



## SUMMONS

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE HART DISTRICT COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, HARLINGTON WAY, FLEET ON THURSDAY 28 NOVEMBER 2013 AT 7.00 PM

Geoff Bonner  
Chief Executive

CIVIC OFFICES, HARLINGTON WAY  
FLEET, HAMPSHIRE GU51 4AE

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## AGENDA

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BRAILLE ON REQUEST**

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

To confirm the Minutes of the Council Meeting held on 31 October 2013. **Paper A**

### **2 APOLOGIES FOR ABSENCE**

### **3 DECLARATIONS OF INTEREST**

To declare disclosable pecuniary, and any other, interests.

### **4 CHAIRMAN'S AWARD PRESENTATION**

### **5 BELLS PIECE CHESHIRE HOMES**

Presentation from Susie Thornely, Project Co-ordinator.

### **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, 22 November 2013.***

## 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, 25 November 2013.*

*The text of any question under Council Procedure Rule 14.4 must be submitted to the Chief Executive before 10.00 am on Thursday, 28 November 2013.*

## 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
Licensing	5 November	17-23	
Cabinet	7 November	60-79	<b>66</b> - Scrap Metal Dealers Act 2013 <b>75</b> - Procuring a New Leisure Centre – Options and Choices (see item 12 below)
Planning	13 November	38-44	

## 12 PROCURING A NEW LEISURE CENTRE – OPTIONS AND CHOICES

To recommend to Council the approach to be adopted for the design and procurement of the proposed new Hart Leisure Centre. Cabinet have already considered this report and have made the recommendations set out below.

### Paper B

### RECOMMENDATIONS

I That Council agree to proceed with the design and procurement of the new centre on the following basis:-

I.1 That the Council agree to bear the whole capital cost of construction itself.

- 1.2 That procurement be based on separate contracts for the construction of the centre, and for its future operation and maintenance.
- 1.3 That the Council commence both the design process and the appointment of an operator as soon as possible, but that the design be not finalised until the operator has had an input to it.
- 1.4 That the Council agree to seek a Design & Build form of construction, possibly with some elements of the Develop & Construct approach
- 1.5 That the Council adopt the SCAPE Framework as its approach for the tendering of the project at a cost of £70k.
- 1.6 That tenders be sought for the operation of the new centre, with an inhouse “bid” also being prepared to use as a benchmark for evaluating the tenders received.
- 1.7 That the ongoing maintenance of the centre, once built, be made the responsibility of the operator.
- 2 That Council agree that the decisions to appoint an operator, and to accept a tender for the construction of the centre, be subject to the approval of Council once the full costs are known.
- 3 That Council note that a further report setting out proposals for the improvement of Frogmore Leisure Centre will be brought forward to Cabinet for approval in due course.

### **13 CHANGES TO THE WARDING ARRANGEMENTS OF YATELEY PARISH**

To receive the findings of the recently completed Community Governance consultation into the internal parish boundary arrangements of Yateley parish and if appropriate to make a recommendation for implementation of new parish ward boundaries at elections from April 2015. **Paper C**

#### **RECOMMENDATION**

That Council resolve to either:

- (a) Make no change to the scheme created by the LGBCE and endorse their scheme of 3 parish wards

OR

- (b) Adopt the alternative proposal for 5 parish wards; make a request to the LGBCE to amend the existing scheme that is due to come into effect in April 2015; and make amendments to the electoral register with effect from the 17th February 2014 that will enable the delivery of elections on either the old or new boundaries from that date.

## **I4 CHANGES TO THE NUMBER OF OF COUNCILLORS ON ELVETHAM HEATH PARISH COUNCIL**

To receive the findings of the recently completed Community Governance consultation concerned with increasing the number of councillors on Elvetham Heath Parish Council (EHPC) from 5 to 7 with effect from the parish elections due in May 2014. **Paper D**

### **RECOMMENDATION**

That Council resolve to either;

- (a) Increase the number of councillors on EHPC to 7 with effect from May 2014
- OR
- (b) Keep the existing number of councillors on EHPC

**Date of Despatch: 19 November 2013**

**COUNCIL**

**DATE OF MEETING: 28 NOVEMBER 2013**

**TITLE OF REPORT: PROCURING A NEW LEISURE CENTRE – OPTIONS AND CHOICES**

**Report of: Chief Executive**

**Cabinet Member: Councillor Sara Kinnell, Leisure & Recreation**

**1. PURPOSE OF REPORT**

1.1 To recommend to Council the approach to be adopted for the design and procurement of the proposed new Hart Leisure Centre. Cabinet have already considered this report and have made the recommendations set out below

**2. CABINET RECOMMENDATIONS**

2.1 That Council agree to proceed with the design and procurement of the new centre on the following basis:-

1. That the Council agree to bear the whole capital cost of construction itself.
2. That procurement be based on separate contracts for the construction of the centre, and for its future operation and maintenance.
3. That the Council commence both the design process and the appointment of an operator as soon as possible, but that the design be not finalised until the operator has had an input to it.
4. That the Council agree to seek a Design & Build form of construction, possibly with some elements of the Develop & Construct approach
5. That the Council adopt the SCAPE Framework as its approach for the tendering of the project at a cost of £70k.
6. That tenders be sought for the operation of the new centre, with an inhouse “bid” also being prepared to use as a benchmark for evaluating the tenders received.
7. That the ongoing maintenance of the centre, once built, be made the responsibility of the operator.

2.2 That Council agree that the decisions to appoint an operator, and to accept a tender for the construction of the centre, be subject to the approval of Council once the full costs are known.

- 2.3 That Council note that a further report setting out proposals for the improvement of Frogmore Leisure Centre will be brought forward to Cabinet for approval in due course.

### **3. BACKGROUND**

- 3.1 At its May 2013 meeting, Cabinet considered a report from the Leisure Centre Working Party which set out some broad conclusions on the approach to be adopted towards procuring a new Hart Leisure Centre. Although the specific proposal in that paper (to develop a scheme with one particular private company) has not come to fruition, the other conclusions in it are still broadly valid.
- 3.2 The Working Party has therefore been seeking to build on those conclusions and to set out a way forward for the procurement of a new centre.
- 3.3 There are a number of key choices which the Council has to make, and a number of factors to take into account, in arriving at a procurement route. This paper discusses those choices and factors and recommends a procurement route for the Council to adopt.
- 3.4 The Working Party's discussions have been facilitated by further advice from the council's leisure consultants, Strategic Leisure Ltd, and a copy of their report is available as a background paper.

### **4. THE CORE SCHEME**

- 4.1 As a starting point, the Working Party have used the "Core Scheme" set out in the previous Cabinet decision. This consisted of:
- A gross floor area of around 6000 sq m
  - A swimming pool 25m long with 8 lanes plus a learner pool
  - A sports hall
  - Studio facilities
  - A gym
  - A cafe
  - A large car park
  - Senior and junior all weather pitches
  - Some natural grass pitches
- 4.2 The Working Party have considered whether a single 25 metre pool will be adequate for all future needs, or whether the scheme should include an additional pool (which would allow one pool to be used for, say, club use while the other is used for teaching). While an additional pool would be desirable, it would add appreciably to the cost. The Working Party therefore recommend that the Core Scheme remain unchanged, except that the design of the new centre should explicitly allow for an additional pool to be added in future if desired.
- 4.3 The previous report envisaged this package of facilities having a capital cost of £12-£14M. This figure is rather lower than the £19M previously suggested by Strategic Leisure, and the work which Alliance Leisure undertook suggested too that a figure

nearer £19M would be more realistic. It is therefore difficult to say with certainty at this point what level of budget the Council should consider for the centre; clearly it will want to keep the cost as low as possible, but at the same time will want to ensure that the centre meets the future needs of the residents of the district.

- 4.4 Ultimately, the only way of ensuring that the Council gets the lowest price possible for a given level of development will be to go to competitive tender on a project, and see what bids are received. The Council will then need to decide at that point whether it can afford that level of cost, or reduce the specification of the scheme to an affordable level.
- 4.5 For current purposes, it is recommended that the Council should work primarily on the basis of meeting the “Core Scheme” proposals, indicating an anticipated cost of £14M, but being prepared to consider proposals in excess of this if necessary. As discussions with potential operators, architects and contractors develop, the figures can be revised, or the specification reduced, as necessary.

## 5. KEY CHOICES

- 5.1 If the Core Scheme and the £14M+ indicative costs are accepted, there then follow a number of key choices for the Council to make:

- **Capital Funding** – does the council intend to fund the capital cost itself, or will it ask the future operator to provide part of the funding
- **Contract Basis** – will the council seek a single, integrated contract covering both the design and construction of the centre, and also its future operation and maintenance (the so-called DBOM approach); or will it separate out the construction contract from future operation and maintenance
- **Finalising the Specification** – will the council finalise the specification itself, or do so in conjunction with the future operator
- **Design Basis** – will the council employ the design team (architects, quantity surveyors, etc) itself in the traditional way; will it seek a Design & Build solution (where the contractor carries out the design); or a Develop and Construct solution (a midway point between the traditional and Design & Build approaches)
- **Tender Approach** – does the council want to tender the construction in the traditional way, or use a framework agreement
- **Future Operation** – will the council seek to operate the centre itself, or contract out future operation to a trust or similar body
- **Future Maintenance** – will the council maintain the building itself, or require the operator to maintain it

- 5.2 To make these choices the council will need to consider a number of factors:-

- The balance between **risk and reward** it wishes to strike
- The balance between **cost and quality** it wants to achieve
- The degree of **control or interference** it wishes to exercise
- The amount of **competition and choice** it wishes to see
- The **timescale** for completion it wants to achieve
- The amount of **flexibility and resilience** it wishes to retain

- 5.3 Different choices will affect these factors in different ways – for example, using the DBOM approach will reduce risk but may cost more, will reduce the amount of control the council has over the scheme, and will reduce competition.

### **Capital Funding**

- 5.4 One option discussed in the previous paper was that of asking a potential operator of the centre to make a contribution towards its capital funding. Whilst that sounds superficially attractive, any operator will meet that cost by borrowing, paying interest on the amount borrowed, and recovering that cost from revenue income. Such an approach would therefore reduce the revenue returned to the Council from the new centre. Moreover, because the Council can almost certainly borrow more cheaply than an operator, the interest on the capital borrowed would be higher using this route. There therefore seems little point in seeking any significant operator contribution to the capital cost of the scheme, and it is recommended that the Council proceed on the assumption that it will meet the full capital cost itself.
- 5.5 The previous paper discussed the various options for the Council in providing the necessary funding, including the use of s106 resources.

**Recommendation 1: That the Council agree to bear the whole capital cost of construction itself.**

### **Contract Basis**

- 5.6 The previous report considered the desirability of adopting an integrated (ie, DBOM) approach to procurement, with a single contract covering both the construction of the new facility and its future operation and maintenance. The alternative approach is to separate the design and construction from the operation and maintenance, with separate contractors for each.
- 5.7 There are a number of significant attractions to the DBOM approach, but also a significant disadvantage in that there are very few companies likely to be willing to submit DBOM proposals. There is thus the prospect that the Council will receive very few, if any, DBOM proposals, resulting in very little competition and therefore probably significantly higher capital costs for the scheme. The reasons for this are discussed in detail in the consultant's report previously mentioned.
- 5.8 For this reason it is recommended that the DBOM approach be discounted.

**Recommendation 2: That procurement be based on separate contracts for the construction of the centre, and for its future operation and maintenance.**

### **Finalising The Specification**

- 5.9 If the centre is eventually to be managed and maintained by an operator, there would be benefit in involving the operator in the detailed specification and design. This would allow the operator to ensure that the design fits in with their operating practices, and should therefore help maximise the revenue return to the Council.

- 5.10 To set against this, however, the process of appointing an operator will itself take time, and if the operator has to be in place before the detailed specification can be agreed it will therefore delay the start of the design and construction process, adding around 9 months to the overall timetable
- 5.11 (There is also the possibility that the Council may choose to operate the centre itself, in which case the question of appointing an operator is irrelevant. This point is discussed in more detail below.)
- 5.12 One possible compromise is to run the appointment of the operator in parallel with the design process, with the aim of allowing the operator the chance to have input to the final detailed design, although not to the broad principles of the scheme.

**Recommendation 3: That, subject to recommendation 6 below, the Council commence both the design process and the appointment of an operator as soon as possible, but that the design be not finalised until the operator has had an input to it.**

### **Design Basis**

- 5.13 The design of the building will obviously be undertaken by an architect, with a supporting team of other professionals such as quantity surveyors, mechanical and electrical engineers, etc.
- 5.14 There is, however, a choice to be made between the Council itself employing the design team, or seeking a Design and Build form of construction, where the contractor delivers the building to their design but in accordance with a specification provided by the Council. There is also a third route, called “Develop and Construct”, which represents a compromise between the other two.
- 5.15 The choice between these different approaches depends upon the balance between project cost and design control that the Council wishes to exercise over the scheme. The traditional approach of the Council employing the design team will give the Council maximum control over the design, but at the probable expense of additional costs and (possibly) time delays. The Design and Build approach will probably result in lower costs and quicker completion but with reduced control over the design. The Develop and Construct method represents a midway point between the two.

**Recommendation 4: That the Council agree to seek a Design & Build form of construction, possibly with some elements of the Develop & Construct approach**

### **Tender Approach**

- 5.16 Whatever basis is chosen for the design of the centre, the Council will also face the choice of whether it wishes to go through a normal tendering process for the construction, or use a Framework Agreement, such as the “SCAPE” agreement run by a consortium of councils in the East Midlands. Due to the need to comply with EU procurement rules the tendering process is likely to be lengthy, and also expensive in terms of professional fees. On the other hand, it may result in a lower construction cost at the end of the day, as a result of greater competition between

potential contractors. The Framework Agreement approach, however, would be simpler and quicker, and because the Framework as a whole has already been subject to a tendering process should result in at least a reasonable contract price.

- 5.17 Following the Framework approach will require the Council to subscribe to the Framework, with the costs of designing a proposal running to around £70K. Whilst this sounds a lot of money, it is likely to be significantly less than the cost of the Council requiring its own professional services for a tender process.

**Recommendation 5: That the Council adopt the SCAPE Framework as its approach for the tendering of the project.**

### **Operation Of The Centre**

- 5.18 The Council currently operates its leisure centres itself, using in-house staff. Various consultant reports have suggested that this operation runs efficiently and (excluding overheads) generates income for the Council. It is likely that the new leisure centre would result in additional revenue income, of the order of £630K per year according to the Council's own figures.
- 5.19 The Council could continue to use its own in-house team to run the new centre. However, an in-house operation incurs two potentially significant financial penalties – it has to pay rates, and also VAT. Depending on how the new operator were set up, these two elements of cost could be significantly reduced.
- 5.20 All other things being equal, an external operator should give a better financial return to the Council, because they can achieve benefit from economies of scale, and provide an opportunity for the Council to reduce its rates and VAT liabilities. The Council could also stabilise its own income by requiring the operator to guarantee a minimum level of financial return to the Council each year, although this would probably reduce the overall level of income the council could expect to receive.

**Recommendation 6: That tenders be sought for the operation of the new centre, with an inhouse “bid” also being prepared to use as a benchmark for evaluating the tenders received.**

### **Future Maintenance**

- 5.21 The Council could choose to undertake the future maintenance of the centre itself, leaving the operator solely responsible for day to day cleaning and similar minor maintenance works. The alternative is to make the operator responsible for all maintenance, including the fabric of the building, the plant and equipment, etc, with the requirement that the building be handed back at the end of the contract in “as new” condition.
- 5.22 There are obvious merits to passing the maintenance obligation onto the operator, although this will of course reduce the income the Council itself receives.

**Recommendation 7: That the ongoing maintenance of the centre, once built, be made the responsibility of the operator.**

## **6. FINANCIAL IMPLICATIONS**

- 6.1 The only immediate financial consequence of agreeing the recommendations in this report is the £70k design costs anticipated under the SCAPE framework.
- 6.2 When tender bids are eventually received there will need to be a robust business case constructed to determine the financial viability of the scheme before the Council can make a final decision.

## **7. NEXT STEPS**

- 7.1 If the Council is minded to accept these recommendations, work can then start in earnest on the design and construction of the new centre.
- 7.2 The Council will firstly need to appoint leisure consultants to advise it on the design and tendering processes, and on the selection of a preferred operator. The Council has a long association with Strategic Leisure Limited and there would thus be advantages to appointing them to this role; further discussions will be held with Strategic Leisure and a report brought forward to Cabinet on the appointment as soon as possible.
- 7.3 There will be two main strands of work – starting the design process, and selecting a preferred operator partner. The aim will be to select the operator before the design is finished, in order to give certainty that the centre can meet the operator's needs.
- 7.4 Because the new centre is not yet designed, it will not be possible to produce a “normal” specification for the operator contract. Normally a very detailed specification would be drawn up, and the bidding and evaluation process would take 18 months to 2 years. Instead, it is proposed to use a two stage process, where the Council invites competitive proposals from potential operators, on the basis of which it will choose a preferred partner. That process should take 6-9 months. Once the preferred partner is identified, they will be involved in the design process, following which the design will be completed and the construction contract drawn up. Once the design is complete, and while the construction is underway, the Council will then negotiate with the preferred partner the final details of the operator contract, using the existing centre as a benchmark, and with the advice of the leisure consultants. The final operator contractor will then be concluded by the time physical construction is complete.
- 7.5 Whilst the preferred operator partner is being selected, the Council will sign up to, and use, the SCAPE Framework to progress the design and production. The Council will submit an outline specification for the centre to SCAPE, who will assemble a design team to work with the Council to produce an initial design. That process is likely to take a significant time. Before the design is finalised, the Council will have appointed its preferred operator partner to give them input to the design process. At the end of the design process, the Council will have an agreed design and a clear construction cost, for the new centre. At that stage the Council will need to decide finally to commit to the new centre being built.

- 7.6 Assuming the council decides to go ahead before the end of the year, development could be expected to take in total around 3 years, giving a prospective opening date for the new centre of January 2017, with the following broad stages of work:

Design	January 2014 to January 2015
Selection of Operator	January 2014 to September 2014
Planning Permission and Finalisation of Design	January 2015 to July 2015
Preliminaries and Construction	July 2015 to December 2016
Opening	January 2017

**8. CONCLUSIONS**

- 8.1 Council is asked to agree this report and the way forward it outlines

Geoff Bonner  
Chief Executive  
12 November 2013

**BACKGROUND PAPERS:-**

Report of Strategic Leisure Limited dated October 2013

**COUNCIL**

**DATE OF MEETING: 28 NOVEMBER 2013**

**TITLE OF REPORT: CHANGES TO THE WARDING ARRANGEMENTS OF YATELEY PARISH.**

**Report of:** Chief Executive

**I PURPOSE OF REPORT**

- 1.1 To receive the findings of the recently completed Community Governance consultation into the internal parish boundary arrangements of Yateley parish and if appropriate to make a recommendation for implementation of new parish ward boundaries at elections from April 2015.

**2 OFFICER RECOMMENDATION**

- 2.1 That Council resolve to either:

(a) Make no change to the scheme created by the LGBCE and endorse their scheme of 3 parish wards

OR

(b) Adopt the alternative proposal for 5 parish wards; make a request to the LGBCE to amend the existing scheme that is due to come into effect in April 2015; and make amendments to the electoral register with effect from the 17th February 2014 that will enable the delivery of elections on either the old or new boundaries from that date.

**3 BACKGROUND**

- 3.1 In June 2013 Council resolved to consult on the internal parish ward boundaries within the parish of Yateley. This consultation was triggered by the receipt of a request from Yateley Town Council (YTC) to alter the LGBCE parish boundary scheme that will be introduced alongside the new 2014 district wards.
- 3.2 The consultation which ran from July 15<sup>th</sup> to September 15<sup>th</sup> 2013, ran in the parish newsletter and asked for views concerning two options, the scheme devised by LGBCE and due to be adopted in April 2015 and a 7 ward option submitted by YTC. The consultation document also suggested some potential issues with those two proposals and gave an example alternative proposal to initiate some debate and perhaps encourage the submission of alternatives from the community.
- 3.3 If Council resolves to make a change to the LGBCE proposal it must request permission from the LGBCE to effect the change. This is because it is less than five years since the LGBCE consulted on and proposed the change to the boundaries.

- 3.4 The LGBCE could refuse to sanction any change to its proposals. It may do so if it does not believe that changes have any merit, or where a case for any change has not been made. If the LGBCE refuses the change Council will have to wait until January 2017 before it is permitted to make changes without reference to the LGBCE.
- 3.5 If Council does not resolve to make any changes then the LGBCE scheme will come into effect for elections from April 2015.

#### **4 RESULTS OF CONSULTATION**

- 4.1 The paper to Council in June 2013 outlined some issues that were inherent in the LGBCE and the YTC proposal. It also suggested another alternative solution that sought to mitigate those issues. This was presented in the proposal as a possible third alternative.
- 4.2 There were 10 responses to the consultation and these are summarised in appendix A.
- 4.3 5 responses were supportive of the LGBCE scheme. Their comments said that they preferred this option; in their responses they used words like convenience, lower costs, clarity, and simplicity.
- 4.4 There were no responses in support of the YTC proposal.
- 4.5 5 responses were supportive of the alternative example suggested by officers at Hart. The comments were less uniform in their reasons for supporting this option but they used words like; reasonable, reduction in Councillors, concerns over boundaries and most effective.
- 4.6 None of the respondents to the consultation suggested any further alternatives.

#### **5. VIEWS OF YATELEY TOWN COUNCIL**

- 5.1 YTC had originally proposed the 7 ward option that during the consultation received no support from the electorate.
- 5.2 Following the end of the consultation YTC were provided with the electorate's comments and were asked for their views.
- 5.3 On the 14<sup>th</sup> October YTC resolved to support the third proposal and suggested some new parish ward names.

## 6. COMPARISON OF THE TWO PROPOSALS

### The LGBCE Scheme

Number of Parish Wards	Ward Names	Electorate April '13	Number of Councillors
3	Yateley West	6981	7
	Yateley East	6711	7
	Frogmore	2405	2
<b>Total</b>		16097	16

- This scheme will come into effect unless Council resolves to put forward an alternative
- It mirrors the new district wards that will be in place from May 2014 and therefore no requires no additional changes to district voting arrangements.
- It is cost effective, as the electoral areas at district and parish elections would be the same, which would keep electoral costs to a minimum.
- It was proposed by the Local Government Boundary Commission for England.
- It comprises relatively large wards, which YTC contend could lead to electors not feeling that they have a close connection with their parish councillor(s).
- YTC also consider that the residents in the smaller ward of Frogmore may feel that they could be “outvoted” by the larger two Yateley wards.

### The Alternative Proposal

Number of Parish Wards	Ward Names	Electorate April '13	Number of Councillors
5	Yateley West	3575	3
	Yateley South	3406	3
	Yateley East	4052	3
	Darby Green	2659	2
	Frogmore	2405	2
<b>Total</b>		16,097	13

- This proposal reduces the large wards of the LGBCE proposal and may improve local accountability according to YTC.
- The other remaining boundaries follow existing district boundaries.
- It makes wards large enough so the likelihood is that all electors will be able to vote in their ward.
- It will lead to some marginal increase in costs over the LGBCE scheme.

**7. CONCLUSION**

7.1 Council is requested to choose which alternative proposal to pursue.

Geoff Bonner  
Chief Executive

15 November 2013

Contact: Geoff Bonner, Chief Executive, [geoff.bonner@hart.gov.uk](mailto:geoff.bonner@hart.gov.uk)

## APPENDIX A – SUMMARY OF RESPONSES

### Response 1

I am of the opinion that the Town Council wards should be in line with the district wards.

Although smaller wards do offer more by way of a relationship between the elector and their councillors, this is outweighed by all the disadvantages.

Electors as a whole are already confused about the difference between district and town boundaries and those for HCC and parliament. This will become even more confusing when the district rewording comes into effect as Yateley East district ward will fall partly in Aldershot parliamentary and partly in NE Hants parliamentary. To add another different warding structure would be a recipe for more confusion.

Some of the boundary lines split estates and electors will find this confusing. As things are now some people go to the wrong polling station so imagine what would happen with split estates. I know people are sent polling cards but as it is not necessary to produce them in order to vote, many do not consult them.

Finding extra polling stations in the different wards would be difficult and add cost. It is hard enough now especially considering the continued use of the WI hall for the present Yateley East, presumably due to a lack of other suitable premises.

The extra cost of manning so many polling stations is, in my view, unnecessary. Spending more than the minimum in the present economic climate would not reflect well.

More councillors per ward gives electors a choice of whom to consult when in need of assistance. In the event of unavailability of a particular councillor, there are more other choices to deal with matters promptly. Remuneration for Town Council work is not generous and councillors cannot be expected to be instantly available at all times.

The Boundary Commission have placed great emphasis on even numbers of electors in each ward and the original scheme gives the best fit.

### Response 2

I have studied the proposals for Re-Warding in Yateley and offer the following comment:

An entirely logical, consistent and yet fair split of the Yateley Town Council area into wards and number of councillors does not seem to be possible, and is not achieved by any of the proposals.

Therefore I would support the cheapest and simplest option represented by the LGBCE proposal, possibly further reducing the number of councillors for the Yateley East and West wards to 6 each to give a total number of councillors of 14.

### Response 3

I found your leaflet on the reorganisation of the Wards most useful.

I have the following comments:

1) Yateley has 4 Wards and the LGBCE proposal is to reduce this to 3. For me this has the advantage of reducing costs and hence Council Taxes. The YTC Proposal is 7 and then the 'compromise' of 5. After this cycle of debate why not stick with the original 4 wards and save a lot of everyone's time?

2) The LGBCE would have my vote if we do not stick with what we have. Its cost effective. My connection with the Parish Councillors is unlikely to be effected and I think the Ward size is fine in terms of being connected and involved.

#### **Response 4**

Following on from the information provided in the Summer 2013 Yateley Town Council Newsletter, my view is that the LGBCE review is my preferred option in terms of administration and cost effectiveness.

#### **Response 5**

I feel that the best option is the third proposal.

#### **Response 6**

I have recently viewed the various options proposed for the Yateley ward changes.

In my opinion the LGBCE proposal seems like the best compromise.

It would result in the a reasonably fair(with 6, 6 & 2 Councillors) and the least disruption of the present arrangements.

It would therefore be by far the most cost effective and least time consuming option.

In these days of cutbacks and extreme pressure on all council workers, I believe that this would be by far the best option.

The idea to section the wards into smaller areas, has considerable merit and should be kept in storage for another time.

#### **Response 7**

Having studied the various proposals contained in the Summer 2013 Yateley Town Council newsletter, and having looked at the maps on the website, I have decided to support the "example third proposal" as probably the most effective of the three currently proposed. It appears to be the most evenly spread throughout, in respect of numbers of voters in each ward.

On the question of whether I could make any further proposal/s, I have come to the conclusion that I do not really know enough about the intricate details of the electoral spread of voters to make such alternative proposals. All I know is that from the viewpoint and perspective of a "Darby Green" resident, I do earnestly believe that over the 43 year period that my wife and I have been resident in the area, that under the current system as proposed by the LGBCE, we have not been properly and/or entirely fairly represented amongst the Parish Wards when dealing with local matters. This area seems to be the "poor relation" of the district as a whole.

In that respect, the YTC and "example" proposals seem to go some way towards redressing the current imbalance, and of the two mentioned, in my opinion the example third proposal would seem to be the most fairly representative of **all** the Parish Wards put together.

Please add my comments to the "mix" therefore.

### **Response 8**

My interest in the consultation is that I live in Fallowfield, Yateley.

Of the three options given, I prefer the Example proposal, for the following reasons:

- 1) Least number of overall town councillors.
- 2) Boundaries look the most logical in terms of maintaining distinct communities
- 3) LGBCE proposal has too many councillors per ward
- 4) YTC proposal, while associating two councillors per ward (a good thing), does have some weird routing of boundaries.

### **Response 9**

By far, I consider your third proposal for Yateley Town Council to be the best. In these times of seeking economies and efficiencies this choice offers most in that respect. To be clear, in my preference the third proposal limits the number of councillors to 13.

### **Response 10**

We have been reading the latest saga in the process to sort out the boundary issues within the Hart District area. Now that the previous, ridiculous, idea of merging Darby Green and Frogmore with the hated Hawley and Blackwater parish has been taken off the table we now feel there is a possibility that some sensible boundary changes can be made and be made effective.

We note that the Local Government Boundary Commission for England has come up with a proposal to split the Yateley Town Council area into three wards, Yateley Town Council with a counter proposal of seven wards and a possible alternative proposal of five wards each with advantages and disadvantages associated with them.

We have looked closely at all three and favour the alternative proposal of five wards. We say this whilst accepting the fact that it fails to meet the LGBCE target of evenly matched wards even though the LGBCE proposal is the worst contender in that respect. We accept also that the YTC proposal does produce very evenly matched wards and will give the best degree of representation, bizarrely this is closest to LGBCE standards for representation.

In our opinion the alternative gives a reasonable spread of representation, with reasonably matched representation and without adding too significantly to the already over indulgent public sector we are forced to fund from our hard earned income. It at last provides the distinct place Frogmore and Darby Green have within the town boundaries and will hopefully put to rest any further boundary grabbing from Hawley.

Our only disappointment is that even now no one seems prepared to return the Yateley parish area to its original boundaries and remove Hawley and Blackwater for good, nor is anyone prepared to properly and effectively lobby the Post Office on behalf of this part of Hampshire to get the Camberley, Surrey categorisation officially removed from our addresses. Now that would be a change we would vote for without hesitation!

**COUNCIL**

**DATE OF MEETING: 28 NOVEMBER 2013**

**TITLE OF REPORT: CHANGES TO THE NUMBER OF COUNCILLORS ON ELVETHAM HEATH PARISH COUNCIL**

**Report of:** Chief Executive

**I PURPOSE OF REPORT**

1.1 To receive the findings of the recently completed Community Governance consultation concerned with increasing the number of councillors on Elvetham Heath Parish Council (EHPC) from 5 to 7 with effect from the parish elections due in May 2014.

**2 OFFICER RECOMMENDATION**

2.1 That Council resolve to either;

(a) Increase the number of councillors on EHPC to 7 with effect from May 2014

OR

(b) Keep the existing number of councillors on EHPC

**3 BACKGROUND**

3.1 Elvetham Heath parish council currently has 5 parish councillors. This figure was set when the Council was first established in 2009. In June 2013, at the request of EHPC, the Council resolved to consult on a possible increase in the number of councillors to 7. The consultation ran from 9<sup>th</sup> August to the 9<sup>th</sup> October.

3.2 Since the parish council was established it has had no contested elections. This means that no vacancy has attracted sufficient candidates for there to be a poll. There have been 5 casual vacancies since 2009 and they have all been filled by co-option.

3.3 During the consultation period another vacancy arose and this did not attract any requests for an election to fill the post. The vacancy will therefore again be filled by cooption.

3.4 Within the district, Elvetham Heath is a mid size (3000 – 4250 electorate) parish. There are 4 other parishes of a similar size. All those Parishes have between 8 and 12 Councillors, although it should be noted that 2 of those have not had any recent contested ordinary elections.

3.5 Elvetham Heath has a member:elector ratio of 1:692 which is the third highest in the district, beaten only by the two largest parishes of Fleet and Yateley. The other mid

size parishes have ratios between 1:350 and 1:429. An increase in parish Councillors from 5 to 7 would align the parish more closely with its peer group.

- 3.6 Members may wish to consider whether alignment with its peer group is however desirable when the parish has had no contested polls with just 5 members. Conventional electoral wisdom is that a healthy democratic process is best served by a large number of candidates chasing a small number of vacancies rather than a process of perpetual self selection of members by way of co-option.

#### **4 RESULTS OF CONSULTATION**

- 4.1 There were only 10 responses to the consultation. The responses are listed in full in appendix A
- 4.2 9 responses were in favour of an increase and they used words like “no current critical mass, not concerned about co-option, current members over stretched, difficulties in recruiting”
- 4.3 1 response was not supportive of an increase on the basis that all the Councillors had been co-opted. This concern was also repeated by one of the respondents who was in favour of the increase.

#### **5 CONCLUSION**

- 5.1 Council is requested to decide what action to take

Geoff Bonner  
Chief Executive

17 October 2013

Contact: Geoff Bonner, Chief Executive, [geoff.bonner@hart.gov.uk](mailto:geoff.bonner@hart.gov.uk)

## APPENDIX A

### RESPONSE 1

I would support more councillors for a parish of this size.

### RESPONSE 2

Having reviewed the feature in the Elvetham Matters newsletter, I am keen to voice my views which are very much in support of increasing the councillors on EHPC from 5 to 7.

My experience of working on voluntary professional bodies is that we need the extra critical mass for EHPC to be as effective as it aspires to be, 5 is a very small number and 7 is not that large but much more flexible operationally as well as allowing for skill succession/rotation as well as capacity for both fresh blood and additional progress.

I am not concerned by the current councillors being co-opted as I believe this is common in a community i.e. people do not stand to oppose each other unless it is politically driven or they are unaware of other contenders. However, people are willing to help. We have had positions filled by people willing to stand I am absolutely certain that there are more people willing to come forward but do not necessarily feel they have the experience to compete electorally.

To me this a win for everybody at no cost.

### RESPONSE 3

I am writing this email to express my view on increasing the number of the parish councillors in EHPC proposed by EHPC. I believe that increasing the number from 5 to 7 is necessary and essential to the best interest of the local residents at Elvetham Heath. As a local resident, I'd like to see lower ratio of elector to councillor so better services could be provided to our local community. Current high ratio of 692:1 results in high workload to the councillors which may lead to difficulties in recruiting and retaining councillors. As councillors are not paid for their duties, there will be no increase in costs. It makes perfect sense to make the change.

### RESPONSE 4

I am very much in favour of the change to increase the number of parish councillors on EHPC to 7.

We downsized and moved to Elvetham Heath in 2007. Not only are we happy living here, but as we walk around Elvetham Heath we feel proud to live in our community. The grounds maintenance has always been very good but our Parish Council has worked hard on our behalf to further improve other aspects of EH. These improvements only happen because a handful of people are prepared to give up their time for the residents of EH.

For the size of EH I believe strongly that there should be an increase in the number of parish councillors.

### RESPONSE 5

My feedback on the proposed increase in parish counsellors is that this should not happen. I was shocked to read in the consultation information that only four candidates stood for five seats and that now, no one is an elected representative, all having been co-opted. The message to me is that the electorate do not want to be involved, so the concept of more seats being filled by unelected reps just seems like an ever increasing bureaucracy. I'm sure the parish council will want more resources as time goes by, whilst there will not be a corresponding reduction in Hart's resources, so the electorate will just pay more. My personal view is that the parish council is just an added layer of bureaucracy. My preference would be for Hart to sort out the local issues via an elected counsellor who would represent the constituency. I think the achievements of the parish council have been good - road adoption, restoration of the pavilion, the tennis courts, but aren't these things that Hart

should be doing? I don't see how the parish council are really improving things over the alternative scenario of Hart doing their activities and representation being via counsellors.

**RESPONSE 6**

I support the view of EHPC that the number of councillors be increased from five to seven. It makes sense to have a number of councillors which allows meetings to be quorate without all members attending.

It is, however, extraordinary that not one of the current councillors is elected. I'd suggest therefore that HDC and EHPC ensure a plan is in place for securing more candidates for the council, sufficient to allow an election to be run, before any increase is made in the size of the Council. I don't doubt that the current EHPC does a good job in exercising functions such as managing local facilities. If it proves impossible to secure elected councillors then, however, one must question the legitimacy of EHPC in functions such as commenting on local planning applications. It appears that EHPC has no greater mandate in this respect than any other group of local residents.

**RESPONSE 7**

I support Elvetham Heath Parish Council's bid to increase the number of parish councillors from 5 to 7.

**RESPONSE 8**

I support Elvetham Heath Parish Council's bid to increase the number of parish councillors from 5 to 7.

**RESPONSE 9**

I have read that Elvetham Heath Parish Council have requested an increase in the number of councillors to 7.

I am writing to support this request.

As someone who has worked closely with members of the Parish Council in reinstating the Elvetham Heath Village Fete, I have come to see how hard these volunteers work and how stretched they are will the current committee of 5.

I would welcome an increase in the number of councillors and hope that you will be able to sanction this request.

**RESPONSE 10**

We feel there should be additional Parish Councillors for Elvetham Heath to assist with the workload and enable committees to be formed and therefore enabling more to be achieved in the community. The present Councillors do a good job but much more could be achieved.

## **COUNCIL**

**Date and Time:** Thursday, 28 November 2013 at 7.00 pm

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

**Present:**

## **COUNCILLORS –**

Gorys - (Chairman)

Ambler	Crampton	Morris
Axam	Crookes	Neighbour
Bailey	Evans	Oliver
Barrell	Gani	Parker
Bennison	Glen	Radley JR
Blewett	Harward	Radley JE
Burchfield	Ive	Simmons
Butler	Kennett	Southern
Clarke	Kinnell	Wheale
Cockarill	Lewis	
Collett	Lit	

Officers Present:

Geoff Bonner	Chief Executive
Gill Chapman	Business Support - Committee Services

### **61 MINUTES OF PREVIOUS MEETING**

The Minutes of the Meeting held on 31 October 2013 were confirmed and signed as a correct record.

### **62 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Appleton, Billings and Murphy.

### **63 DECLARATIONS OF INTEREST**

In relation to item 13 on the agenda (Yateley Town Council) Councillor Collett declared his interest in being a member of Yateley Town Council. In relation to item 14 on the agenda (Elvetham Heath Parish Council) Councillor Axam declared a personal interest as being a close friend of the Chair of Elvetham Heath PC.

### **64 CHAIRMAN'S AWARD PRESENTATION**

The Chairman made his awards to Veronica Siney, Frogmore Day Centre, Lucy Brown, Tavistock Pre-School, Sue Copley, Girl Guiding Fleet, and Andy Binnarsley,

Fruition Youth. The Chairman acknowledged their contribution to the community and thanked them for their hard work.

## **65 BELLS PIECE CHESHIRE HOMES**

Presentation from Susie Thornely, Project Co-ordinator. Susie gave Members an overview of the Healthy Eating and Life Skills Course and the confidence it gave those involved. Students lives had been improved with the ability to make informed choices, and to use those skills in other areas of their everyday lives.

The Chairman thanked Ms Thornely for her presentation, and congratulated her on a worthy initiative making a difference to people.

*Councillors Barrell, Bailey, Ive and Lewis entered the meeting during this item.*

## **66 COUNCIL PROCEDURE RULE 12 – QUESTIONS BY THE PUBLIC**

No questions asked.

## **67 COUNCIL PROCEDURE RULE 14 – QUESTIONS BY MEMBERS**

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

## **68 CHAIRMANS ANNOUNCEMENTS**

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

4 November	HVA AGM and Voluntary Sector Forum
4 November	Opening of the new Premier Inn, Fleet
5 November	Presentation of Chairman Award to Phil Ranger at Civic Offices
9 November	Wellington Dinner at the Cross Barn, Odiham
10 November	Remembrance Day morning service at Christ Church, Church Crookham
10 November	Remembrance Day Parade All Saints Parish Church, Fleet
11 November	Remembrance Day, Ghurkha Square
12 November	Hants & IOW Board of Youth Clubs Celebration and Awards Evening, Winchester
15 November	Old Time Music Hall Show in aid of All Saints Church, Crondall Village Hall
16 November	St John Church Centre Opening Ceremony, Hartley Wintney
17 November	Tudor Rose Dance Festival at the Harlington
20 November	Lord Wandsworth College – DofE Presentation Evening
23 November	Andover Musical Theatre Company 50 <sup>th</sup> anniversary, Andover
25 November	Planting of the trees on the Views

The Chairman reminded members that there would be the traditional Christmas drinks and nibbles in the canteen before the December meeting, and that he had a Burns Night event being held on 1<sup>st</sup> February, further details of which would be circulated soon.

## 69 CABINET MEMBERS ANNOUNCEMENTS

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

1. Members may recall that the Government has consulted on a proposal to top slice a proportion of the New Homes Bonus from 2015/16 in order to fund the Local Enterprise Partnerships (LEP). The Hampshire and Isle of Wight Local Government Association has this week, following its most recent meeting, sent a robust letter to the Department of Communities and Local Government, objecting to the proposal. I have sent a copy of their letter to political group leaders.
2. I continue to participate in the work on the governance of the Enterprise M3 LEP. A draft proposal to engage Local Authorities (LA) through the formation of a Joint Leaders' Board has been prepared discussion at a meeting of LA leaders which I shall attend next.
3. The Inspire Business Awards were announced last week. The quality of entries was once again excellent and the attendance at the awards dinner was bigger than ever. Local Hart based businesses won a number of awards:
  - a. Adsyst Automation, based in Yateley won the "Service Excellence" award.
  - b. Mimi of Hartley Wintney won the "New Business of the Year" award.
  - c. Lee Biggins Managing Director of CV Library of Fleet won "Entrepreneur of the Year" award.
  - d. And TempCover of Fleet won the prestigious "Business of the Year" award.

The Cabinet Member for Planning, **Councillor Parker**, reported

I have been to two seminars sponsored by the Planning Advisory Service, part of the Local Government Association funded by the Department for Communities and Local Government to assist with planning matters, a meeting of South East England Councils and a workshop held by Guildford Borough Council in order to better understand the process for an Examination in Public. During this I have heard presentations from the Planning Inspectorate three times involving two of their most senior personnel who are now going out of their way to tell planning authorities such as Hart the rules they have been working to and which we have only been able to guess. It would have been handy to have had this two years ago, but it will help us going forward to have an understanding of the rules of the game.

We undertook to provide an update of the status of our local plan activities in the event that a scheduled Steering Group meeting is not held. This will be coming out to members tomorrow; it will include a comment on the implementation meeting held today with the consultants who are performing a review of the SPA mitigation and how long it can be sustained.

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

Earlier this year the Department for Communities and Local Government funded the development of a national Diagnostic Peer Review framework for local authority Housing Services. This framework was made available for local authorities during the summer.

I am very pleased to announce that during week commencing 11 November 2013, the Council underwent a challenging diagnostic peer review within the terms of the government funded framework. Hart was the first local authority in England to undergo this type of diagnostic peer review. Hart's peer review was undertaken by experienced officers from Winchester and West Berkshire Councils who reviewed all aspects of Hart's approach to housing options and homelessness, including performance, strategies, policies and a 3 day on site scrutiny that incorporated gauging partner agency views on the services we provide.

Officers from Hart's Housing Services will participate in a similar review of Winchester in January, and Hart will lead on a review of West Berkshire in March. With the peer review framework's overall scoring mechanism, Hart secured a score of 68%. This is an excellent score within a previously untested assessment framework. To put that score into context, the threshold that has been set to facilitate access to a new national Gold Standard application for local authority housing services is 60%. This application process is now available to Hart, which will require the Council to demonstrate it meets all 10 local challenges set out by government in 'Making Every Contact Count: A Joint Approach to Preventing Homelessness' report, which was published in August 2012. Hart has comfortably exceeded that threshold.

The peer review process was designed to tease out weaknesses in the service and a number of recommendations will be made for improvement – however, there were significant positives identified through all aspect of the review. The housing team have received initial feedback and now await a detailed report outlining specific findings and results of every element of the review. This experience has been very positive and will support the service to improve. Many of the recommendations involve addressing relatively quick wins. It was clear from initial feedback that the Council's approach to housing options and homelessness reflects a good practice approach across a range of activity.

I'd like to thank all those involved in the peer review, including internal departments within the Council and partners who contributed their views. Finally I would like to thank the officers within the Housing Service who have embraced the healthy challenge of a peer review and have been such early adopters of a new government initiative, particularly the Housing Options team who have been under particular scrutiny throughout this process. It is good to see that their hard work has been recognised with such a positive outcome for Hart.

As part of the implementation of the Health and Social Care Act 2012, unitary and upper tier authorities such as Hampshire County Council have a duty to improve health and coordinate efforts to protect the public's Health and Wellbeing. The delivery of public health duties for the County is enabled by a ring fenced grant allocation. Some of this grant has been allocated to District Councils to support their role on improving health and reducing health inequalities.

I am pleased to announce that Hart district Council has been successful in obtaining grant funding for three projects. An allocation of £500,000 has been given to HCC to bring about improvements in the health of the county's population. Of that £500,000, Hart has won £115,000 for our projects.

These are, firstly, research and interventions into increased risk drinking. Increased risk drinking is of particular concern in our population with higher than average admissions to hospital with alcohol related disease. We have obtained funding for a coordinator to help promote the workplace wellbeing charter which provides organisations with simple measures that help staff stay healthy and allow people with health problems to return to work. We have also obtained funding to extend the village agents initiative into Fleet, Blackwater and Hawley and Yateley.

The Cabinet Member for Leisure & Recreation, **Councillor Kinnell**, had no announcements.

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

Round Changes – the new rounds commenced on 4 November and there are a few issues being resolved. As the rounds bed in we may need to make some tweaks to the rounds. If this is needed we will ensure residents are given the correct information in plenty of time. We can only apologise to those residents who have had a few problems with the changes. As a reminder please remember that there are day changes over Christmas and New Year which was included in the recent mail out to all properties. We will be placing adverts in local newspapers as well. As the same time, please remember that garden waste collections will not happen for 2 weeks over Christmas and the New Year.

Materials Sampling Project with HCC – As part of our work with Project Integra Hart we have been working closely with HCC to look at what communications work with residents and as such we have undertaken material sampling of a specific area of the district to look at what recycling is put out and what is still being put in their residual (black) bin. Communications have then been undertaken in the area to encourage recycling and have included radio messages, bush shelter posters, leaflets and press releases.

We will shortly be having the second round of sampling undertaken to see if there has been any change in people's habits with regards to recycling. This information will also help the team to plan further communications regarding contamination and increasing recycling across the district.

WEEE Banks – Within Hart we have introduced banks across the district to collect electrical items which go for recycling. This service is undertaken by Wastecare for free but we can use it to count towards our recycling rate. Currently the tonnages collected within the district are just over 1 tonne per quarter. Some banks are used more and the one with the highest use is Hook. More sites will be introduced within the next few months and we will advise members of these.

The Cabinet Member for Community Safety, **Councillor Kennett**, announced:

On November 22<sup>nd</sup> I went to a conference, organised by the MOD in London, on military and community covenants. There were attendees from all over the country and a good sprinkling of military braid.

Hart is doing quite well in many ways compared with other councils but one or two have ideas which are worth thinking about for our District.

There are two issues which I would particularly like to bring to members attention.

Firstly, that the MOD has a lot of money available for grants for projects which involve civilian and military personnel working together and they made it clear that the co-operation between the two communities is just as important as the project itself. It would be good to see some of the money coming to Hart.

Secondly, they are introducing a corporate covenant scheme whereby individual companies are invited to agree a scheme of co-operation as appropriate for their business either with a specific local base or for military and retired forces generally.

I would be glad if members would consider whether there are possibilities for either of these in their wards and if so please let me know so that they can be progressed.

The Cabinet Member for Corporate Services, **Councillor Burchfield**, had no announcements.

The Cabinet Member for Fleet Town Centre, **Councillor Evans**, reminded Members of the business initiative Small Business Saturday, 7 December, when there will be free parking from 8am to 12 midnight to encourage people to visit Fleet and support local businesses.

## **70 CHIEF EXECUTIVE'S REPORT**

The Chief Executive's report is attached as Appendix B to these Minutes.

## **71 MINUTES OF COMMITTEES**

### **Meeting**

### **Date**

### **Licensing**

**5 November**

No questions asked.

### **Cabinet**

**7 November 2013**

### **Minute No 66 – Scrap Metal Dealers Act 2013**

#### **RESOLVED**

- 1 That the proposed fee structure shown in Appendix I be approved
- 2 That the ability to issue, refuse, vary, revoke and impose conditions on any licence, to serve any notice, to supply information, to enter and inspect a site and enforce the relevant legislation for the purposes specified in the Act

which are delegated to the Committee be delegated to the Head of Environmental Health & Licensing

- 3 That where a representation is made against an application, the matter be determined by way of a Licensing Sub-Committee hearing.

**Minute No 75** – see Minute 72 below.

**Planning Committee**

**13 November 2013**

No questions asked

## **72 PROCURING A NEW LEISURE CENTRE – OPTIONS AND CHOICES**

Council considered the approach to be adopted for the design and procurement of the proposed new Hart Leisure Centre. Cabinet had already considered this report and made recommendations. Members considered the information, asking for clarification around tendering, Design and Build, appointing an operator, costings and timescales.

A motion to change the wording at the end of point 3, from ‘in due course’ to ‘within six months’ was accepted and on being put to the vote was agreed.

A motion to substitute the word ‘procurement’ with ‘tendering’ in the first sentence was accepted, and on being put to the vote was agreed.

With these changes the recommendation was put to the vote and **AGREED**.

### **RESOLVED**

- I That Council agree to proceed with the design and tendering of the new centre on the following basis:
  - I.1 That the Council agree to bear the whole capital cost of construction itself.
  - I.2 That procurement be based on separate contracts for the construction of the centre, and for its future operation and maintenance.
  - I.3 That the Council commence both the design process and the appointment of an operator as soon as possible, but that the design be not finalised until the operator has had an input to it.
  - I.4 That the Council agree to seek a Design & Build form of construction, possibly with some elements of the Develop & Construct approach
  - I.5 That the Council adopt the SCAPE Framework as its approach for the tendering of the project at a cost of £70k.

- 1.6 That tenders be sought for the operation of the new centre, with an in-house “bid” also being prepared to use as a benchmark for evaluating the tenders received.
- 1.7 That the ongoing maintenance of the centre, once built, be made the responsibility of the operator.
- 2 That Council agree that the decisions to appoint an operator, and to accept a tender for the construction of the centre, be subject to the approval of Council once the full costs are known.
- 3 That Council note that a further report setting out proposals for the improvement of Frogmore Leisure Centre will be brought forward to Cabinet for approval within six months.

**73 CHANGES TO THE WARDING ARRANGEMENTS OF YATELEY PARISH**

Council received the findings of the recently completed Community Governance consultation into the internal parish boundary arrangements of Yateley parish, and were asked to make a recommendation for implementation of new parish ward boundaries at elections from April 2015 if appropriate.

Since publication of the Agenda, Yateley Town Council had asked that if Recommendation B was accepted the ward names be changed.

After discussion on the merits of both alternative recommendations, Option (b) was put to the vote and AGREED. The new ward names were also accepted after a vote.

**RESOLVED**

- 1 That the alternative proposal for 5 parish wards be adopted; that a request be made to the LGBCE to amend the existing scheme that is due to come into effect in April 2015; and that amendments be made to the electoral register with effect from the 17th February 2014 that will enable the delivery of elections on either the old or new boundaries from that date.
- 2 That the following ward names be adopted:

<i>Agreed names</i>	<i>Initial Suggestion</i>
<i>Yateley Green</i>	<i>Yateley West</i>
<i>Yateley Village</i>	<i>Yateley East</i>
<i>Tudor &amp; Vigo</i>	<i>Yateley South</i>
<i>Frogmore</i>	<i>Frogmore</i>
<i>Darby Green &amp; Potley Hill</i>	<i>Darby Green</i>

**74 CHANGES TO THE NUMBER OF COUNCILLORS ON ELVETHAM HEATH PARISH COUNCIL**

Council received the findings of the recently completed Community Governance consultation concerned with increasing the number of councillors on Elvetham Heath Parish Council (EHPC) from 5 to 7, with effect from the parish elections due in May 2014.

**RESOLVED**

That the number of councillors on Elvetham Health Parish Council be increased to 7 with effect from May 2014

The meeting closed at 8.55 pm

## COUNCIL PROCEDURE RULE 14

### QUESTIONS BY MEMBERS

**Councillor Oliver** asked:

In setting the district council's budget for 2013/14 on 28th February 2013 it was agreed by this council that £160K of the £436K underspend in the general revenue account for 2012/13 would be transferred to the Capital Programme for 2013/14 to introduce 'pay on foot' parking (POE) into council run Fleet town centre car parks. This was in response to feedback from consultations with Fleet town centre users/retailers and the Fleet Future initiative. This was an amendment to the draft budget moved by Councillor Appleton and further amended by Councillor Radley. The amendment was to take £160k which would otherwise have gone into reserves and to place it into the capital budget for this specific purpose. The benefits to the Fleet retail community and Hart District residents were widely debated and agreed by the members present.

In a recent meeting chaired by the Portfolio holder for Transport and attended by our Chief Executive, Council Leader and Fleet Cabinet member on how POE could be trialled and introduced into Fleet it was stated by the Chief Executive and confirmed by all Cabinet Members present that the POE programme had been identified as a Capital Programme item by the council but was purely a 'wish list' item and that NO funding had been identified. It was further stated that for the programme to be considered and, as a show of 'partnership' working by Fleet Town Council, that they should release NHTS S106 monies to fund 50% of the trial programme (£45K) rather than spend it on much needed improvements to the road infrastructure in Fleet. This was a meeting including members of the public and minuted by an officer of this council. My objections in this meeting to this public misrepresentation of the will of the council were dismissed.

Why has this budget resolution of the council been ignored by officers and the cabinet?

Can the cabinet member for finance (the council leader) reassure this council and the Fleet Town Council that the amendment has been respected and that the full POE funding can be made available by HDC to enable this important project?

**Councillor Crookes** responded:

The budget resolution has not been ignored by officers and Cabinet.

Thank you Councillor Oliver for this question. It gives me an opportunity to correct some apparent misunderstandings on this funding question. I note that Councillor Oliver was not present at last year's budget Council meeting where this was discussed. This perhaps explains his misunderstanding of what Council agreed.

Council did not agree "to transfer £160K of the £436K underspend in the general revenue account for 2012/13 to the Capital Programme for 2013/14 to introduce 'pay on foot' parking (POE)" - the actual minute was:

“That £160,000 be moved into the Capital Programme in 2013/14 for the purpose of introducing "pay on foot" charging for the council's car parks in Fleet town centre... “ (Minute 101 on page CL78 of the council's minutes for 2012/13).

In fact no source for the funding was identified in the decision. Simply, it was agreed to include Pay on Foot in the Council's Capital Programme. As a matter of course the Capital Programme does not detail the source of funding. For example, expenditure of Fleet Pond restoration is included in the Capital Programme, where the funding is from external sources. There were (and are) several possible sources for that funding, including not just revenue reserves but also the council's own capital reserves, existing or anticipated Section 106 receipts, and borrowing.

The Cabinet and officers have since been working on the preparation of that business case, and (as Councillor Oliver knows) a report will be brought to January's Cabinet meeting proposing that Pay on Foot be introduced to Victoria Road car park, at a capital cost of £90,000, as a first step.

That report will also consider the question of where the funding for the works will come from. Councillor Oliver's question seeks to imply that Fleet Town Council is being asked to contribute funds to the project. That is not correct. The NHTS monies referred to are actually district council funds, held by and in the control of, the district council. The amount available for Fleet totals approximately £115,000. For nearly three years now we have been asking Fleet Town Council to suggest uses for that money, but we have so far received no firm proposals.

My own view, expressed to the Town Council, is that the £90,000 for the Pay on Foot scheme should be paid for by taking half the cost from the NHTS money, with the other half coming from future S106 contributions to the district council. I believe that approach is fair in that it recognises that whilst Fleet residents will be the main beneficiaries of the scheme, some residents from the wider district will also gain benefit from the proposal.

The capital costs of the potential scheme are known. What we don't know is the impact on the Council's Car Park income. Neither do we have any objective indication of the, and I quote : “benefits to the businesses, shoppers and residents of Fleet”.

A further budget wording amendment adopted by Council last February, includes these words and goes on to say: “That the introduction of "pay on foot" parking be subject to receipt of an holistic business case/review that showed the cost to the Council as well as the benefits to the businesses, shoppers and residents of Fleet, and that Cabinet be asked to use its best endeavours to implement this in the next 2013/14 financial year”. We do not have such an holistic business case, we have seen that Fleet Future's recent survey indicates a majority in favour of “Pay as you leave”, but as yet no business case has been received.

As discussed at last year's budget Council meeting, this Council is well managed financially. We have faced up to cuts in Government grants in recent years by efficiency improvements, joint working and by making best use of this Council's resources. And with NO cuts to services. At that meeting we agreed to set a budget which contributed to revenue reserves in anticipation of an even more challenging financial environment in future years.

As discussed at the recent meeting to which Councillor Oliver refers the proposed scheme poses a significant risk to the Council's parking revenue. If this is reduced we shall have to

balance the books. This could be by making savings elsewhere, cutting other council services or spending of to Council's hard won revenue reserves.

It is vital that we continue to make best use of this Council's resources, whether Revenue, Capital or Human resources. Given the revenue risks and the lack of an "holistic" business case, I think that the proposed Capital funding is fair and reasonable. I look forward to the debate in Cabinet next week.

Mr Chairman, I therefore do not accept that the budget resolution has been ignored at all, and indeed, subject to Cabinet approval, and the support of the Town Council, I am confident that it will be implemented as agreed.

**Councillor Oliver** asked a supplementary question:

During the recent elections the Leader and members of the Cabinet made commitments to the electorate that more development in Fleet would not happen without corresponding much needed infrastructure improvements. In my opinion POE is not an infrastructure improvement as it does not increase parking places and is therefore not an appropriate use of NHTS S106 money. These monies should be targetted at road improvements to ease congestion.

How will the Leader and his Cabinet deliver on this commitment?

**Councillor Crookes** responded:

This has nothing to do with the future development of Fleet. As new proposals for development come forward we will be making agreements with developers for S106 money. We will be honouring those promises made, and for new development taking place in this area we have to get proper contributions. This is old money.

**COUNCIL MEETING – 28 NOVEMBER 2013  
CHIEF EXECUTIVE'S REPORT**

**1. Fleet Station Car Park**

Members are aware of the reduction in the number of spaces at Fleet Station car park which has taken place over the last few days, and is expected to last until April 2014. Currently about one third of the total number of spaces are closed, and this number will increase in the New Year with the whole of the car park on the southern side of the railway line being shut whilst the new decked car park is installed.

So far, the reduction in spaces appears to have been absorbed with relatively few problems; there is evidence of increased usage at Winchfield Station car park, and some relatively minor increase in the use of Church Road car park.

Liaison is being maintained with South West Trains, and we continue to press them to make alternative car parking arrangements. We understand they are still in discussion with landowners in the Ancells area. We will try to keep Members informed of any further developments.

**2. Elaine Cooper**

Members will be aware of the sad death of Elaine Cooper, who worked for the Council between 1998 and 2008, initially as Community Safety Manager and subsequently Head of Community and Customer Services.

**3. December's Council Meeting**

There is only a very short gap until December's council meeting, which takes place on Thursday 12 December. Papers for that meeting will be distributed on Tuesday next week, before the Cabinet meeting on Thursday. Any changes or updates to Council papers as a result of the Cabinet meeting will therefore be sent out to Members on Friday. I apologise for the inconvenience of this late issuing of papers, but given the way the meetings fall there is no alternative.

December's Council meeting will also be preceded by the customary wine and mince pies for Members, starting at 6pm.

Geoff Bonner  
Chief Executive  
28 November 2013