

# Public Document Pack

## COUNCIL

**Date and Time:** Thursday 28 January 2021 at 7.00 pm

**Place:** Council Chamber

**Present:**

## COUNCILLORS -

Kennett (Chairman)

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

## Officers Present:

|                 |                             |
|-----------------|-----------------------------|
| Emma Foy        |                             |
| Patricia Hughes | Joint Chief Executive       |
| Daryl Phillips  | Joint Chief Executive       |
| Celia Wood      | Democratic Services Officer |

## 61 SUSPENSION OF STANDING ORDERS

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

## 62 MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting held on 26 November 2020 were confirmed with a request for clarification on the financial details on Appendix A (pages CL37-38) and signed as a correct record.

## 63 APOLOGIES FOR ABSENCE

None received.

## 64 DECLARATIONS OF INTEREST

No declarations were made.

## 65 COUNCIL PROCEDURE RULE 12 - QUESTIONS BY THE PUBLIC

Questions had been received from Mr David Turver, details of which are set out in Appendix A attached to these minutes.

## 66 COUNCIL PROCEDURE RULE 14 - QUESTIONS BY MEMBERS

Questions had been received from councillor Crookes, details of which are set out in Appendix B attached to these Minutes.

## 67 CHAIRMAN'S ANNOUNCEMENTS

None.

## 68 CABINET MEMBERS' ANNOUNCEMENTS

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

Hart Community Safety is now feeling well established, links have been made with key partners across the District and they are working closely both across council services and those partner agencies to tackle individual issues and wider locational issues.

Community Safety have also been supporting Environmental Health in active COVID patrols, organised whilst we remain under tight restrictions and infection rates in our area continue to be a challenge. This has involved covering areas across the district to ensure that businesses are complying with rules for their own and their customers' safety. Advice has been given and any serious concerns passed back to Environmental Health to consider enforcement action, if appropriate.

We are still receiving regular complaints regarding vehicle ASB both at the Blackbushe Business Village and up on the A33 around Riseley with cars racing, drifting and skidding. Patrols have been organised for this coming Sunday at Blackbushe Business Village with the Yateley Neighbourhood Policing Team to progress the serving of s.59 notices where possible. Work continues with the site owner regarding preventative measures.

- Members requested that the budget would be available in a format that is easy to understand before the February Council meeting.
- Members were informed that a written summary of the rules around Businesses Additional Restrictions Grant will be circulated to all members.

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

We are in the process of setting up a community pantry which we hope will be up and running by February half term funded from the Hampshire County Council winter grant with food supplied by FareShare and Harvest. Residents have the

chance to become a member and pay a small subscription and are able to access low cost nutritious food with no strings attached. I hope to be able to circulate more information once the final details have been confirmed.

As part of our Covid recovery projects please watch out for the Your Way Forward campaign – developed by the communities team and aimed at young people, encouraging them to talk and seek help where needed for mental health issues. We have involved young people in the campaign design so hopefully it will resonate with young people.

The team are actively working with VIVID to see if we can improve the accommodation we can offer to those who are homeless and this includes looking at Heathlands Court in Yateley – to see if it can be re-designed in some way. We aim that this piece of joint work will result in some better homes for our most vulnerable.

The Cabinet Member for Regulatory, Councillor Kinnell – gave an update on complaint handling by Environmental Health and gave assurance that every complaint received by the Team has received a response.

## **69 JOINT CHIEF EXECUTIVE'S REPORTS**

The Joint Chief Executives' reported that during the current national lockdown council services are operating as effectively as possible. The regular updates are keeping Members informed on decisions and other matters of information relevant to the Council and the wider community.

Elections are still being planned for May. Members were asked not to go out canvassing for the time being as during 'lockdown' canvassing was not an exempt activity.

Government has indicated that the provision for virtual meetings would not continue after May. Hart plan to go for Hybrid meetings if Government law after that time is changed and allows for that, and is practical for Members to return to the Council Chamber in a safe environment. Members will be kept informed.

From next month (February) Hart will be moving to a YouTube platform for our live broadcasting and recording of Council meetings. The recording will be held for a maximum of 3 months. And then deleted. The current Hart Facebook live streaming will cease.

Modern.gov will be up and running by May and Members were requested to complete training for this simple but effective method of presenting committee agendas.

## 70 MINUTES OF COMMITTEES

| Meeting                        | Date                    |
|--------------------------------|-------------------------|
| <b>Overview &amp; Scrutiny</b> | <b>17 November 2020</b> |

No questions asked.

|  |                         |
|--|-------------------------|
| <b>Overview &amp; Scrutiny (draft)</b> | <b>15 December 2020</b> |
|--|-------------------------|

No questions asked.

|                |                        |
|----------------|------------------------|
| <b>Cabinet</b> | <b>3 December 2020</b> |
|----------------|------------------------|

No questions asked.

|                        |                       |
|------------------------|-----------------------|
| <b>Cabinet (draft)</b> | <b>7 January 2021</b> |
|------------------------|-----------------------|

No questions asked.

**Minute 88** – Council Tax Base 2021/22 (see Minute 71 below)

**Minute 94** – Corporate Vehicle for Property Holding Purposes (see Minute 74 below)

|                         |                         |
|-------------------------|-------------------------|
| <b>Staffing (draft)</b> | <b>17 December 2020</b> |
|-------------------------|-------------------------|

No questions asked.

|                 |                        |
|-----------------|------------------------|
| <b>Planning</b> | <b>9 December 2020</b> |
|-----------------|------------------------|

No questions asked.

|                         |                        |
|-------------------------|------------------------|
| <b>Planning (draft)</b> | <b>13 January 2021</b> |
|-------------------------|------------------------|

No questions asked.

**20/01539/FUL** – 28 Finns Business Park, Bowenhurst Lane, Crondall, Farnham - Departure from the Local Plan

The Departure to the Local Plan was deemed to be **ACCEPTED**.

## 71 COUNCIL TAX BASE 2021/22

**Cabinet Minute 88 – Council Tax Base 2021/22.** To accept the Local Council Tax base for 2021/2022

Members considered the Council Tax Base recommended by Cabinet of 7 January 2020.

## **DECISION**

That in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012, the amount calculated by Hart District Council as its council tax base for the 2021/2022 year shall be set at 41,175.55.

## **72 OUTSIDE BODIES - FEEDBACK FROM MEMBERS**

There was no feedback for Outside Bodies.

## **73 EXCLUSION OF THE PUBLIC**

Council considered the following resolution:

“That under Section 100(A)(4) of the Local Government Act, 1972, the public be excluded from the meeting with respect to the following item (Cabinet Minute 94 – Corporate Vehicle for Property Holding Purposes) the grounds that the item involved the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part 1 of Schedule 12A of the said Act.

Members considered the public interest test and, in all the circumstances of the case, considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.”

## **DECISION**

That the public be excluded for the duration of Agenda Item since it was likely that if they were present with respect to Cabinet Minute 94 – Corporate Vehicle for Property Holding Purposes, it would result in the disclosure of exempt information as defined in paragraphs 1 and 3 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) and it was considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

## **74 CORPORATE VEHICLE FOR PROPERTY HOLDING PURPOSES**

**Cabinet Minute 94** – Corporate Vehicle for Property Holding Purposes

The matter related to the principle of the creation of a wholly owned company limited by shares to hold and maintain residential assets procured by the Council. (exempt Cabinet report previously circulated to Members).

## **DECISION**

Council Agreed

- A. A Council owned housing company limited by Shares to hold and deliver housing be established.

- B. The Company to be incorporated on the following basis:
- The Purposes of the Company is solely as a property maintenance and management company holding assets on behalf of the Council. It was to fulfil the following functions: management, letting, legal, finance and external audit. The Company would not in itself procure assets.
  - The Council would be the sole shareholder of the Company
  - The Board of Directors would comprise Council Officers (a minimum of three individuals).
  - Cabinet is delegated the authority from Council to approve membership of the Board of Directors, subject to conflicts of interest checks by the Council's S151 and the Monitoring Officer.
  - District Councillors would not be entitled to be members of the Board.
  - The Board of Directors would be in day-to-day operational control of the Company and answerable to the sole shareholder
  - The proposed company structure would be as set out in Appendix 3 of the exempt January 2021 report to Cabinet.
- C. The Joint Chief Executive in consultation with the Leader, the Chairman of Overview and Scrutiny Committee, and the Section 151 Officer be authorised to establish the housing company and complete the relevant paperwork and documents as required.
- D. Subject to availability, the company be incorporated as 'Hart Homes Limited'.

The meeting closed at 9.08 pm

### COUNCIL PROCEDURE RULE 12

#### QUESTIONS BY THE PUBLIC

**Mr David Turver asked:**

- 1) The Local Plan shows that the average build rate over the period will be 423dpa. The Government's consultation on changing the standard method of calculating housing need created a risk that Hart's housing target would rise. However, following the Government's retraction of the proposals, Hart's housing need has fallen to 286dpa, much lower than the Local Plan. The targets for Rushmoor and Surrey Heath have also fallen. How will this new, lower target and the reduced building due to Covid affect Hart's future compliance with the Housing Delivery Test?

**Councillor Cockarill** responded:

The Hart Local Plan 2032 was adopted in April 2020. The housing figure in our Local Plan comes from the numbers needed in Hart calculated in the Strategic Housing Market Assessment (SHMA) plus our requirement to meet some of the unmet need from our neighbours under the Duty to Cooperate. This is our adopted plan. More on this is picked up under my response to your Question 2.

The Housing Delivery Test (HDT) compares the last three years of housing delivery with homes required over that period. Under HDT rules we will be measured using the lower of either:

- a) the local plan requirement (423 homes per annum) or
- b) the Government's local housing need figure with Surrey Heath's unmet need added on (286+41 homes = 327 homes per annum).

The issue for Hart is that come the middle of the decade expected supply from current permissions reduces, and in the long run if the HDT is to be passed additional housing supply will be needed.

The implications of Covid on housebuilding is not yet fully clear. If some sites are delayed then that could help with the HDT in future years, shifting some expected completions from early years with strong surplus supply to later years with expected deficits.

- 2) Given the Government's White Paper on Planning for the Future suggested that Local Plans should be revisited within 18 months of the new regulations coming into force, when do you think it will be appropriate to commence an early review of the Local Plan to take advantage of the new, lower build rate target?

**Councillor Cockarill** responded:

It is too early to tell the full implications of the White Paper and associated timescales. There is a lot of speculation in the planning profession that there is likely to be some significant amendments to the content of the White Paper before it progresses further.

The Hart Local Plan 2032 was adopted on 30<sup>th</sup> April 2020, only 8 months ago.

Paragraph 33 of the National Planning Policy Framework states: "Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future."

As referred to earlier Hart has a strong housing land supply position and no immediate concerns over the Housing Delivery Test (HDT).

One of the reasons Hart performs well against the HDT is that planning permission has been granted and construction has commenced for the key housing site allocated in the Hart Local Plan. As a result, any review of the Local Plan would not be able to reduce the housing supply figure.

Any review of a Local Plan would need to consider the length of the Plan-period. Best practice is that a plan should have at least 15 years life at the date on which it is adopted. If we were to start a review of the Local Plan now, even with the reduced housing numbers currently published, we would still need to look for additional housing sites to the later years in a new Plan-period.

We will keep progress on Planning White Paper under review, and in light of this and other factors, continue to review when it may be necessary to start work on a new Local Plan. At the current time we have a newly adopted Local Plan which is up to date.

- 3) What is the anticipated level of spend on SHGV over each of the next 2 financial years?

**Councillor Cockarill** responded:

The original a budget approved for Shapley Heath Garden Village (SHGV) was £500K over three years based upon the grant from MHCLG grant.

The budget for 2021/22 is £406k. We do not have an established budget for 2022/23.

- 4) Many of our local businesses have struggled during the pandemic and some have sadly had to close, leading to permanent change to our high streets.



What is the action plan and budget over the next 2 financial years to help Fleet and other urban centres recover and regenerate post-Covid?

**Councillor Cockarill** responded:

The impact on businesses is a tragic outcome from this pandemic, not just in Hart but everywhere.

The Council has received funding for discretionary schemes to support local businesses which is to be spent on business support and recovery. The expenditure must be fully spent by the 31<sup>st</sup> March 2022 and in total it is £1.974m. £500K of this funding has been reserved for recovery. We have worked hard to get business grants out as quickly.

We are working to promote Hart as a place to invest in, and we are talking to our main Town and Parish Councils about how we can work together to help their town and village centres. The towns we are looking to support include Fleet, Hartley Wintney, Hook, Odiham, and Yateley.

We send out newsletters to hundreds of businesses each week providing advice, updates about grants and other useful information. We will also be talking to businesses to hear directly from them how we may best be able to help.

Our Environmental Health team have been providing a range of food business to help them trade during the lockdown, especially moving from restaurants to take aways.

And we are trying to help our residents find new training and employment opportunities which in turn can help business recruit suitable people to help them in recovery.

**Mr Turver** asked a supplementary question (summary):

Is it time to increase the budget for Fleet and other town centres so that they can become more vibrant again?

**Councillor Cockarill** responded (summary)

There's a lot that can be done to help revitalise our town centres across the district. Some of that is direct support to businesses and some about how we use our town centres moving forward. We will continue to work with our local parishes and our towns..

- 5) The latest budget monitoring statement (s4.3) considered by Cabinet in early January, shows a forecast overspend of £972K in 2020/21. The draft budget (s.9.4) considered by O&S shows a deficit of £381K for 2021/22 and a further £1,081K deficit for 2022/23. How can you justify hiring full-time staff and continuing to spend vast sums on an unnecessary Garden Community when core services are at risk of being cut?

**Councillor Cockarill** responded:

The budget for 2020/2021 was approved by Full Council on the 27<sup>th</sup> February 2020 included the approval for the expenditure on the Garden Communities Project and this expenditure was then allocated into the 2020/2021 budget with Full Council approval.

**Mr Turver** asked a supplementary question (summary):

The question was really about the future. If you're looking at what appears to be significant budget deficits in the next two financial years the £406k could quite easily close the budget gap. So you haven't really justified why you're continuing to spend when you're facing such financial pressure.

**Councillor Cockarill** responded (summary):

The £406k budgeted for next year is money that should be coming from a grant from Homes England which we applied for at the end of last year. But clearly, if the financial situation in relation to grant funding from MHCLG changes significantly, there will be an opportunity to reassess the priority level of projects.

- 6) The last plan/status report was published as part of the additional capacity funding bid in September 2020. Could you please publish an up-to-date plan and status report and commit to publishing monthly updates?

**Councillor Cockarill** responded:

The reporting mechanism for the Garden Communities Project is via the Opportunities Board and their agendas and minutes come to Cabinet and Council. Due to the Covid 19 pandemic we have not been able to hold any Board meetings since last Spring however I am anticipating meeting with the Board in March.

### **COUNCIL PROCEDURE RULE 14**

#### **QUESTIONS BY MEMBERS**

##### **Councillor Crookes asked:**

Regarding Shapley Heath Garden Community Project –

- 1 I believe that notices of all meetings and agendas of the Stakeholder Forum and all other project meetings should be published to Members of this Council. Do you agree?

##### **Councillor Cockarill responded:**

The Council has never, under any administration, provided copies of agendas of working groups (and the Stakeholder Forum is such a group) nor project meetings with all Councillors as such, the Council is being entirely consistent with earlier administrations of this Council.

However, we have said that minutes will be reported to the Garden Communities Opportunities Board and will be published.

##### **Councillor Crookes asked a supplementary question (summary):**

Members of the Council are as a result unlikely to know that these meetings are taking place other than perhaps the Opportunity Board?

##### **Councillor Cockarill responded (summary)**

The stakeholder forum are for outside groups - we want to hear what the local groups, the local parish councils, the County Council, and others have to say. The forums are not intended to be an opportunity for members of this council to get involved - the opportunity for members, is to ask questions to cabinet and for Council.

- 2 Which Stakeholders have sign up to be part of the Stakeholder Group?

##### **Councillor Cockarill responded:**

Clearly the Stakeholder Group is in its formative stage and once created as stated, the minutes will be published, and membership will be a matter of public record. However, in advance of that, as we did not indicate to any interested parties that their interest in the Stakeholder Group would be published, under GDPR we do not have permission to publish this information.

##### **Councillor Crookes asked a supplementary question (summary):**

Minutes of the stakeholder meetings will be published?

##### **Councillor Cockarill responded**

That is correct.

- 3 Following the meeting of the Opportunity Board in February 2020, when will the next meeting be held?

**Councillor Cockarill** responded:

We aim to meet in March once the Stakeholder thematic groups and the Landowners Forum have met.

**Councillor Crookes** asked a supplementary question:

When will the Agenda for the Opportunities Board be published?

**Councillor Cockarill** responded (summary)

Can't say exactly but once the Landowners Forum (11 February) and the Stakeholders Forum have taken place and we have established a date for the next meeting (March) we will sort out an Agenda, hopefully within the next few weeks.

- 4 Can you tell us the outcome of the bid which Hart made in September 2020, for Garden Communities Capacity Funding?

**Councillor Cockarill** responded:

We have not heard yet but as soon as we do know, we will let you know the outcome.

**Councillor Crookes** asked a supplementary question (summary):

£406k is allocated in the 2021/22 budget for the garden communities project. That's to all members because members haven't seen any detail on the budget yet. The question is, if we don't receive the capacity funding are you mindful, to continue funding, a project out of Hart resources?

**Councillor Cockarill** responded (summary):

Clearly if we don't get the funding from MHCLG or we get significantly less than £406k, a conversation will have to be taken in the round with Cabinet colleagues about what the immediate and short-term priorities for the Council are? I cannot commit to an answer before I know the answer of the bid.