

CABINET

Date and Time: Thursday 6 April 2023 at 7.00 pm

Place: Council Chamber

Present:

Neighbour (Leader), Radley (Deputy Leader), Bailey, Clarke, Cockarill, Collins, Oliver and Quarterman

In attendance:

Councillor Axam

Councillor Farmer

Officers:

Graeme Clark, Executive Director, Corporate Services & S151 Officer

Mark Jaggard, Executive Director Place

Claire Lord, Committee and Members Services Officer

123 MINUTES OF THE PREVIOUS MEETING

The minutes of 2 March 2023 were unanimously confirmed and signed as a correct record.

Proposed by Councillor Neighbour; seconded by Councillor Radley.

124 APOLOGIES FOR ABSENCE

No apologies received.

125 DECLARATIONS OF INTEREST

No declarations made.

126 CHAIRMAN'S ANNOUNCEMENTS

No announcements.

127 PUBLIC PARTICIPATION (ITEMS PERTAINING TO THE AGENDA)

None.

128 SERVICE PLANS 2023/24

The item was to consider the Service Plans for 2023/24 as set out in Appendices 1, 2 and 3.

A member highlighted that the draft Service Plans were discussed by Overview and Scrutiny Committee and questioned why the following appeared to not be included in the final versions:

- The roll out of EV charging points in some Hart car parks
- Some KPIs, including KPI data for CCTV.

The Portfolio Holder for Community confirmed that the KPIs for CCTV are not in the Service Plans, but these will be added to the relevant document before a decision is made.

The member was satisfied with this answer but wanted a further explanation on other KPIs.

The Leader of the Council confirmed Service Plans are monitored by Service Panels and these KPIs would be discussed at these Panels.

The Portfolio Holder for Environment confirmed that the EV car park charging points project is part of the Climate Change Action Plan and would go through the Project Board process.

The Executive Director – Corporate added that a Feasibility Study for the EV project had now been completed, will be implemented in the coming months, and tracked by Service Boards; because it is an approved 2022/23 project it doesn't appear in the 23/24 Service Plan.

The Leader of the Council stated that a projects spreadsheet that Project Board receives every month, will now also go to Overview and Scrutiny Panels and Informal Cabinet.

A member stressed that the Council needs to be clear on the differences between ongoing regular service delivery and how we manage this and project delivery.

The Portfolio Holder for Community listed the amendments to the CCTV KPIs and stated that there were more categories of data that could be included:

to provide monthly incident reports, to include the following:

- *breakdown of incidents per camera*
- *camera faults*
- *incident response times*
- *incidents of note (serious incidents, good work or learning points)*

Provide system resiliency levels of above 98% per calendar year for the CCTV control room systems. The measurements will be hourly downtime as a % over 365 days.

Report requests for footage, by whom and in what locations.

These amendments were accepted, and the decision to approve the Service Plans 2023/24 was proposed by Councillor Neighbour; seconded by Councillor Radley.

The Leader of the Council thanked the teams and Executive Directors of all their work on the Service Plans.

DECISION

Cabinet unanimously agreed the Service Plans for 2023/24 as set out in Appendices 1, 2 and 3 and the amendments for the CCTV KPIs.

129 RISK MANAGEMENT STRATEGY

The Executive Director – Corporate summarised that the report detailed the outcome of the February 2023 review of the Risk Management Policy and had been endorsed by the Audit Committee.

Proposed by Councillor Neighbour; seconded by Councillor Collins.

DECISION

Cabinet unanimously approved the Risk Management Policy as set out in Appendix 1.

130 HARTLEY WINTNEY CRICKET CLUB LEASE

The purpose of this report was to seek Cabinet's approval for a new lease for Hartley Wintney Cricket Club.

Members questioned:

- The reasons why the cap and collar principle was being suggested
- RPI and CPI and the differences between them.
- The 25-year lease period, and if it gave the club enough time to apply for grants like lottery funding.
- If the lease could be set at a commercial rate and then discounted.
- How the process for the recent rent and grant increases for HVA and CAB were determined and how they differ from this Cricket Club's lease.

The Executive Director – Corporate explained that the cap and collar is common in times of fluctuating inflation and is there to protect both parties – it was asked for by Hartley Wintney Cricket Club to give certainty. He also summarised the 25-year lease period, and why it was appropriate in this case. He explained that there is no set policy for every lease to require a commercial rent and that either RPI or CPI can be used.

Councillor Farmer declared non-pecuniary interests as he is Chairman of Hart Swimming Club and is a non-playing member of Hartley Wintney Cricket Club.

A member and the Leader of the Council highlighted that the cricket field is on Hartley Wintney Common and there are restrictions what can and cannot be done on this land.

Members debated:

- Whether the Cricket Club had a clubhouse or pavilion and who was responsible for repairing this. It was confirmed as a small pavilion.
- If officers had seen the accounts for the Cricket Club and if further financial investigation had been undertaken.

The Executive Director – Corporate highlighted that Cabinet could defer the item if they preferred, in order to gauge more information on the Club's accounts but this was not agreed.

Proposed by Councillor Quarterman; seconded by Councillor Clarke.

Cabinet undertook a recorded vote, and the results were:

FOR: Bailey, Clarke, Cockarill, Collins, Neighbour, Quarterman and Radley.

AGAINST: Oliver

ABSTENTION: None

DECISION

Cabinet agreed that the Chief Executive be authorised to agree a surrender and a simultaneous re-grant of a new lease to Hartley Wintney Cricket Club for a term of 25 years with the initial rent set at £1,000 per annum subject to RPI annual increase with a cap and collar of 1% and 3%.

131 FARNBOROUGH COLLEGE OF TECHNOLOGY 1ST FLOOR LEASE

The Portfolio Holder for Commercialisation and Corporate Services summarised the report to seek Cabinet's approval for an adjustment to the agreement reached in July 2022 to grant a lease for Farnborough College of Technology (FCoT) to occupy floorspace in the Civic Offices.

He highlighted several changes including that following discussions it had now been agreed that it would be more practical if FCoT took a lease on the 1st floor of the Civic Offices rather than the 3rd floor.

Members questioned:

- The 3-year indexed rent review linked to the Consumer Price Index (CPI) with a cap and collar of 1% and 3% and asked if this is an annual increase applied 3-yearly.
- The £50k upfront payment and if this covered all the work required for staff to be relocated to a different floor – it was confirmed by the Executive Director – Corporate to his knowledge it was.

- If service charges are captured sufficiently in the costings in this report to reflect the current financial climate and cost of living.
- If there were any restrictions to what FCoT could do with the space.

The Executive Director – Corporate confirmed the annual index and suggested an amendment be made to b) of the recommendation to say: The 3-year indexed rent review linked to the Consumer Price Index (CPI) with an annual cap and collar of 1% and 3%.

The Executive Director – Corporate confirmed that the rental figure is all inclusive and he will investigate further how these costs will be monitored.

Councillor Quarterman proposed the amendment recommendation for b) as follows:

The 3-year indexed rent review linked to the Consumer Price Index (CPI) with an annual cap and collar of 1% and 3%.

Members debated:

- How the Council could encourage FCoT to control the costs that they could potentially incur.
- The current state of the Council offices and how they could be more modernised if deemed required.
- The original Executive Decision on this lease at the meeting of July 2022 and how the Council can fairly charge FCoT if energy costs are higher than anticipated.
- If a review of the lease is required after a year.
- How much energy costs could increase by, as a result of FCoT occupying the building and how the Council will manage this.
- The use and explanation of the word 'reduce' in the original agreement between the Council and FCoT that Cabinet agreed in July 2022.
- How much the Council pays to have a vacant floor in the Civic Offices.
- Possibly amending the recommendation to include that if there was a proposal to reduce, it would have to return to Cabinet for a final decision – it was confirmed by the Executive Director - Corporate that further legal advice would be required to answer this.
- How the £230,000 figure was decided and the reasons for this – the Executive Director – Corporate to provide Members with a breakdown of the £230,000.

The Leader of the Council and Executive Director – Corporate highlighted that surveys had already been undertaken with staff to determine their opinions of current working space and environment, including new computer screens.

The Leader of the Council requested further that 'subject to the first-year review' also be added to recommendation b).

The second amended recommendation was proposed by Councillor Quaterman; seconded by Councillor Neighbour.

DECISION

Cabinet unanimously agreed that the Chief Executive be authorised to grant Farnborough College of Technology (FCoT) a 5-year lease/license to occupy the 1st floor of the Civic Offices for the purposes of providing a higher/further education facility subject to the terms already agreed by Cabinet in July 2022 and the following:

- a) A £50k as an upfront "deposit" to be payable on completion of the Agreement for Lease document.
- b) A 3-year indexed rent review linked to the Consumer Price Index (CPI), with an annual cap and collar of 1% and 3%, subject to the first-year review.

132 CABINET WORK PROGRAMME

The Cabinet Work Programme as circulated with the agenda paperwork was considered and amended.

The Portfolio Holder for Community highlighted that he was aware there was no date yet for the Review of CCTV Service item, but he would inform Committee Services when it is known.

133 EXCLUSION OF THE PUBLIC

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Members discussed the reasons why this item should be exempt. The Leader of the Council proposed that the item be dealt with in Exempt session and this was seconded by Councillor Quarterman.

DECISION

Cabinet unanimously agreed there was public interest in maintaining an exemption outweighed the public interest in disclosing the information for the following item.

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

134 REVIEW OF OUTSOURCED AND SHARED SERVICES

This item was dealt with as a Part II Exempt item.

The meeting closed at 8.53 pm