



SUMMONS

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE HART DISTRICT COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, HARLINGTON WAY, FLEET ON THURSDAY 28TH JANUARY, 2010 AT 7.00 PM

Geoff Bonner
Chief Executive

CIVIC OFFICES, HARLINGTON WAY
FLEET, HAMPSHIRE GU51 4AE

AGENDA

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AND BRAILLE ON REQUEST**

- 1. PRAYERS**
- 2. MINUTES OF PREVIOUS MEETING**
To confirm the Minutes of the meeting held on 17th December 2009.
- 3. APOLOGIES FOR ABSENCE**
- 4. DECLARATIONS OF INTEREST (PERSONAL OR PERSONAL AND PREJUDICIAL)**
- 5. PRESENTATION BY MR TED JOHNS OF THE ODIHAM SOCIETY – “THE CELEBRATING HISTORY FESTIVAL”**
- 6. COUNCIL PROCEDURE RULE 12 – QUESTIONS BY THE PUBLIC**

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

*Note: The text of any question under Council Procedure Rule 12 must be given to the **Chief Executive** not later than **Noon on Friday, 22nd January 2010.***

7. COUNCIL PROCEDURE RULE 14 – QUESTIONS BY MEMBERS

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

Note: The text of any question under Council Procedure Rule 14.3 must be given to the Chief Executive not later than 5.00 pm on Monday, 25th January 2010.

The text of any question under Council Procedure Rule 14.4 must be submitted to the Chief Executive before 10.00 am on Thursday, 28th January 2010.

8. CHAIRMAN'S ANNOUNCEMENTS

9. CABINET MEMBERS' ANNOUNCEMENTS

10. CHIEF EXECUTIVE'S REPORT

11. MINUTES OF COMMITTEES

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

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

Meeting	Date	Minute Numbers	For Decision
Audit Committee	10 th December 2009	22 - 28	
Overview & Scrutiny Committee	15 th December 2009	47 - 57	
Resumed Planning Committee	16 th December 2009	57 - 60	
Planning Committee	13 th January 2009	61 - 66	
Cabinet (postponed from 5 th January)	14 th January 2009	95 - 110	

Date of Despatch: 19th January 2010

COUNCIL

Date and Time: Thursday, 28th January 2010 at 7.00 pm

Place: Council Chamber, Civic Offices, Fleet

Present:

COUNCILLORS –

Wheale - (Chairman)

Ambler	Crookes	Kinnell
Appleton	Davies	Murr
Axam	Gorys	Neighbour
Band	Gotel	Parker
Barrell	Haffey	Radley J E
Bennison	Harward	Radley J R
Billings	Healey	Simpson
Blewett	Henderson	Singh
Butler C	Hunt	
Butler G	Ive	
Cockarill	Kennett	

Officers Present:

Geoff Bonner	-	Chief Executive
Rod Hursthouse	-	Monitoring Officer
Tricia Jackson	-	Senior Committee Services Officer

56. PRAYERS

Councillor Parker led Members in a short prayer.

Note: Councillor Blewett entered the meeting at 7.04 pm.

57. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 17th December 2009 were approved and signed as a correct record.

58. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bailey, Glen, Maughan and Street.

59. DECLARATIONS OF INTEREST (PERSONAL OR PERSONAL AND PREJUDICIAL)

There were no declarations of interest.

**60. PRESENTATION BY MR TED JOHNS OF THE ODIHAM SOCIETY
“THE CELEBRATING HISTORY FESTIVAL”**

Mr Ted Johns, Chairman of the Odiham Society, thanked the Chairman for inviting him to give a presentation to the Council on the Historical Literary Festival taking place for seven days in April 2011. The Festival would be the first of its kind being a “history” literary festival.

He outlined the aims of the Festival and the events which it was hoped to hold including celebrity speakers, a ‘History Day’ with a banquet and dressed windows, special competitions for children, history relevant films, walking tours and historical re-enactments involving the Sealed Knot organisation.

Possible speakers had been identified and support had been pledged by the local Member of Parliament amongst others.

Councillors Davies and Ive suggested a few historical events which had occurred in and around Odiham which Mr Johns might be interested in including in his research for the Festival.

The Chairman thanked Mr Johns for giving his time, and thought it would be a very worthwhile and interesting Festival which she felt many Members would wish to support.

61. COUNCIL PROCEDURE RULE 12 – QUESTIONS BY THE PUBLIC

A question was received from Mr Roger Jones of Odiham, details of which are set out in Appendix A attached to these Minutes.

62. COUNCIL PROCEDURE RULE 14 – QUESTIONS BY MEMBERS

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

63. CHAIRMAN’S ANNOUNCEMENTS

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

Sunday, 17 th January	Hampshire County Council Chairman’s New Year Concert, The Anvil, Basingstoke
Saturday, 23 rd January	Friends of Oakley Park, Annual Social Evening
Monday, 25 th January	Hart Healthy Workplace Awards, Four Seasons Hotel, Dogmersfield

The Chairman regretted that she had had to cancel the Civic Service due to health issues.

The Chairman announced that there were three dates for Members’ diaries for charity meals in aid of her three charities as follows:

Saturday, 20th February for Yateley Industries. A three course dinner with raffle at Yateley Industries. She hoped as many Councillors as possible would attend especially those from Yateley.

Friday, 12th March – A fish and chip supper and quiz in Odiham for Leapfrogs

Monday, 29th March at El Costellos, Fleet, for the Gurkha Welfare Trust and Memorial Fund. There would be a raffle with a first prize of a holiday for two in Tenerife at a five star hotel. The Chairman would also be selling raffle tickets in Hart Centre.

The Vice-Chairman had attended Yateley Primrose Club New Year Party, Yateley Village Hall on Wednesday, 27th January on behalf of the Chairman.

Note: Councillor Appleton entered the meeting at 7.37 pm.

64. CABINET MEMBERS' ANNOUNCEMENTS

The Leader of the Council, **Councillor Crookes**, announced that he had attended a Budget Road Show in Hook today and reported that members of the public were keen and anxious to engage in the process. There was a very well constructed questionnaire to complete and he encouraged all Members to try to participate in the Road Show being held in Hart Shopping Centre, Fleet tomorrow (Friday, 29th) and in Yateley on 5th February.

The Cabinet Member for Planning, **Councillor Appleton**, announced that a seminar would be held on the sustainability analysis of the Local Development Framework and encouraged as many Members as possible to attend. The event would take place in February.”

The Cabinet Member for Health & Housing, **Councillor Band**, announced:

“1. Healthy Workplace Award – On Monday, 25th January, six organisations received their awards for providing a healthy workplace for their staff. The Council is very keen to promote staff health in the workplace and this is the third year that the Council, in partnership with the North Hampshire Chamber of Commerce and Industry and Hampshire NHS Primary Care Trust, has organised these awards.

The presentation took place at The Four Seasons Hotel in Dogmersfield who, besides being one of the sponsors, also won a gold standard for care of their staff. After the presentation they provided a delicious lunch.

Our main sponsor is Frimley Park Hospital Trust, an indication of the importance the Trust gives to this scheme. It was pleasing to see that both large and quite small firms had taken part from all round the district.

2. Dentists in Fleet – I am very pleased that additional NHS funding has been given to Elvetham Dental Centre allowing it to more than double its number of patients that the dental centre has both the capacity and trained staff to take those patients. This is very good news for the people of Fleet and surrounding areas who have been complaining for a long time about the shortage of dentists and the difficulties of registering for NHS treatment.

3. Housing – I am pleased to report that the Housing Department has just completed rescue packages to prevent four families from having their houses repossessed using the government’s mortgage rescue scheme. Each one entails a lot of work so there is a lengthy lead in time and it is good that we can report on four completions.”

The Cabinet Member for Public & Business Engagement, **Councillor Kennett**, had no announcements.

The Cabinet Member for Leisure & Recreation, **Councillor Kinnell**, announced:

“We are currently in the final stages of the Fleet Pond Management Plan. This document will provide a forward looking plan for the management of the whole nature reserve over the next five years and is required for the successful application of large grant funding. This will afford protection for all the rare habitats in the SSSI and produce funding to allow for the provision of capital work necessary for their improvement. It will also provide some annual revenue grant funding to help towards the general maintenance of the habitats.

We have submitted the plan to Natural England and are awaiting their comments. However, we are confident that the plan will be approved and will be in place by the end of the financial year.”

The Cabinet Member for Environment, **Councillor Parker**, announced:

“1. It may not have escaped Members’ notice that we suffered some heavy snow in late December and January, which caused disruption in many areas, not least refuse collection. I am assured by officers that the refuse service has caught up with all backlogs in residual waste, and by the end of tomorrow will have caught up with all blue bin waste. Green waste and glass collections have restarted this week, although many residents have been placing particularly glass in bring banks. Staff have been working hard to collect the additional glass from the banks, but have on occasions been overwhelmed.

Overview and Scrutiny Committee examined the draft weather emergency plan earlier in January; many ideas have been contributed by Members and others, and the Service Board had a discussion earlier this evening. We are still learning lessons and where Members have further ideas to contribute, we will be pleased to receive them.

2. As Members may know it is now a legal requirement that all public buildings over a certain size need to display in their reception areas, a Display Energy Certificate (DEC) for the building similar to the notices shown on fridges.

Certificates are displayed in the following buildings:

Civic Offices

Harlington Centre

Hart Leisure Centre

Frogmore Leisure Centre

The certificates, which are updated annually, indicate how much energy is being used to operate the building. The first annual update of these certificates has just been completed and in all four buildings the certificates show an improvement (i.e a reduction in the amount of energy used over the last 12 months when compared with the previous 12).

The savings made are primarily as a result of improved management of the energy use by building managers rather than physical improvements to the buildings, and supports the work of the Councils Energy Group which meets on a monthly basis to review energy use and identify energy saving opportunities.

Taking into account all of the Council's building portfolio the reduced energy usage for the period April 09 - Dec 10 will provide carbon savings of 150tCO₂e, enough to enable

a standard family car with emissions of 165g/km to travel around the circumference of the world (measured at the equator) nearly 23 times.

3. Following a parking adjudication which vindicated Hart's actions but ruled that part of the signage in Fleet Road could be misunderstood, the Council has removed parking signs from the relevant parts of Fleet Road leaving those advising the loading restrictions, and is pressing the Department for Transport (DfT) for alternative solutions.

The adjudicator confirmed that the Traffic Regulation Order, the signs and the markings are legal and compliant with each other, and say exactly what the restrictions are. Indeed, all the points in the appeal other than the matter of misunderstanding the signs were upheld. The adjudicator accepted that Hart had done its best to create clear signs.

The action now is to go back to the DfT for further and better guidance in the light of the adjudicator's decision. Meanwhile the remaining restriction to goods vehicles only loading in the morning and early afternoon remains in place and enforceable. In parallel with that, we are continuing our review of the restrictions for the future."

The Cabinet Member for Partnerships, **Councillor Singh**, announced:

1. An Action Day was held in Crondall this week which was well attended by partner agencies and local residents. The day included a surgery at the New Life Church, the reporting of 5 untaxed and 2 vulnerable vehicles, increased enforcement patrols, drugs checks on licensed premises, licensing checks, estate inspections and environmental visual audits.
2. The first Hart Junior Community Team is coming to an end. The scheme has seen fifteen 10-11 year olds working with agencies and learning about their community and how to take pride and help in it. There will be a presentation evening in March for the young people who have taken part and Hampshire County Council are funding a day at Calshot Activity Centre as a reward for their efforts. The scheme will then move on to another school within the district to work with the next fifteen youngsters.
3. We are currently in the planning stages for the next Crime Reduction and Environment Week (CREW) which will be held in Quetta Park from 12th to 18th April. The event is being run in partnership with the Army for the first time.
4. Graffiti Busting Week is due again from 29th March to 2nd April and members of the public have been submitting requests for graffiti removal. On a positive note, there is only enough brickwork graffiti to justify an outside contractor for one day.
5. The Army have just agreed, after months of negotiation, to host a Boot Camp for young offenders in Hart. The Boot Camp will be five days long and will work on discipline, team work, self esteem, motivation and improve citizenship. We will look to make further announcements regarding this in the near future.
6. Hampshire Constabulary has agreed for Hart to run a pilot project for restorative justice conditional cautions and reprimands. This means that low level perpetrators will have a condition placed on their caution or reprimand and the victims of those crimes will have an opportunity, in a controlled environment, to explain exactly how the crime has affected them emotionally, financially and/or physically. Community Safety staff have

undertaken the necessary training to run the project and are now qualified to a facilitator or practitioner level.

7. A recent press release requesting old bicycles for our 'Bike Project' has had a fantastic response and we have had approximately 50 bikes donated.

8. Finally, I would like to congratulate everyone in the Community Safety Team for the excellent work they are doing to make Hart a safer place to live."

Note: Councillor J E Radley entered the meeting at 7.50 pm.

65. CHIEF EXECUTIVE'S REPORT

"1. The funding gap on the budget still stands at around £75,000. Members will be aware from their Cabinet papers that it is proposed to bridge this by a limited review of the Council's senior management structure. Proposals for this review are currently being notified to the staff directly affected. Once that process is complete – probably tomorrow afternoon – my intention is to publish the proposals in full to all staff and Members via email. The proposals will then be subject to formal consultation with staff and will be the subject of a report to Cabinet on 4th March.

2. As referred to by Councillor Crookes, a Budget Roadshow is being held in Hook, Fleet and Yateley over today, tomorrow and next Friday respectively. The roadshow sets out the main work areas of the Council and invites members of the public to complete a questionnaire to help inform the budget decisions. The results of this will be reported to next Council as part of the budget debate.

3. Kevin Jaquest has been serving as the Council's Head of Finance (otherwise known as the Section 151 officer) since September, in addition to his normal job as Head of Finance at Basingstoke & Deane Borough Council. It was agreed between Basingstoke and Hart that we would try this dual appointment on a six month trial basis. Unfortunately Kevin has decided that trying to do both Councils' work is too much, and has therefore indicated that he will not be able to continue with Hart when the six month trial ends in March. I am now looking at possible options for filling this post from April onwards.

4. Members will recall that it was previously proposed to transfer the Harlington Centre to the ownership of a Joint Committee of all three new parish councils in the unparished area with effect from 1st April 2010. Agreement has now been reached between the Shadow Parish Councils that Fleet should take on sole responsibility for the centre, with some financial support from the other two Councils. A report at Cabinet next week therefore seeks approval to this revised approach, which should significantly simplify the management arrangements for the centre in future.

5. The same report at Cabinet will also recommend budget precepts for the new parishes. A meeting has been arranged for District Council Members in the unparished area to discuss the new Councils' proposed budgets and this will take place at 7.00pm on Tuesday 9th February here in the Council Chamber."

66. MINUTES OF COMMITTEES

Meeting	Date
Audit Committee	10th December 2009

No questions asked.

Overview & Scrutiny Committee	15th December 2009
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No questions asked.

Resumed Planning Committee	16th December 2009
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No questions asked.

Planning Committee	13th January 2010
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No questions asked. Councillor Bennison referred to an amendment on page PL.138, which would be dealt with at the next Planning Committee.

Cabinet	14th January 2010
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Minute No 101 – Sale of Council Owned Land to Provide Affordable Housing

Councillor Axam stated that he had asked for an assurance that the land in Durnsford Avenue would not be offered for sale and transferred to the new Parish Council, and he wished this to be reflected in the Minutes.

Councillor Crookes stated that this had not been formally decided by Cabinet but would be considered at the March meeting.

Councillor Davies wished it clarified for Members and the public that this was not a grant of planning permission.

Councillor Crookes confirmed that at the Cabinet meeting discussion had taken place on whether to seek offers for the sale of those parcels of land, which it did. Having done that, when prospective purchasers bring their proposals to Planning Committee, the public will be able to air their views to the Planning Committee.

Councillor Davies also wished to expand on housing issues and raised the following questions, which were answered by Councillor Band as the Cabinet Member for Housing:

The size of the housing list, comments of the Audit Commission, our target for the delivery of affordable housing and our delivery against this target.

Currently there are 1450 families on the waiting list, 338 in Fleet and Church Crookham, 46 in the locality of Crookham Parish.

The Council has a target of providing 80 houses per year in Hart – last year we only provided 14. The Council relies on private landlords to provide rented accommodation.

The comment of the Audit Commission was that we had failed to provide social housing. We have a statutory duty and obligation to provide housing in Hart and every local

authority has the same obligation for those in housing need who cannot access market housing. In Hart a family needs to earn £35,000 per annum before they are able to access a house on the open market. The alternative is shared ownership or social rented housing.

Councillor Appleton requested that the Council tries to discuss with the Parishes how we act before it is communicated to residents so they have an opportunity ahead of finding out after the event.

Councillor Crookes stated that there was a paper to February Cabinet on a community engagement strategy which will go part of the way to address these issues.

Minute No 107 – Setting the Council Tax Base

Councillor Neighbour queried whether the Resolution in this Minute should have been a Recommendation to Council and not an Executive decision.

The Monitoring Officer stated that he had checked the Minutes from last year's meeting and the same procedure had been followed. As Members will be aware, functions are divided into Executive and non-Executive. A non-Executive function is setting the budget and policy framework. To satisfy Councillor Neighbour, the Monitoring Officer would check the position and give a written answer.

Councillor Neighbour responded that just because it happened last year did not make it right, but he would take it up at the budget meeting.

The meeting closed at 8.10 pm.

COUNCIL PROCEDURE RULE 12

QUESTIONS BY THE PUBLIC

Question by Mr Roger Jones of Odiham

"In the light of the recent grant of planning permission by Hart District Council to the trustees of the Odiham Cottage Hospital for the upgrading of facilities of the Odiham Cottage Hospital, can the portfolio holder for Housing in her capacity as chairman of the Council's Health Board assure the community that long-term guaranteed financial, operational and general support will continue to be provided to the Odiham Cottage Hospital by the Hampshire PCT for the continuation of the excellent work it does in the community, which it serves?"

Councillor Band responded:

"The Hampshire PCT had a general meeting today in Waterlooville and I took the opportunity of going there to speak to the new Chief Executive of the PCT. I told her about the rumours going around and she knew nothing, so I was able to make a good play for the continued prosperity of the hospital.

The Council, itself, is not able to give that reassurance because it has no direct responsibility for the Hospital but the health and welfare of the people of Hart is a Council responsibility.

For that reason members of the Health Board were dismayed to learn last Thursday that Odiham Cottage Hospital might be under threat to close 12 years after it had been rescued from closure by the united efforts of local people who raised the funds to buy it from the North and Mid-Hants Health Authority.

Since then it has been owned by the charitable body, Odiham Cottage Hospital Redevelopment Trust (OCHRE) and managed and run by the NHS. The hospital is well used and held in high esteem and well supported by the local doctors and all those it serves. Its closure would badly affect the local population as they have shown in the past.

I shall forward your question immediately to the Chief Executive of the Hampshire PCT and ask for an early response".

Supplementary Question by Roger Jones:

I thank Councillor Band for all her hard work. May I ask if the community can once again expect from this authority the same support it has given over the many years when the hospital has come under attack. I would like to ask that you support us in the presentation to the PCT, the health care associated and other advantages which arise from Odiham Cottage Hospital and which it provides to the people of the Parishes of the western part of Hart District. Remembering the constant inflow of funds from a very general community in support of the hospital in which they have invested a lot of money in the recent years.

Councillor Band responded:

Certainly speaking for myself, as long as I have any influence I will give it all my attention and should we receive a disquieting reply from the Chief Executive of the PCT, I shall recommend to

the Health Board that we take the case to the Hampshire Overview and Scrutiny Committee as being the next place to argue the case.

COUNCIL PROCEDURE RULE 14

QUESTIONS BY MEMBERS

Councillor Blewett asked the Cabinet Member for Environment:

Does Hart have a risk assessment in place for its refuse collection service when refuse collectors are operating on dangerous surface condition and how frequently is it reviewed?

Councillor Parker responded:

"Risk Assessments are carried out for all functions of Waste Collections and include working in dangerous conditions. These assessments are undertaken by the Quality & Safety Supervisor, the Union Representative, and the Depot Health & Safety Committee and then approved by the Waste & Recycling Manager. These assessments are undertaken on an annual basis unless there is an accident or injury when they are reviewed as part of the investigation process.

At the same time the Waste Contingency Plan for Bad Weather also includes an aspect of Health & Safety for collections to be carried out in these conditions.

All assessments are filed centrally along with all assessments from the remainder of the authority."

Supplementary Question by Councillor Blewett:

A member of the refuse staff had an accident and broke his wrist whilst working. Does the Council provide suitable footwear to minimise the risk so that the service can be provided as safely as possible?

Councillor Parker responded:

Suitable footwear is provided to all staff, and we will look at it again to ensure it is adequate for the purpose.

Councillor Band asked the Cabinet Member for Environment:

The background to this question is the internal flooding of houses in Priory Lane, Mortimer Close and nearby roads of Hartley Wintney in July 2007, some of them for the second time in 7 years with a history of flooding going back to the 1980s.

This flooding appears to be caused by a network of ditches flowing through Hartley Wintney towards the river Hart. In places the ditches have been filled in and their course intermittently lost.

Over the last two and a half years the Council's engineering officers have made some progress in tracing the course of these lost ditches but no repairs can be done until a "necessary study to identify a suitable solution to the flooding problems in the Phoenix Green area" has been carried out.

The cost of such a study would be substantial and in July 2009 I was told that the Environment Agency had encouraged Hart to bid for a grant to cover the costs. The bid was made, but in a

letter sent to Mr Bonner on 27th October 2009, the Council were told that it had been unsuccessful.

On 30th November 2009 a letter was sent to the regional director of the Environment Agency to obtain a proper explanation as to why the bid had failed. The reply said that the Council had not provided sufficient evidence nor sufficient clarity to make its case successfully. The advice was to reapply in 2010. Meanwhile the residents of that part of Hartley Wintney remain at risk of repeat flooding. I find this totally unacceptable.

My question is:

“In view of the above protracted and unsuccessful actions, how can the residents of Hartley Wintney be confident that the Council will put in a better targeted bid in time for the next round of grants to fund this study without which there appears to be little hope that a suitable solution can be achieved?”

Councillor Parker responded:

"Thank you for raising this question.

The 2009 bid was compiled with full consultation with the Environment Agency (EA) area office in Frimley whose response on receipt of the bid was that it was an "excellent submission". Officers also sought advice from consultants who had successfully submitted applications on behalf of Wokingham Borough Council and who considered that our bid was "very good".

The EA is due to make final decisions at the end of next month, and pending that Hart has escalated the matter to EA director level.

Officers are aware of the perceived deficiencies of the bid, which relate to supporting information which we need to source from the EA area office. If the final decision next month is negative, officers will submit an expanded bid this year. Given that we know what the EA want, officers believe that they can supply it. Your residents can thus be assured that the revised bid will better suit the requirements of the EA, unless they change without telling us."

Supplementary Question by Councillor Band:

Can I ask the Portfolio Holder if he will make sure that the Hartley Wintney Parish Council is kept apprised of each stage of the bid and how its is being considered?

Councillor Parker responded:

I'm very happy to do that.