



RUSHMOOR BOROUGH COUNCIL

CABINET

Tuesday, 15th December 2009 at 4.30 p.m.
at the Council Offices, Farnborough

Councillor P.J. Moyle (Leader)

a Councillor R.L.G. Dibbs (Deputy Leader and Environment Portfolio)

Councillor Mrs. D.B. Bedford (Leisure and Youth Portfolio)

Councillor M.S. Choudhary (Concessions and Community Support Portfolio)

Councillor S.J. Masterson (Safety and Regulation Portfolio)

Councillor P.G. Taylor (Corporate Services Portfolio)

Councillor F.J. Williams (Health and Housing Portfolio)

An apology for absence was submitted on behalf of Cr. R.L.G. Dibbs

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 **30th December, 2009**.

59. **MINUTES –**

The Minutes of the meeting of the Cabinet held on 24th November, 2009 were confirmed and signed by the Chairman.

60. **RUSHMOOR PLAN – CORE STRATEGY AND FARNBOROUGH AIRPORT AREA ACTION PLAN – PUBLIC ENGAGEMENT –**
(Environment)

In advance of considering the Head of Planning's Report No. DCE0959, the Cabinet received representations from Mrs. Jenny Radley on behalf of the Fleet and Church Crookham Society and Mr. Geoff Marks on behalf of Farnborough Aerodrome Residents' Association. The main concerns related to: the Core Strategy Preferred Approach and the preferred

option in respect of the annual cap on flight movement limits; preferred noise policies; and, the timing of the publication of the draft documents and the consultation process. In responding to the representations, Members encouraged the presenters to engage in the forthcoming consultation process, through which their concerns could be addressed.

The Report sought the Cabinet's approval for a period of consultation early in 2010 on the Core Strategy and the Farnborough Airport Area Action Plan, which formed part of the Rushmoor Plan (the Council's Local Development Framework (LDF)). The process by which LDF documents should be prepared was set out in legislation. The Council was required to engage the community and stakeholders in preparing them and also to base them on a sound evidence base. In preparing the documents, the Council had had regard to: Government guidance, including Planning Policy Guidance Notes and Planning Policy Statements; regional planning guidance, particularly the South East Plan; other local plans and strategies, including the Rushmoor Sustainable Community Strategy; background studies (e.g. Employment Land Review, Strategic Housing Marketing Assessment, Renewables Study and Transport Assessment); the outcomes of previous consultations and discussions with stakeholders; and, the process and results of the Sustainability Appraisal. The documents set out a range of options for dealing with different land use issues in the Borough up to 2027. Consultation would seek views on these options, including the Council's 'preferred' options and would also invite suggestions for alternative options that might not have been identified.

The Core Strategy set out the long-term, broad strategic framework for future development in the Borough up to 2027. This included a long-term vision and framework for how much development would take place and where it would be. It also contained place specific policies, including Aldershot and Farnborough town centres, Aldershot Urban Extension and Farnborough Airport and a set of core Borough-wide policies on issues such as renewable energy, housing mix, infrastructure and biodiversity.

The Farnborough Airport Area Action Plan was a detailed Development Plan Document which covered the period up to 2027. It developed the overarching Airport policy in the Core Strategy by setting out a series of policies that would help to guide development not only at the Airport, but also on key sites surrounding the Airport. The Action Plan set out policies relating to: type of flying; number of flight movements at weekends and Bank Holidays; hours of operation; aircraft weight; safety; noise; and, air quality. In respect of the key sites which surrounded the Airport, the Action Plan set out suggested ways to plan for their future. These recognised not only their economic value, but also highlighted important issues around aviation heritage, countryside, landscape and biodiversity, the Airshow and surface access considerations.

The preparation of new policies and the replacement of existing policies in the Local Plan would have mapping implications. Current mapping boundaries would need to be reviewed as new Local Plan documents were

prepared and the Report also set out the proposed changes to the existing proposals map which would happen as a result of the Core Strategy and Farnborough Airport Area Action Plan. Mapping changes would be available for consultation.

The Cabinet was advised that the Core Strategy and Farnborough Airport Area Action Plan would be subject to a six weeks consultation period from 18th January to 1st March, 2010. The documents would also be considered by the Environment, Corporate Services and Community Policy and Review Panels and the Development Control Committee. A consultation strategy was being developed to identify the best way to engage with the local community and stakeholders. This would include an article in the January edition of Arena magazine, press releases and a series of themed workshops across the Borough. The comments received during the consultation period would be used to inform the next versions of the Core Strategy and the Area Action Plan. There would be a draft submission version, which was due to be completed by September, 2010. This would also be subject to public comment before submission to the Secretary of State. It was anticipated that the Core Strategy would be adopted in October 2011 and the Area Action Plan in February 2012.

In considering the way forward, the Cabinet assessed the representations received. The views and opinions raised in the representations were understood, but it was felt that, as consultation documents, these documents had no status at present and did not prejudice the Council's position in respect of the appeal lodged by TAG Aviation against the Development Control Committee's recent decision regarding the application to increase the number of aircraft movements at Farnborough Airport. The Cabinet stressed that the views expressed during the consultation process would be used to inform the next versions of the Core Strategy and the Area Action Plan, which would also be subject to public consultation.

The Cabinet RESOLVED that

- (i) the representations from Mrs. Jenny Radley and Mr. Geoff Marks be noted;
- (ii) the Core Strategy Preferred Approach Development Plan Document (Annex A) be approved for public consultation;
- (iii) the Farnborough Airport Area Action Plan Preferred Approach Development Plan Document (Annex B) be approved for public consultation;
- (iv) the changes to the Proposals Map (Annex C) be approved for public participation; and

- (v) the Head of Planning be authorised, in consultation with the Leader of the Council, to make any necessary minor amendments to the documents prior to the public consultation.

61. **WESTGATE – UPDATE –**
(Leader of the Council)

The Cabinet considered the Chief Executive's and the Solicitor to the Council's Report No. LEG0913, which provided an update on matters related to the freehold acquisition of the Alexandra Surgery and the re-provision of that Surgery at Princes Gardens.

The Report reminded Members that the relocation of the Alexandra Surgery was essential to the Westgate development. Under the terms of the Joint Venture Agreement with the Council's development partner, Citygrove, the Council had to provide vacant possession of the existing surgery land no later than 31st December, 2010. As part of the previous proposal for Westgate, the surgery was to have been provided on the same site. However, the revised scheme design would occupy a large part of the site and specifically the area that had been proposed for the surgery. There had been no other option but to seek an alternative location for a new surgery for the doctors and their patients to relocate by November, 2010.

A review of potential sites within the town centre of Aldershot had been carried out with the doctors and the most suitable option, which was viable and available within the required timeframe, was the community building at Princes Gardens. The site offered an opportunity to provide a state of the art medical facility to patients in a high profile and accessible location. The work required to convert and extend the property was estimated to take approximately 33 weeks, which meant that the work would have to commence in March, 2010. The use of Princes Gardens as a doctors' surgery would require the Council to dispose of the freehold of the property, together with land for an extension to the property and adjacent land to provide a planting buffer for the acoustic privacy of patients. To enable the effective functioning of the surgery and to minimise loss of public gardens, the Council would also be required to relinquish the use of up to 20 parking spaces within the adjacent car park. The Council-owned property at Nos. 35/39 High Street, Aldershot had been empty for some time and could provide accommodation for most of the existing users at Princes Gardens and would become a key centre for voluntary sector uses. Other services could be provided at Princes Hall (e.g. Tourist Information Point and Credit Union). However, the cash office would not be relocated as residents would be encouraged to use and support local Post Offices, in keeping with the Council's commitment to supporting the network. During a discussion on this issue, Members recognised the need for discussions with the Post Office Network to ensure the quality of service to residents. An action plan was being developed to address other service issues for local residents that would be affected by closing the cash office.

The Cabinet considered the financial implications of the proposals. The Council would ordinarily have sought to compulsorily acquire Alexandra Surgery and pay compensation to the GP Partnership. The Council's professional advisers, CBRE, had estimated what that sum would be. It was anticipated that the costs of the construction of the surgery and the relocation of the existing users within Princes Gardens would be met within that budget sum. The funding of this would be met through the Joint Venture Agreement, as discussed at the meeting on 3rd November, 2009. In order to enable the project to proceed, a variation of £1 million would be required to the 2009/10 Capital Programme. This would result in an estimated loss of interest of £50,000 per annum on the £1 million capital contribution. At Council Tax level, this equated to an increase of £1.60. However, this situation was only expected to continue for approximately the following three years until the Council had been reimbursed for its costs of development through the Joint Venture Agreement and the sale of land at Westgate.

During discussion, the Cabinet felt that this was a pragmatic solution for the Council and the GP Partnership for providing a surgery and would bring back into use the property at Nos. 35/39 High Street. The proposed location would also provide good access for users.

The Cabinet RESOLVED that

- (i) approval be given to the proposal to offer Princes Gardens and parking to re-provide the Alexandra Surgery;
- (ii) approval be given to
 - the re-provision of facilities from Princes Gardens, as set out in the Chief Executive's and Solicitor to the Council's Report No. LEG0913, within Nos. 35-39 High Street, Aldershot;
 - consequential adjustments to Council services in consultation with the Cabinet Member for Corporate Services;
- (iii) the Solicitor to the Council be authorised to transfer the freehold of the Princes Gardens community building and such adjacent land as may be required to satisfy planning and Primary Care Trust requirements, to the GP Partnership at Alexandra Surgery in exchange for the freehold of their surgery building and car parking land, in consultation with the Chief Executive and Leader of the Council;
- (iv) pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, the Solicitor to the Council be authorised to seek planning permission to develop land at Princes Gardens, Aldershot, as set out in the Report; and

- (v) approval be given to a variation of £1 million to the 2009/10 Capital Programme.

62. **RUSHMOOR CORPORATE PLAN – 2009/10 QUARTER 2 MONITORING DOCUMENT –**
(Leader of the Council)

The Cabinet considered the Chief Executive's and Head of Strategy and Communications' Report No. SAC0909, which set out performance against key actions and outcomes under each of the Council's key priority areas, along with performance indicators which had been identified as those which best indicated how the Council was performing under its priorities.

The Report reviewed performance over the second quarter of 2009/10 and used a traffic light system to indicate the status of projects. It was noted that 86% of indicators were green, 13% amber and 1% red. An explanation was given for the reasons why the indicators shown as red and amber were not on target.

The Cabinet NOTED the Corporate Performance Plan Monitoring Document and the progress made in the second quarter of 2009/10.

63. **COUNCIL TAX BASE CALCULATION – 2010/11 –**
(Leader of the Council)

The Cabinet considered the Head of Customer Services' Report No. CS0906, which set out the proposed Council Tax base calculation for the Rushmoor area for 2010/11.

The Report set out the method of calculation and the number of properties in each Band, as advised by the District Valuer. The calculation resulted in a total Band D equivalent of 31,888.19, compared to the figure of 31,719.6 returned to the Department for Communities and Local Government for grant purposes. The calculation had then been adjusted for losses on collection of 1.5%, which resulted in a net Council Tax base of 31,409.87.

The Cabinet RESOLVED that

- (i) the Head of Customer Services' Report No. CO0906 on the calculation of the Council Tax base for 2010/11 be approved; and
- (ii) pursuant to the Head of Customer Services' Report, and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amount calculated by Rushmoor Borough Council as its tax base for 2010/11 shall be 31,409.87.

64. **RUNWAYS END – YOUTH ADVENTURE CENTRE –**
(Leisure and Youth)

The Cabinet considered the Head of Community's Report No. COMM0911, which sought approval to vary the 2009/10 Capital Programme by £200,000 to support the new development at Runways End to provide a youth adventure centre, following a grant of £5.9 million which had been awarded by the Department for Children, Schools and Families. The Report also sought approval to enter into a long-term partnership agreement with Hampshire County Council and the Blackwater Valley Scout Association to oversee the use and development of the site. The Centre would support the Council's strategic objectives of Clean, Safe and Prosperous by helping tackle a range of issues including crime, social integration, anti-social behaviour, domestic violence, cardiovascular inequalities, educational attainment, environmental awareness and general lack of physical activity. The Centre would also be of particular benefit to those with educational, health and social issues by providing opportunities for personal and social development through carefully structured group work.

The Cabinet noted that Hampshire County Council would manage the Centre, including maintenance of the buildings and activity areas. The Council, Blackwater Valley Scout Association would work with the community, develop links to local employers and organisations and encourage volunteering via the Scout movement and local community. A "Friends of" association would be developed to encourage local participation in all aspects of the centre and emphasise its role at the heart of the community.

The Cabinet considered the resource implications for the Centre. The purchase of the site and capital works were estimated at £6.1 million. The Government had offered a grant of £5.9 million from the Cross-Government Co-location Fund. In order to secure the grant, the new centre had to open by September 2011. The Council would need to allocate £200,000 towards the project, for which a variation was sought to the 2009/10 Capital Programme. This would result in an estimated loss of interest of £10,000 per annum. It was noted that Hampshire County Council would meet all the running costs. Rushmoor would continue to provide some officer time to support the project.

The Cabinet supported the request to vary the Capital Programme and was of the opinion that the Centre was an exciting project and would be an excellent facility for the Borough.

The Cabinet RESOLVED that

- (i) approval be given to vary the 2009/10 Capital Programme by £200,000 to make a grant to Hampshire County Council for the Runways End project; and
- (ii) approval be given to the Council entering a partnership agreement to oversee the use and development of the centre.

65. **APPLICATIONS FOR DISCRETIONARY RATE RELIEF –**
(Concessions and Community Support)

The Cabinet considered the Head of Customer Services' Report No. CS0907, which set out applications for discretionary rate relief from Rushmoor Community Football Club (Southwood Pavilion, Southwood Playing Fields, Grasmere Road, Farnborough) and Southwood Management Organisation Ltd (Southwood Sports Ground, Kennels Lane, Farnborough).

The Cabinet RESOLVED that

- (i) 100% discretionary rate relief be awarded to Rushmoor Community Football Club for 2009/10; and
- (ii) 100% discretionary rate relief be awarded to Southwood Management Organisation Ltd. for 2009/10.

66. **TREASURY MANAGEMENT – GLITNIR INVESTMENT –**
(Leader of the Council)

The Leader of the Council had agreed that, pursuant to Section 100(b)(4)(b) of the Local Government Act, 1972, this item should be added to the agenda for the meeting as a matter of urgency.

The Director of Resources reported that the Local Government Association had instructed solicitors to act on behalf of all local authority bodies affected by the collapse of Glitnir and it had been understood that councils could expect to recover all of the principal and a substantial percentage of interest due to their preferential status. However, in the previous week, the Glitnir board responsible for the winding up process had decided that local authority bodies would not be granted preferential status, which would impact directly on the amount of principal likely to be recovered. This decision was unexpected and was not in accordance with previous decisions taken by other banks in similar circumstances. Given this background, the Local Government Association was now considering lodging a formal legal challenge to get the decision reversed, which it was felt would have a reasonable prospect of success.

The Director of Resources also advised the Cabinet that approval had been requested from the Department for Communities and Local Government to capitalise the allocation, should the Local Government Association be unsuccessful in getting the decision reversed on preferential status. The Council would also need to give consideration to this issue during the budget setting process.

The Cabinet RESOLVED that the action taken in this matter be endorsed.

67. **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 undermentioned item to avoid the disclosure of exempt information within the paragraph of Schedule 12A to the Local Government Act, 1972 indicated against the item.

Minute No.	Schedule 12A Para. No.	Category
68	3	Information relating to financial or business affairs

**THE FOLLOWING ITEM WAS CONSIDERED
IN THE ABSENCE OF THE PUBLIC**

68. **APPLICATIONS FOR SECTION 49 REMISSION OF NON-DOMESTIC RATES –**

(Concessions and Community Support)

The Cabinet considered the Head of Customer Services' Exempt Report No. CS0908, which set out four applications for the remission of rates. Members assessed the applications, taking into account the evidence of financial hardship supplied and whether it was in the interests of local taxpayers to subsidise the businesses. The Cabinet also took into account the nature and circumstances of each business and the availability of alternative facilities in the area.

The Cabinet RESOLVED that

- (i) a decision on the granting of hardship relief to Retro Coffee Shop Ltd. be deferred in order to gain further information and, if satisfactory, the Head of Customer Services be authorised to determine the level of hardship relief, in consultation with the Cabinet Member for Concessions and Community Support;
- (ii) Manhattan Ristorante Pizzeria Italiano Ltd. be granted 25% rate relief for 2009/10;
- (iii) Koshi Ltd., trading as Zaffron Indian Restaurant, be granted 25% rate relief for 2009/10; and
- (iv) hardship relief be not granted to Ms. Trudy Thomson, trading as Bricks and Bread Sustainable Living Centre CIC, and the Council's Energy and Environment Manager be requested to contact Ms. Thomson regarding links with educational establishments.

69. **MR. JOHN EDWARDS, DIRECTOR OF COMMUNITY AND ENVIRONMENT**

—

Mr. John Edwards, Director of Community and Environment, would be retiring from the Council early in January, 2010. Mr. Edwards was thanked for his tremendous service to the Borough Council. Members and officers expressed sadness that Mr. Edwards was leaving and he would be greatly missed. On behalf of the Council, the Leader wished Mr. Edwards a long and happy retirement.

The Meeting closed at 6.30 p.m.

P.J. MOYLE
CHAIRMAN
