That the Committee delegate to the Ward Planning Member, Chairman and Vice-Chairman to consult with the Planning Manager on an agreed list of appropriate conditions to cover the usual 3 years to implement on both the listed building consent and the planning permission for the property.

## **INFORMATIVES**

- 1 The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the National Planning Policy Framework. In this instance, the proposed development was deemed to be unacceptable and the scheme could not be further amended to address the Council's specific concerns without altering the fundamentals of the proposal. The development was therefore determined on the basis of the information provided.

**Note:** Mr Joe Howland spoke in favour of the application.

### **Item No: 103: 19/02541/FUL – Burford, West Street, Odiham, Hook, RG29 1NX**

Construction of 16 no. dwellings (8 x 2-bedroom, 6 x 3-bedroom and 2 x 4-bedroom) with associated access, landscaping, and parking (following the demolition of existing dwelling house).

Members commended the Planning Officer on the comprehensive report and discussed the opportunity for green energy options such as air source heat pumps and PV panels.

Members debated:

- The proximity of Plot 1 to the road and plot 2 with the bungalow named Sarum.
- The Plan has been well thought out and a welcome addition to the area for affordable properties within the community.
- Accessibility in respect of the footpath for mobility scooters or pushchairs

### **DECISION – Grant**

- A.** That the Head of Place be authorised delegated authority to GRANT planning permission subject to the progression of a Legal Planning Obligation (S106 agreement) to secure:
- Six affordable residential units ( 5 x 2 bedrooms and 1 x 3 bedroom);
  - A financial contribution of £25,302.30 to be used towards the provision of affordable housing within the District of Hart;
  - A financial contribution towards Strategic Access Management and Monitoring (SAMM) across the Thames Basin Heaths Special Protection Area if cumulatively the number of dwellings constructed in total across this development site and designated residential development sites (i) Longwood, Odiham and (v) Land at Dunley’s Hill, Odiham exceeds 50 residential units, as required by the Odiham and North Warnborough Neighbourhood Plan.

**AND** subject to the following Planning Conditions:

### **CONDITIONS**

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be fully implemented in accordance with the following plans/documents (including any mitigation/enhancement recommended therein):

Plans:

17-143 003 Rev. J (Site Block Plan), 17-143 004 Rev. K (Site Plan), 17-143 004 Rev. M (Levels), 17-143 010 Rev. L (House Plans Plot 5), 17-143 011 Rev. C (Plots 6 and 7 Plans), 17-143 012 Rev. B (Plots 3 and 4), 17-143 013 Rev. G (House Plans Plot 2), 17-143 014 Rev. B (Plot 15 Plans), 17-143 015 Rev. A (Plots 11 and 12 Plans), 17-143 016 Rev. B (Plot 8 Plans), 17-143 017 Rev. E (Plot 1 Plans), 17-143 018 (Plots 13 AND 14 Plans), 17-143 019 (Plots 9 AND 10 Plans), 17-143 020 (Plot 16 Plans), 17-143 029 (Plot 16

Elevations), 17-143 030 Rev. D (Plot 1 Elevations), 17-143 031 Rev. D (Plot 2 Elevations), 17-143 032 Rev. A (Plots 3 AND 4 Elevations), 17-143 033 Rev. I (Plot 5 Elevations), 17-143 034 Rev. B (Plot 6 AND 7 Elevations), 17-143 035 Rev. B (Plot 8 Elevations), 17-143 036 (Plots 11 AND 12 Elevations), 17-143 037 (Plots 13 AND 14 Elevations), 17-143 038 Rev. B (Plot 15 Elevations), 17-143 039 Rev. B (Plot 9 AND 10 Elevations), 17-143 040 Rev. F (Boundary Elevations), 17-143 041 Rev. F (Boundary Elevations), 17-143 042 Rev. G (Sections), 17-143 042 Rev. I (Sections – Levels), 17-143 043 Rev. D (Sections), 17-143 043 Rev. F (Sections- Levels), 17-143 045 Rev. H (Technical Plan), 17-147 051 (Streetscene), 405000-100P7 (Drainage General Arrangement), 405000-200P4 (Exceedance event P4), 219-0102 (Landscape strategy plan colour), 405000-300P2 (Overland flows layout p2) Documents:

Design and Access Statement (dated November 2019) produced by MH Architects

Ecological Assessment (dated November 2019) produced by Peach Ecology

Arboricultural Method Statement (dated January 2020) produced by Eco Urban Ltd

Flood Risk /Drainage Assessment (October 2019) produced by Cowan Consultancy

Outline Sustainability & Energy Statement (October 2019) produced by SRE

Transport Statement (dated February 2019) produced by Stuart Michael Associates

REASON: To ensure that the development is carried out in accordance with the approved details and in the interest of proper planning.

3. The development hereby approved shall not commenced until details of a site construction method statement and management plan shall be submitted to and approved in writing by the Local Planning Authority and shall include but not limited to the following:

- i) Construction worker and visitor parking
- ii) anticipated number, frequency and size of construction vehicles
- iii) dust and Noise/Vibration mitigation measures
- iv) dust suppression measures
- v) Site security
- vi) vehicle manoeuvring and turning
- vii) locations for the loading/unloading and storage of plant, building materials and construction debris and contractors offices
- viii) procedures for on-site contractors to deal with complaints from local residents
- ix) measures to mitigate impacts on neighbouring highways; and
- x) details of wheel water spraying facilities
- xi) Protection of pedestrian routes during construction

Such details shall be fully implemented and retained for the duration of the works.

REASON: To protect the amenity of local residents, to ensure adequate highway and site safety in accordance with policies NBE11 and INF3 of the adopted Hart Local Plan - Strategy and Sites 2016-2032 and the NPPF.

4. No development shall commence (excluding demolition) until a detailed contaminated land report to assess potential contaminants has been prepared, submitted and agreed in writing with the Local Planning Authority in accordance with the 3-stage strategy below.

#### A. Site Characterisation

The investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination:
- (ii) an assessment of the potential risks to:
  - o human health,
  - o property (existing or proposed) including buildings, service lines and pipes,
  - o adjoining land,
  - o groundwaters and surface waters,
  - o ecological systems,
  - o an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

#### B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

REASON: In the interest of occupiers' health and residential amenity and to satisfy policy NBE11 of the adopted Hart Local Plan and Sites 2016-2032, saved local policy GEN1 of the Hart District Local Plan 1996-2006 and the NPPF 2019.

5. Notwithstanding the information submitted with this application, no development shall commence on site (excluding demolition) until a detailed Ecological Management Plan is submitted to and approved in writing by the Local Planning Authority.

The Ecological Management Plan shall be fully implemented in accordance with the details approved.

REASON: To ensure the development contributes to ecology enhancements in the locality, in accordance with policy NBE4 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved local policy GEN1 of the Hart District Local Plan 1996-2006, policy 12 Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

6. No development shall raise above slab level, until details of all external materials for the buildings hereby approved are submitted to and approved in writing by the Local Planning Authority. The details approved shall be fully implemented.

REASON: To ensure a high quality external appearance of the building and to satisfy policy NBE9 of the adopted Hart Local Plan and Sites 2016-2032, saved local policy GEN1 of the Hart District Local Plan 1996-2006, policy 5 Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

7. A soft/hard landscape strategy and boundary treatment details (boundary treatment for plots 4 and 5 to be permeable to flood waters) shall be submitted to and approved in writing by the Local Planning Authority. The buildings hereby approved shall not be occupied until such strategy is fully implemented as approved.

Soft landscape details shall include planting plans, written specifications require details of species, sizes, quantities of plants, management plans for all open areas and non-private boundaries and implementation schedule of landscape proposals.

Any trees or plants which, within a period of five years after approved completion, are removed, die or become, in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number as originally approved.

REASON: To ensure the development is adequately landscaped in the interest of visual amenity and the character of the area as a whole in accordance with policies NBE2 and NBE9 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policies GEN1 and CON8 of the Hart District Local Plan (Replacement) 1996-2006, policy 5 Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

8. Existing retained trees within the perimeter of the site and adjacent/close to the boundaries of the site, as identified on the approved Arboricultural Method Statement shall not be lopped, felled or otherwise affected in any way. Protection of the trees, hedgerows and groups of mature shrubs within and off site adjacent/close to it shall be retained and protected only in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations' (or any subsequent revision), and shall be maintained fully intact and (in the case of the fencing) at all times, until the completion of all building operations on the site.

REASON: To ensure existing trees on site are not damaged, in the interest of the visual amenity and natural setting of the area in accordance with policy NBE2 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policies GEN1 and CON8 of the Hart District Local Plan (Replacement) 1996-2006, policy 5 Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

9. The approved vehicular access, car parking facilities and manoeuvring area serving the development hereby approved shall be fully completed and made fully available prior to the first occupation of any of the buildings hereby approved. These vehicular facilities shall be retained for these purposes thereafter and access shall be maintained at all times to allow them to be used as such.

REASON: To ensure that the development is provided with adequate access, parking and turning areas in the interest of public highway safety and to satisfy policy INF3 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and the NPPF2019.

10. The vehicular access to the site hereby approved shall be constructed with lines of sight of 2.4 metres by 43 metres. The lines of sight splays shall be kept free of any obstruction exceeding 0.60m in height above the adjacent carriageway and shall be maintained so thereafter.

REASON: To provide and maintain a satisfactory access to/exit from the site in the interest of highway safety and to satisfy policy INF3 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and the NPPF2019.

11. Noise insulation for the building envelope and acoustic quality of windows for each dwelling shall be fully installed prior to first occupation to achieve internal sound levels within all habitable rooms that do not exceed 35dB LAeq,16hours (07:00-23:00); and a level of 45dB LA[F]max shall not be exceeded during night-time (23:00-07:00) within bedrooms.

REASON: In the interest of residential amenity of prospective occupiers and to satisfy to satisfy policy NBE11 of the adopted Hart Local Plan and Sites 2016-2032, saved local policy GEN1 of the Hart District Local Plan 1996-2006 and the NPPF (2019).

12. No development, demolition work or delivery of materials shall take place at the site except between 07:30 hours to 18:00 hours on weekdays or 08:00 to 13:00 hours Saturdays. No development, demolition/construction work or deliveries of materials shall take place on Sundays or Public Holidays.

REASON: To protect the residential amenity of adjoining/nearby residential occupiers and to satisfy to satisfy policy NBE11 of the adopted Hart Local Plan and Sites 2016-203, saved local policy GEN1 of the Hart District Local Plan 1996-2006 and the NPPF 2019.

13. Notwithstanding the provisions of Classes A, B, D E and F of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent order revoking and re-enacting that Order with or without modifications), no enlargement, improvement or other alteration to the dwellinghouses hereby approved to plots 2, 3 4 and 5 under these classes shall be carried out without the prior permission of the Local Planning Authority, obtained through the submission of a planning application.

REASON: In order that the Planning Authority can properly consider the effect of any future proposals on the character of the locality and amenity of neighbouring properties in accordance to policy NBE9 of the adopted Hart Local Plan and Sites 2016-2032, saved local policy GEN1 of the Hart District Local Plan 1996-2006, policy 5 Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

## **INFORMATIVES**

The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance, the applicant was advised of the necessary information needed to process the application and once received, further engagement with the applicant was required and the application was subsequently acceptable.

**B.** That the Head of Place be authorised delegated authority to REFUSE planning permission if the Legal Planning Obligation (S106 agreement) is not progressed to the satisfaction of the Head of Place Services by the 28<sup>th</sup> February 2021 for the following reasons:

1. The proposed development, in the absence of a satisfactory of a Legal Obligation to secure on-site provision of affordable housing and financial contribution towards provision of affordable housing in the District, would be contrary to policy H2 of the adopted Hart Local Plan - Strategy and Sites 2016-2032 and the NPPF.
2. The proposed development, in the absence of a satisfactory of a Legal Obligation to secure a financial contribution towards Strategic Access Management and Monitoring (SAMM) across the Thames Basin Heaths Special Protection Area, would be contrary to policy NBE3 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policy NRM6 of the South East Plan 2006-20226, The Thames Basin Heaths Special Protection Area Delivery Framework (2009) and the NPPF.

**Note:** Mr Jim Beavan spoke in favour of the application.

**ITEM 104 - 20/02436/FUL - Bramshot Farm Country Park, Bramshot Lane, Fleet GU51 2RU**

Creation of wetland and alterations to existing footpaths to enhance visitor facilities in the Suitable Alternative Natural Greenspace (SANG)

**DECISION – Grant subject to the following conditions:**

**CONDITIONS**

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby approved shall be carried out in accordance with the following drawing numbers and documents:

Drawings:

Block Plan; J00581-002 (Proposed Boardwalk); J00581-003 (Proposed Self-binding Footpath); J00581-004 Rev B (Site General Arrangement & Levels Plan); J00581-005 (Typical Sections); J00581-011 (Proposed Reinforced Gravel Footpath (Outside Tree RPA Areas)); J00581-012 (Proposed Concrete Bagwork Headwall); J00581-013 (Proposed Reinforced No Dig Gravel); J00581-014 (Tree Location Plan); J00581-LO-001 (Context Plan); and, J00630-001 (Ownership Plan).

Documents:

Arboricultural Implications Assessment; Arboricultural Implications Assessment; Biodiversity Statement; Construction Environmental Management Plan; Design and Access Statement (J00582); Non-Licensable Method Statement; and, Planning Statement (J00630).

REASON: To ensure that the development is carried out in accordance with the approved plans and particulars.

## **INFORMATIVES**

The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance: The applicant was advised of the necessary information needed to process the application and, once received, the application was acceptable and no further engagement with the applicant was required.

## **PLANNING COMMITTEE**

**Date and Time:** Wednesday, 13 January 2021 at 7pm

**Place:** Council Chamber, Civic Offices, Fleet

**Present:**

### **COUNCILLORS**

Ambler, Blewett, Cockarill, Delaney, Dorn (substitute for Kennett), Oliver (Chairman), Quarterman, Southern, Worlock.

### **Officers**

Emma Whittaker	Planning Manager
Mark Jaggard	Head of Place
Miguel Martinez	Principal Planner Officer
Adam Maskill	Tree Officer
Peter Lee	Planning Team Leader
Tola Otukedo	Shared Legal Services
Celia Wood	Committee Services Officer

## **39 MINUTES OF THE PREVIOUS MEETING**

The Minutes of the meeting held on 09 December 2020 were confirmed and signed as a correct record.

## **40 APOLOGIES FOR ABSENCE:**

Apologies from Councillor Kennett substituted by Councillor Dorn.

## **41 CHAIRMANS ANNOUNCEMENTS**

The Chairman advised Members that site visits restrictions will continue during the current Covid-19 lockdown. The Planning Team will work with planning applicants to find alternative methods to assess sites and to keep the planning process going.

## **42 DECLARATIONS OF INTEREST**

None

## **43 OBJECTION TO ORD/20/00007 "THE MILD MAY COURT TREE PRESERVATION ORDER, 2020"**

Members considered an objection which related to the Mildmay Court Tree Preservation Order (TPO).

Members sought clarification on the following:

- The justification for a tree preservation order (TPO) for these trees and the reason for the initial request.
- The benefit of having extra protection for the trees in the future.
- Whether work can continue without hinderance to keep the trees healthy with a TPO in place.

### **RECOMMENDATION**

That TPO ORD/20/00007 be confirmed.

Ms Sarah Golley spoke against the Tree Preservation Order.

### **44 DEVELOPMENT APPLICATION**

Members accepted updates via the Addendum and considered the planning report from the Head of Place.

The meeting closed at: 9.31pm.

## HART DISTRICT COUNCIL DEVELOPMENT APPLICATIONS

### Decisions/Recommendations – 13 January 2021

**Item no: 101 - 20/01539/FUL - 28 Finns Business Park, Bowenhurst Lane, Crondall, Farnham GU10 5HP.**

The Committee was asked to consider retrospective planning permission for the construction of a new dwelling on the application site.

Members discussed:

- The need to look carefully at the background of this application and the possible consequences of refusing planning permission for the current occupants.
- Would permission have been granted if the Council had been approached in the first instance.
- Whether the proposed dwelling would have a likely adverse effect on the Thames Basin Heaths Special Protection Area (TBHSPA) given that prior to its demolition there was a converted building that had secured the appropriate mitigation.
- The visual impact of the new building compared to the previous building.
- The internal levels if the building in relation to the potential surface water flooding issue.
- Whether the building would be appropriate accommodation for the future.
- The impact on the surrounding business park which is a designated Locally Important Employment Site (LIES) if this application was approved.
- Whether the site was suitable in terms of the environment (eg noise) and whether it was a sustainable location.
- That the demolition of the building extinguished any fall-back position.
- That it was not appropriate to grant a personal permission.

Members debated:

- That the Planning Committee did not have the delegated powers to grant planning permission as the proposal represented a Departure to the Development Plan.
- That the proposal was a material Departure to the Development Plan as it was contrary to policies SS1 and ED3 of the Plan. It was the view of the Planning Committee that whilst this was a Departure to the Development Plan that the fact that there was previously a dwelling was material and that this weighed in favour of approving an exception to Policy.
- The need to understand the Policy implications of rejecting this Application.
- The perceived risk to the property from surface water flooding in the area.
- Environmental Health Officer's report in relation to noise complaints in that location.
- Whether by granting this Application could this set a precedent for future applications.

- It was the view of the Committee that although the demolition of the original building extinguished the approved residential use of the site and any fall-back position, the fact that there was a previous dwelling at the site that had secured appropriate mitigation against the impact on the TBHSPA meant that this dwelling would not have a likely adverse effect on the TBHSPA.

After a vote, Members were against refusing the application.

The Chairman proposed an alternative **Recommendation** to refer to Full Council to **grant** planning permission subject to:

- The Application being advertised as a Departure and no further issues being raised subject to the Secretary of State referral.
- The Recommendation is subject to conditions to be drafted by the Chairman of the Planning Committee and the Planning Ward Councillor and subject to the Applicant satisfying the surface water flooding issue by providing additional information.
- The material reason for the departure is based on the fact is that there was previously a dwelling here and the Committee felt there is an exceptional circumstance upon which to have a departure to the recently adopted Hart District Local Plan.
- If the advertisement of the departure raises new material considerations that need to be take into account, there will be a need to bring it back to Full Council or Planning Committee depending on what it is.

**DECISION:**

That the application be referred to Full Council as a Departure from the adopted Hart Local Plan – Strategy and Sites 2016-2032 with the following recommendation:

**RECOMMENDATION A:**

That Full Council delegates Authority to the Head of Place Services to **GRANT** planning permission, subject to;

- No issues or material considerations being raised by any interested parties or consultees that have not already been addressed following the completion of the requisite Departure advertisement period
- Receipt of appropriate technical information to clarify that the dwelling is appropriately protected from internal flooding (including the addition of any required conditions)
- Consultation with Natural England in relation to the Appropriate Assessment does not raise any new matters or objections which further consideration by the Planning Committee

**AND** subject to the following planning conditions:

1. The development hereby permitted shall be retained in accordance with the following plans:  
PL16 Rev. A (Block Plan), PL19 Rev. A (Unit 28- proposed), PL20 Rev. A (Utility/ Store Details and Bin Store Details), A1 Rev. A (Block Garden Sketch Plan), A1 Rev. A (Front & Side Garden Sketch Plan), A1 Rev. A (Back Garden Sketch Plan)

REASON: To ensure that the development is carried out in accordance with the approved details and in the interest of proper planning.

2. Notwithstanding the provisions of Classes A, B, D, E and F of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent order revoking and re-enacting that Order with or without modifications), no enlargement, improvement or other alteration to the dwellinghouse hereby approved under these classes shall be carried out without the prior permission of the Local Planning Authority, obtained through the submission of a planning application.

REASON: In order that the Planning Authority can properly consider the effect of any future proposals on the character of the locality and amenity of neighbouring properties in accordance to policy NBE9 of the adopted Hart Local Plan and Sites 2016-2032, saved local policy GEN1 of the Hart District Local Plan 1996-2006, the NPPF 2019 and policy 3 of the Draft Crondall Neighbourhood Plan 2017-2032.

3. The car parking area to the front of the dwelling hereby approved shall be retained for the parking of vehicles and shall not be used for any other purpose. Access to the parking area shall be always maintained to allow this area to be used for vehicular parking.

REASON: To ensure that the development retains adequate parking and to satisfy policy INF3 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and the NPPF 2019.



### **RECOMMENDATION B:**

That the Head of Place be granted delegated authority to **REFUSE** planning permission by 31st March 2021 if no technical information has been submitted to address flooding issues or if the technical information submitted and assessed to ensure the dwelling is appropriately protected from internal flooding is not to the satisfaction of the Local Planning Authority on the following ground:

1. In the absence of satisfactory information to the contrary, the dwelling would be at risk of internal flooding from future flooding events as a result of its timber construction and recorded flooding levels of 300mm above the ground immediately surrounding it. As such the retention of the dwelling is contrary to policy NBE5 of the adopted Hart Local Plan and Sites 2016-2032, paragraph 155 of the National Planning Policy Framework (2019) and policy 6 of the draft Crondall Neighbourhood Plan 2017-2032.

**Note:** Mr Ben Finn spoke in favour of the Application.

DRAFT