



# RUSHMOOR BOROUGH COUNCIL

## CABINET

***Tuesday, 15th November, 2016 at 7.00 p.m.***  
*at the Council Offices, Farnborough*

Councillor D.E. Clifford (Leader of the Council)  
Councillor K.H. Muschamp (Deputy Leader and Business, Safety and  
Regulation Portfolio)

a Councillor Sue Carter (Leisure and Youth Portfolio)  
Councillor Barbara Hurst (Health and Housing Portfolio)  
a Councillor G.B. Lyon (Concessions and Community Support Portfolio)  
Councillor P.G. Taylor (Corporate Services Portfolio)  
Councillor M.J. Tennant (Environment and Service Delivery Portfolio)

Apologies for absence were submitted on behalf of Councillors Sue Carter and G.B. Lyon.

The Cabinet considered the following matters at the above-mentioned meeting. All executive decisions of the Cabinet shall become effective, subject to the call-in procedure, from **29th November, 2016**.

54. **MINUTES –**

The Minutes of the meeting of the Cabinet held on 18th October, 2016 were confirmed and signed by the Chairman.

55. **FINANCIAL MATTERS –**  
(Corporate Services)

(1) **Revenue Budget Monitoring and Forecasting 2016/17 – Position at October, 2016 –**

The Cabinet considered the Head of Financial Services' Report No. FIN1622, which set out the anticipated financial position for 2016/17, based

on the monitoring exercise carried out during October 2016. It was reported that the general fund balance continued to show a marked improvement of over £0.5 million, which had taken the balance from £1.492 million as shown in the budget to £2 million, which was at the top of the range set out in the Medium Term Financial Strategy. The Report explained that the two large variances in relation to markets and car parking, which had been reported previously, had been reduced significantly following action taken by Services.

**The Cabinet RESOLVED** that the latest Revenue Budget monitoring position, as set out in the Head of Financial Services' Report No. FIN1622, be noted.

(2) **Capital Programme Monitoring and Forecasting 2016/17 – Position at October, 2016 –**

The Cabinet received the Head of Financial Services' Report No. FIN1623, which provided the latest forecast regarding the Council's Capital Programme for 2016/17, based on the monitoring exercise carried out during October 2016. The Report advised that the approved Capital Programme for 2016/17 totalled £34,960,000. This figure included several significant property acquisitions, slippage from the previous financial year and urgent repair works to Council owned property. Members were informed that the Council's Asset Management Group was to be reviewed and this would help to identify and monitor such repair works. The recent monitoring exercise had identified that, due to a number of slippages and underspends, the forecasted outturn was approximately £27,547,000, with a forecasted shortfall of £7,413,000 against the approved Programme. The identified areas of slippage included works at Aldershot Railway Station, under the Activation Aldershot scheme, and works at the new Council depot site.

**The Cabinet RESOLVED** that the latest Capital Programme monitoring position, as set out in the Head of Financial Services' Report No. FIN1623, be noted.

56. **METHODOLOGY FOR THE ANNUAL REVIEW OF FEES AND CHARGES – (Corporate Services)**

The Cabinet considered the Head of Financial Services' Report No. FIN1624, which set out a proposed methodology to be applied in future years in relation to setting the level of fees and charges for Council services.

The Cabinet was informed that the proposal sought to publish all fees and charges levied by the Council in a single document for the first time. It was also proposed that, where appropriate, a single measure of inflation would be applied on an annual basis, which was aimed at standardising fee setting across the Council. It was recommended that the most appropriate measure to choose would be the Retail Price Index, specifically the RPIx index.

The Cabinet discussed the proposal and considered whether, in light of the principles of the Council's 8 Point Plan, it would be appropriate to apply an accelerator to any inflationary increase, with a view to increasing income. It was agreed that officers would assess and report back on the implications of such a measure.

**The Cabinet RESOLVED that**

- (i) the process for an annual review of the Council's fees and charges, as set out in the Head of Financial Services' Report No. FIN1624, be approved;
- (ii) the various methodologies set out in Appendix 1 of the Report be approved as a basis for uplifting the Council's fees and charges;
- (iii) the adoption of the application of RPIx as the measure of inflation to be applied where an annual inflationary uplift is specified, to be applied from the first day of each financial year based on the previous financial year's September twelve month index as published by the Office for National Statistics, be approved; and
- (iv) where an inflationary uplift has been recommended, the uplifted charges be approved for implementation from 1st April, 2017.

**57. CAPITAL GRANTS TO REGISTERED PROVIDERS OF SOCIAL HOUSING –**  
(Health and Housing)

The Cabinet considered the Head of Environmental Health and Housing's Report No. EHH1622, which proposed changes to the way in which grant was used, with a view to maximising the number of lettings available and contributing to reducing the Council's temporary accommodation costs.

The Report set out the details of the proposed changes and the Cabinet agreed that these would enable the Council to move more swiftly in making grant awards.

**The Cabinet RESOLVED that**

- (i) the principle of using the Council's resources to help meet housing needs and make best use of the social housing stock, as set out in the Head of Environmental Health and Housing's Report No. EHH1622, be approved;
- (ii) authority to grant award decisions of £30,000 or lower be delegated to the Head of Environmental Health and Housing, in consultation with the Cabinet Member for Health and Housing; and

- (iii) authority to agree a grant administration scheme be delegated to the Head of Environmental Health and Housing, in consultation with the Cabinet Member for Health and Housing.

**58. SAVINGS AND EFFICIENCIES IN DEVELOPMENT MANAGEMENT –**  
(Business, Safety and Regulation)

The Cabinet considered the Head of Planning's Report No. PLN1642, which proposed the implementation of changes to ways of working within Planning's Development Management Team to achieve sustainable reductions in expenditure and to secure additional income to help to cover the costs of the service.

The proposed changes were set out in the Report and were focussed on a reduction in advertising in the local newspaper, an increase in charges to solicitors and paralegals and the introduction of charging for pre-application advice. It was reported that this had been discussed at the Development Management Committee meeting on 9th November, 2016 and Members had shown broad support for the proposals. The Cabinet was also supportive of the proposals and noted that a review would be carried after a year to assess the impact that the changes had made during that period.

**The Cabinet RESOLVED that**

- (i) the reduction in the level of advertising planning applications in the local press and the increase in the use of social media to publicise proposals, as set out in the Head of Planning's Report No. PLN1642, be approved;
- (ii) the increase in charges for legal firms seeking information on Section 106 obligations, as set out in the Report, be approved; and
- (iii) the introduction of a scheme of charging for pre-application discussions, as set out in the Report, be approved, to be reviewed after a full year of operation.

**59. BUILDING CONTROL FINANCIAL STATEMENT 2015/16 –**  
(Business, Safety and Regulation)

The Cabinet considered the Head of Planning's Report No. PLN1638, which set out the Building Control Financial Statement for its fee earning work for the year ended 31st March, 2016. It was reported that Building Control's fee income for 2015/16 had resulted in an operating surplus of £35,935 and a rolling surplus of £19,796. It was reported that the Council had, since 1st July, 2015, formed a partnership with Hart District Council to provide a joint Building Control service. It was clarified, however, that the financial statement related to the Rushmoor element of the service only. Members were reminded that the financial performance of the service was considered over a three year rolling period.

**The Cabinet RESOLVED** that the financial statement for Building Control for 2015/16 be endorsed.

60. **ARTICLE 4 DIRECTION FOR EMPLOYMENT LAND –**  
(Environment and Service Delivery)

The Cabinet considered the Head of Planning's Report No. PLN1637, which sought approval to make a non immediate Article 4 direction to withdraw permitted development rights related to the change of use of offices, light industrial units and storage or distribution units to residential use within the Strategic Employment Sites and Locally Important Employment Sites identified within the draft Rushmoor Local Plan.

The Report set out the context of this recommendation. It was explained that this would not prevent the conversion of such premises into residential accommodation but would require that planning permission was sought for any proposed schemes that met the agreed criteria. It was confirmed that a public consultation exercise would be run and the results reported back to the Cabinet before a final decision was made.

The Cabinet discussed the matter and was supportive of protecting strategic employment land in the Borough.

**The Cabinet RESOLVED** that authority to take all necessary steps in making, serving and publicising an Article 4 direction to remove the Class O (office to residential), Class P (storage or distribution centre to residential) and Class PA (light industrial to residential) permitted development rights, granted by Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), within Rushmoor's Strategic Employment Sites and Locally Important Employment Sites be delegated to the Solicitor to the Council, in consultation with the Head of Planning.

61. **FARNBOROUGH AIRPORT COMMUNITY ENVIRONMENTAL FUND –**  
(Environment and Service Delivery)

The Cabinet considered the Head of Community and Environmental Services' Report No. COMM1625, which sought approval to award grants from the Farnborough Airport Community Environmental Fund to assist local projects.

The Cabinet Member for Environment and Service Delivery had considered four applications and had recommended that all four awards should be made.

**The Cabinet RESOLVED** that grants be awarded from the Farnborough Airport Community Environmental Fund to the following organisations:

Rushmoor Urban Wildlife Group (Crematorium)	£5,154
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Rushmoor Urban Wildlife Group (Queens Road Rec)	£1,050
Blackwater Valley District Scouts	£7,000
The Wavell School	£7,650

62. **MANOR PARK PLAYGROUND – RENEWAL –**  
(Leisure and Youth)

The Cabinet considered the Head of Community and Environmental Services' Report No. COMM1623, which sought approval to vary the 2016/17 Capital Programme to provide a new playground at the Manor Park, Aldershot.

The Cabinet was informed that the scheme would cost £150,000 to complete and a total of £115,000 had been secured from developers' contributions.

**The Cabinet RESOLVED** that approval be given to a variation to the 2016/17 Capital Programme of £35,000 to enable the renewal of the Manor Park playground to be completed, as set out in the Head of Community and Environmental Services' Report No. COMM1623.

63. **APPOINTMENT OF CHIEF EXECUTIVE – NEXT STEPS –**  
(Corporate Services)

The Cabinet considered the Chief Executive's Report No. CEX1605, which set out a proposed approach for the appointment of a Chief Executive, following the resignation of Mr. Andrew Lloyd, which would take effect at the end of February 2017. It had been agreed to use a specialist recruitment organisation and a procurement process had taken place. The successful bidder had been Solace in Business and they had already carried out some preliminary meetings. The Report set out the process to be followed and also identified the need to make interim arrangements should there be a period following the end of February with no Chief Executive in post.

**The Cabinet RESOLVED** that

- (i) the appointment of the Member panel, with the membership as set out in paragraph 3.2 of the Chief Executive's Report No. CEX1605, be approved;
- (ii) the provision of a supplementary estimate of up to £25,000 to fund the recruitment process and the authorisation of a Corporate Director, in consultation with the Cabinet Member for Corporate Service, to agree the final costs be approved; and
- (iii) the interim arrangements, as set out in the Report, and the authorisation of Mr. Ian Harrison as Deputy Chief Executive, in consultation with the Cabinet Member for Corporate Services, to make any consequential temporary changes to the senior management arrangements during this time, be approved.

64. **RESOURCING PRIORITIES AND INTRODUCTION OF MUTUALLY AGREED RESIGNATION SCHEME –**  
(Corporate Services)

The Cabinet considered the Directors' Management Board's Report No. DMB1605, which set out a request for additional staff resources to focus on areas of priority work for the coming two years and proposed the introduction of a Mutually Agreed Resignation Scheme with a view to achieving ongoing cost reductions, where this was in the interest of both the employee and the Council. The Report set out the details of the proposals and highlighted current resourcing pressures in respect of regeneration activities, the Property and Estates Team and the Council's Transformation Programme. Members heard how the proposed Mutually Agreed Resignation Scheme would allow staff to consider lifestyle changes if they wanted to.

The Cabinet was supportive of the proposals but stressed the need for the Mutually Agreed Resignation Scheme to be clearly and sensitively communicated to staff.

**The Cabinet RESOLVED** that

- (i) the staffing proposals and consequential financial implications and delegations, as set out in paragraph 5.4 of the Directors' Management Board's Report No. DMB1605, be approved;
- (ii) a supplementary budget in the current financial year of £18,000 be approved; and
- (iii) the introduction of a Mutually Agreed Resignation Scheme, as set out in Appendix 1 of the Report, be approved.

65. **INDEMNITIES FOR SENIOR OFFICERS IN RESPECT OF SIGNING CONTRACT CERTIFICATES UNDER THE LOCAL GOVERNMENT (CONTRACTS) ACT 1997 –**  
(Corporate Services)

The Cabinet considered the Solicitor to the Council's Report No. LEG1614, which set out a proposal to provide for an indemnity for the Council's Chief Executive, Chief Financial Officer or Monitoring Officer when they are required to sign a certificate under the Local Government (Contracts) Act 1997.

The Report provided details of the circumstances in which such certificates would be required and also set out the reasons why an indemnity for staff would be required. It was reported that the Chief Financial Officer was required to sign a certificate in respect of the Farnborough International Limited loan agreement, as approved by the Cabinet on 28th July, 2015, and agreement was sought to do this.

**The Cabinet RESOLVED that**

- (i) the Council's Chief Executive, Monitoring Officer and Chief Financial Officer be authorised to give contract certificates under the Local Government (Contracts) Act 1997 upon receipt of an indemnity from the Council, as set out in the Solicitor to the Council's Report No. LEG1614; and
- (ii) the Chief Financial Officer be authorised to provide a certificate, under the Local Government (Contracts) Act 1997, to Barclays Bank in respect of the Farnborough International Limited loan agreement and the Solicitor to the Council be authorised to give the appropriate indemnity.

**66. EXCLUSION OF THE PUBLIC –**

**RESOLVED:** That, taking into account the public interest test, the public be excluded from the meeting during the discussion of the under mentioned item to avoid the disclosure of exempt information within the paragraph of Schedule 12A to the Local Government Act, 1972 indicated against the item:

<b>Minute Nos.</b>	<b>Schedule 12A Para. No.</b>	<b>Category</b>
67 and 68	3	Information relating to financial or business affairs

**THE FOLLOWING ITEMS WERE CONSIDERED  
IN THE ABSENCE OF THE PUBLIC**

**67. DEVELOPMENT OF A DEPOT –  
(Environment and Service Delivery)**

The Cabinet considered the Head of Community and Environmental Services' Exempt Report No. COMM1626, which set out the latest position in relation to the provision of a depot to support the Council's waste, recycling, street cleansing and grounds maintenance functions.

It was confirmed that the site had now been purchased and planning permission for conversion into a depot had been received. The detailed costs of construction of the depot had now been received and these showed an increase on the initial indicative budget figure that had been given. A supplementary estimate was, therefore, being requested to cover this increase in costs. In discussion, it was confirmed that the initial indicative figure had been a generic indicative cost for that type of facility and had not factored in any specific elements of the site or facility required.

The Cabinet confirmed its support for the provision of a Council depot at this site and requested that, with regard to any similar transactions in future, detailed construction costs should be identified at the very earliest opportunity.

**The Cabinet RESOLVED** that

- (i) a supplementary estimate to the Capital Programme, as set out in the Head of Community and Environmental Service's Exempt Report No. COMM1626, be approved; and
- (ii) authority be delegated to the Solicitor to the Council, in consultation with the Head of Community and Environmental Services, to approve the build costs of the depot under the design and build agreement and to enter into any legal documents in connection therewith.

68. **WASTE, RECYCLING, STREET CLEANSING AND GROUNDS MAINTENANCE CONTRACT INDEXATION –**  
(Environment and Service Delivery)

The Cabinet considered the Head of Community and Environmental Services' Exempt Report No. COMM1622, which sought approval to accept an offer from Veolia, the Council's waste, recycling, street cleansing and grounds maintenance contractor, to pay a proportion of a sum payable to the Council in respect of indexation adjustments for periods when inflation had run at below zero.

The Report set out the details of how indexation adjustments were calculated. It was acknowledged that the recent period of below zero inflationary indices had not been predicted and it was not possible, so late in the contract, for Veolia to offset the sums involved in future years, as had been intended when the agreement had been made.

**The Cabinet RESOLVED** that acceptance of the offer from Veolia, as set out in the Head of Community and Environmental Services' Exempt Report No. COMM1622, be approved.

The Meeting closed at 8.05 p.m.

COUNCILLOR. D.E. CLIFFORD  
LEADER OF THE COUNCIL

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