

Notice of Meeting

Cabinet

- Date:** Wednesday 17 June 2020
- Time:** 5.30 pm
- Venue:** Being held virtually by Microsoft Teams. The public can listen to a live stream here:
<http://www.audiominutes.com/p/player/player.html?userid=tvbc>

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Legal and Democratic Service

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This is formal notice under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that part of this meeting may be held in private because the agenda and reports for the meeting may contain exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it.

PUBLIC PARTICIPATION SCHEME

If members of the public wish to address the meeting they should notify the Legal and Democratic Service at the Council's Beech Hurst office by noon on the working day before the meeting.

Membership of Cabinet

MEMBER

WARD

Councillor P North (Chairman)

Bourne Valley

Councillor N Adams-King (Vice-Chairman)

Blackwater

Councillor P Bundy

Chilworth, Nursling & Rownhams

Councillor D Drew

Harewood

Councillor M Flood

Anna

Councillor I Jeffrey

Mid Test

Councillor A Johnston

Mid Test

Councillor T Tasker

Andover Romans

Cabinet

Wednesday 17 June 2020

AGENDA

**The order of these items may change as a result of members
of the public wishing to speak**

- 1 Apologies**
- 2 Public Participation**
- 3 Declarations of Interest**
- 4 Urgent Items**
- 5 Minutes of the meeting held on 13 May 2020**
- 6 Recommendations of the Overview and Scrutiny
Committee: None**
- 7 Revenue Outturn 7 - 15**

Finance
To present the Council's 2019/20 revenue outturn position,
explain the reasons for variances between the original
estimate and the outturn and recommend how the surplus
in the year should be treated.
- 8 Capital Outturn 16 - 33**

Finance
To summarise the actual expenditure on capital projects in
2019/20, providing explanations for variations between
estimated and actual expenditure.

To review the funding of the Capital Programme, and
present a revised programme for 2019/20 to 2021/22

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|-----------|---|----------------|
| 9 | <u>Asset Management Outturn</u> | 34 - 49 |
| | Finance
To report the actual expenditure against budget for the Asset Management Plan in 2019/20 and to update the Asset Management Plan requirement for 2020/21. | |
| 10 | <u>Project Enterprise Outturn</u> | 50 - 54 |
| | Finance
To review the financial performance of Project Enterprise activities in the 2019/20 financial year. | |
| 11 | <u>Treasury Management Review</u> | 55 - 60 |
| | Finance
To review the performance of the Treasury Management function in 2019/20 | |
| 12 | <u>Valley Housing Outturn and Business Plan Update</u> | 61 - 64 |
| | Finance
To review the activity of Valley Housing Ltd in 2019/20 and receive an updated business plan for 2020/21 to 2022/23. | |
| 13 | <u>Annual Governance Statement 2019/2020</u> | 65 - 82 |
| | Finance
To consider the Annual Governance Statement for 2019/20. | |
| 14 | <u>Community Assets - Guidance on requests for use of Compulsory Purchase Powers</u> | 83 - 90 |
| | Community Assets
To consider approval of Guidance on requests for use of the Council's compulsory purchase powers to acquire a community asset with onward transfer to the community. | |

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| 15 | <u>Negotiated Stopping Policy and Temporary Transit Agreement</u> | 91 - 109 |
| | Corporate
To consider the Negotiated Stopping Policy and Temporary Transit Agreement. | |
| 16 | <u>Scheme of Delegations to Officers</u> | 110 - 149 |
| | Corporate
To approve the Council's Scheme of Delegations to Officers. | |
| 17 | <u>Eastleigh Borough Council/Test Valley Borough Council Liaison Group</u> | 150 |
| | Corporate
To appoint the membership of the Eastleigh Borough Council/Test Valley Borough Council Liaison Group. | |
| 18 | <u>Partnership for Urban South Hampshire (PUSH)</u> | 151 - 152 |
| | Corporate
To appoint the Planning Portfolio Holder to the Partnership for Urban South Hampshire Committee. | |
| 19 | <u>Scrap Metal Dealers Hearing Sub-Committee</u> | 153 - 154 |
| | Corporate
To appoint the membership of the Scrap Metal Dealers Hearing Sub-Committee. | |
| 20 | <u>Release of developer contributions towards securing Home Wood</u> | 155 - 160 |
| | Planning
To consider the release of developer contributions towards securing access to Home Wood. | |

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|-----------|---|------------------|
| 21 | <u>Test Valley Local Plan - Refined Issues and Options Consultation</u> | 161 - 213 |
| | Planning
To approve for public consultation the Council’s proposed Local Plan Refined Issues and Options document.

To approve a revision to the Statement of Community Involvement in Planning to add an addendum reflecting temporary revised consultation arrangements whilst coronavirus restrictions are in place. | |
| 22 | <u>Members Champions</u> | 214 - 216 |
| | Leader
To consider the appointment of Member Champions for 2020/21. | |
| 23 | <u>Exclusion of the Public</u> | 217 - 218 |
| | The following items are confidential. | |
| 24 | <u>Project Enterprise Outturn Annex</u> | 219 - 224 |
| | Finance
To review the financial performance of Project Enterprise activities in the 2019/20 financial year including the confidential annex. | |
| 25 | <u>Valley Housing Outturn and Business Plan Update Annexes</u> | 225 - 238 |
| | Finance
To review the activity of Valley Housing Ltd in 2019/20 and receive an updated business plan for 2020/21 to 2022/23 including the supporting annexes. | |

ITEM 7

Revenue Outturn 2019/20

Report of the Finance Portfolio Holder

Recommended:

1. That the Council's Revenue outturn for 2019/20, as shown in Annexes 1 and 2 to the report, be noted.
2. That the reasons for the budget variances, as shown in paragraph 3 of the report, be noted.
3. That the items shown in paragraph 3.21 of the report, totalling £93,800, be approved for carry forward into the 2020/21 revenue budget.
4. That the transfer to the Local Development Fund Reserve of £103,400 as detailed in paragraphs 3.10 and 3.14 of the report be approved.
5. That the transfer to the Chantry Centre Planned Maintenance Reserve of £445,900 as detailed in paragraph 3.11 of the report be approved.
6. That the transfer of £603,600 to the General Fund Reserve as detailed in paragraph 4 of the report be approved.

SUMMARY:

- The Council's Revenue outturn for the year ended 31 March 2020 shows net General Fund expenditure of £11.298M (Annex 2).
- Following the completion of the revenue outturn work there is a positive variance to be allocated. Details of how this arose are discussed in more detail in paragraph 3. The utilisation of the variance is considered in paragraph 4.

1 Introduction

- 1.1 The General Fund covers all areas of the Council's revenue activities. This report summarises the total revenue expenditure for Services in 2019/20 which is summarised in Annex 1.
- 1.2 The summary in Annex 1 includes notional charges applied to the revenue account in respect of capital financing transactions and transfers to the pension reserve. Annex 2 shows the same information as Annex 1 with these charges stripped out. Throughout this report any comparisons between budget and actual expenditure will refer to the figures contained in Annex 2.
- 1.3 Where there have been significant variances from the original estimate to the final outturn figures, these are explained in paragraph 3.

- 1.4 The information in this report forms the basis of the Comprehensive Income and Expenditure Statement in the Council's Annual Statement of Accounts which is due to be audited in the coming months by Ernst & Young.

2 Background

- 2.1 The original revenue estimates for 2019/20 were approved by Council in February 2019. This report shows how the final figures compare to those approved in the original estimates and explains the reasons for significant variances.
- 2.2 The Council's Revenue outturn for 2019/20 shows a positive variance of £603,600 compared with the original estimate. This represents a 5.1% favourable variance on the Council's General Fund Requirements of £11.902M and details of the variance are explained in paragraph 3.
- 2.3 Annex 1 shows the full cost of Services which includes depreciation charges, charges to revenue for capital expenditure that does not generate new assets and notional adjustments in respect of the pension fund. Whilst it is important that these costs are known and included, they are also highly changeable and make comparisons with budgets very difficult.
- 2.4 Annex 2 strips out these charges to provide Councillors with a more understandable comparison of budget figures.

3 2019/20 Revenue Outturn

- 3.1 Annexes 1 and 2 show the revenue account outturn for 2019/20. They show a positive variance of £603,600 when compared with the original estimate.
- 3.2 The table below provides a summary of the main reasons for the variance with more detailed explanations in paragraphs 3.3 to 3.20:

	£'000
Employee costs (see paragraph 3.3)	474
Net additional property income (see paragraph 3.4)	200
Net additional income from Environmental Services (see paragraph 3.5)	123
Net reduction in income from planning fees and building control fees offset by Community Infrastructure Levy (CIL) admin income (see paragraph 3.6)	(77)
Income from car parking and penalty charge notices (see paragraph 3.7)	(145)
Income from pest control (see paragraph 3.8)	(33)

Income from Leisure contract (see paragraph 3.9)	(212)
Unspent income from New Forest Mitigation (see paragraph 3.10)	55
Net additional income from the Chantry Centre (see paragraph 3.11)	446
Savings on various computer costs (see paragraph 3.12)	64
18/19 Carry forwards not required (see paragraph 3.13)	183
Government grants (see paragraph 3.14)	67
Investment income and borrowing costs (see paragraph 3.15)	128
Provision for bad debts (see paragraph 3.16)	(115)
Transfer to Chantry Centre Planned Maintenance Reserve (see paragraph 3.11)	(446)
Transfer to Local Development Fund Reserve (see paragraphs 3.10 and 3.14)	(103)
Business rates (see paragraphs 3.17 – 3.20)	(22)
Other sundry variances	17
Total surplus	604

- 3.3 The employee costs budget for 2019/20 included a vacancy management provision set at 4% of the gross salary budget equating to £549,000. The actual outturn for employee costs has exceeded the provision by £474,000. In addition to the usual recruitment challenges across the authority, there have been some posts that have become vacant during the year and have been given up as savings as part of the 2020/21 budget process.
- 3.4 The net additional rental property income of £200,100 can be analysed as follows:
- The Council purchased a number of investment properties in 2019/20 which have been let to Valley Housing Limited. The additional income from these properties was £23,300 which was not included in the budget.
 - Other net additional rental income of £176,800 was received. This came from other corporate properties, Walworth and Portway Business Parks and other investment properties and mainly related to in year rent increases.

- 3.5 The net increase in income from Environmental Service is made up of £77,000 from the Garden Waste scheme, £36,000 from glass recycling, £40,000 from the management of dog bins and return of shopping trolleys, and £19,000 from the sale of bins offset by an increase in the cost of diesel of £49,000.
- 3.6 Income from planning application fees and building control fell short of the budget by £181,000 but was offset by additional CIL income of £104,000, of which £50,000 related to a one off adjustment from 2018/19.
- 3.7 Income from car parking and penalty charge notices fell short of the budget by £145,000.
- 3.8 Income from pest control contracts, and control of rodents and insects was lower than budgeted by £33,000.
- 3.9 The variance of £212,100 on the Leisure contract is primarily due to lost income, both earlier in the year while parts of the leisure facilities were closed due to agreed remedial works taking place to the Romsey Rapids pool area, and then later in the year when all leisure sites were closed to the public on 20 March 2020 due to the Covid-19 pandemic lockdown arrangements.
- 3.10 £55,300 of New Forest Mitigation income remains unspent at the end of 2019/20. It is recommended to transfer this to the Local Development Fund Reserve.
- 3.11 Net additional income from the Chantry Centre is £445,900. As per the report to Council on 13 March 2019, it is recommended to transfer this additional income to the Chantry Centre Planned Maintenance Reserve.
- 3.12 There were savings in IT on various licences and software applications of £33,000 and in Revenues on computer costs of £31,000.
- 3.13 Two items were carried forward from the 2018/19 budget which were not required in 2019/20:
- £10,500 was carried forward for computer equipment in Housing & Environmental Health
 - £172,500 was carried forward in Planning Policy & Economic Development for the New Forest Mitigation. This was also treated as a receipt in advance in 2018/19 so was accounted for twice.
- 3.14 Net unbudgeted government grants of £67,000 have been received in the year. This includes:
- Neighbourhood Planning Referendum grants of £40,000 were received in respect of two local referendums. After expenditure against this of £5,900 the net amount of £34,100 is recommended to be transferred to the Local Development Fund reserve to be used for future neighbourhood planning expenses.

- A Planning Project grant of £14,000 was received by Planning Policy & Economic Development. It is recommended to transfer the full amount to the Local Development Fund Reserve.
 - A Levy Surplus Allocation of £35,900 was budgeted for 2019/20 as notified from MHCLG as part of the 2019/20 Local Government Finance Settlement. This was actually received at the end of March 2019 and was included in the 2018/19 revenue figures. The grant received in March 2020 was £8,000, £27,900 lower than the budgeted figure.
 - The amount received for the Council Tax Annex Discount grant was £33,100 higher than budgeted.
- 3.15 Net investment income received in the year was £190,000 higher than anticipated. This is partially offset by a slight increase in borrowing and related costs of £62,000 due to a loan being taken out that wasn't included in the original budget.
- 3.16 An increase of £115,000 is required to ensure that the bad debt provision is at the required level at the end of the year.
- 3.17 Transactions through the General Fund in relation to business rates income are difficult to predict and extremely volatile. Since 2015/16, the Council has experienced business rate growth and is therefore required to pay an immediate NDR Surplus Levy to Government. In addition, the Council receives grants for small business rate and other reliefs, and is entitled to retain 100% of business rates relating to renewable energy schemes within the Borough. These transactions are managed through both the General Fund and the Collection Fund Equalisation Reserve.
- 3.18 Business rates income is extremely vulnerable to the level of appeals that may occur as a result of the 2017 revaluation exercise. In addition, the Government maintains the power to take away all of the accumulated growth in income generated since 2013 in a reset of the Business Rates Retention Scheme. The reset was planned for 2020/21 but has been put back due to the Covid-19 pandemic. The Council maintains the Collection Fund Equalisation Reserve to try to smooth the impact of these unknowns.
- 3.19 In 2019/20, the Council has continued to experience business rate growth and is still required to pay a surplus levy to Government. However, the impact of the uncertainty around the provision for appeals means that the business rates collection fund remains in a deficit of £2.468M. The Council will repay their share of this deficit, £987,000 in 2020/21 and 2021/22.
- 3.20 The variances against budget are detailed in the table below.

	£'000
Lower than budgeted Government grants received	(59)
Reduction in provision for surplus levy	37
Net impact of business rates on General fund in 2019/20	(22)

- 3.21 Five items have been identified where a budget was included in the 2019/20 estimate but was not spent by the end of the year as per the table below. The total of £93,800 is recommended to be carried forward into 2020/21.

	£'000
HR - Payroll project	8
Environmental Services – unspent funds from trunk road litter removal to be spent on a one-off removal of chewing gum from Andover Town Centre	10
Housing & Environmental Health – relating to recruitment costs	5
IT – Project Consultancy	22
Community & Leisure – various snagging works	49
Total to be carried forward to 2020/21	94

4 Transfer to / from Reserves

General Reserves

- 4.1 The balance at the start of the year on unallocated general reserves was £2M. This represents the Council's working balance to help cushion the impact of uneven cash flows and minimise unnecessary temporary borrowing.
- 4.2 When the Council set its revenue budget for 2020/21 on 26 February, the Head of Finance presented his usual "**Statement on the Robustness of Estimates and Adequacy of Revenue Reserves**". At the time, there was no indication that there would be an imminent national emergency situation caused by the Covid-19 pandemic. Since the UK lockdown, which started on 23rd March, the Council has faced extreme financial pressures in terms of lost income, deferred income and additional expenditure, none of which had been anticipated in setting the budget. Current forecasts show that even with Government support of £1.3M, the Council will still have to cope with net costs of at least £3.5M during 2020/21. In addition to this, it is estimated that deferred rents, business rates, council tax and business rate reliefs will have cashflow impacts of £5.5M (estimate to end of May 2020).
- 4.3 Given that the recovery phase is likely to be prolonged, it is important that the Council has the necessary resources in place to manage the significant adverse effect on its budgets. For that reason, it is recommended that the full surplus of £603,600 from 2019/20 is transferred to the Council's General Fund Reserve. The Council's estimates and adequacy of reserves are now being reviewed on a monthly basis and regular reports are being sent to the Ministry of Housing, Communities and Local Government (MHCLG). It is hoped that further Government support will be given to Local Authorities in due course, but if not, it is inevitable that further draws on reserves will become necessary before the end of the year.

5 Resource Implications

- 5.1 This report shows that the Council had a budget surplus in 2019/20 of £603,600. This amount will be transferred to the General Fund Reserve in order to ensure that Council has the necessary resources in place to manage the significant adverse effect of the Covid-19 pandemic on its budgets.
- 5.2 Some of the variances that have been identified throughout this report have already been taken into account in setting the 2020/21 budget.

6 Risk Management

- 6.1 An evaluation of the risks associated with the matters in this report indicate that further risk assessment is not needed because the issues covered do not represent significant risks.

7 Equality Issues

- 7.1 An EQIA screening has been completed in accordance with the Council's EQIA methodology and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EQIA has not been carried out.

8 Conclusion and reasons for recommendation

- 8.1 This report shows that actual net General Fund expenditure in 2019/20 was £603,600 less than the Original Estimate and explains the significant causes of this variance. The report recommends a transfer of the full amount to the General Fund Reserve.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	2	File Ref:	N/A
(Portfolio: Finance) Councillor M Flood			
Officer:	Jenni Carter	Ext:	8236
Report to:	Cabinet	Date:	17 June 2020

GENERAL FUND REVENUE SUMMARY - 2019/20

	(1) Original Estimate 2019/20 £'000	(2) Actual 2019/20 £'000	(3) (Under) / Over Spend £'000
Service Requirements			
Chief Executive's Office	99.5	0.0	(99.5)
Community & Leisure	2,701.0	3,654.4	953.4
Environmental Service	5,219.5	5,996.0	776.5
Finance	20.0	0.0	(20.0)
Housing & Environmental Health	3,285.6	2,650.7	(634.9)
I.T.	28.9	0.0	(28.9)
Legal & Democratic	22.2	3.7	(18.5)
Planning & Building	1,767.2	2,907.3	1,140.1
Planning Policy & Economic Development	1,238.8	1,071.5	(167.3)
Property & Asset Management	(5,330.4)	(5,937.1)	(606.7)
Revenues	2,406.9	1,838.5	(568.4)
	11,459.2	12,185.0	725.8
Other Requirements			
Benefits	(200.0)	(208.2)	(8.2)
Corporate & Democratic Core	2,872.8	2,141.7	(731.1)
Net Cost of Services	14,132.0	14,118.5	(13.5)
Corporate Requirements			
Contingency Provision	21.1	0.0	(21.1)
Depreciation & Capital Charges	(4,659.8)	(4,208.5)	451.3
Investment Income	(568.1)	(758.2)	(190.1)
Borrowing Costs	158.1	163.6	5.5
Minimum Revenue Provision	130.6	187.0	56.4
New Homes' Bonus	(3,788.2)	(3,788.2)	0.0
Small Business Rate Relief	(1,390.9)	(1,503.9)	(113.0)
Other Government grants	(848.0)	(717.2)	130.8
Provision for NDR surplus 'levy'	2,037.8	2,000.8	(37.0)
Levy surplus allocation	(35.9)	(8.0)	27.9
Retention of NDR re Renewable Energy Schemes	(436.2)	(437.2)	(1.0)
Write Offs / Year End Transfers	0.0	(0.3)	(0.3)
Net General Fund Expenditure	4,752.5	5,048.4	295.9
Transfer to / (from) Earmarked Reserves	2,805.4	3,454.8	649.4
Transfer to Asset Management Reserve	1,471.0	1,402.4	(68.6)
Contribution to Capital Balances	2,872.9	3,087.9	215.0
Transfer to Pension Reserve	0.0	(1,695.3)	(1,695.3)
GENERAL FUND REQUIREMENTS	11,901.8	11,298.2	(603.6)
Revenue Support Grant	0.0	0.0	0.0
Business Rates Retained	(4,576.4)	(4,576.4)	0.0
Parish Precepts	1,597.6	1,597.6	0.0
Surplus on Previous Years' Collection Fund	(111.9)	(111.9)	0.0
Deficit on Previous Years' Collection Fund - NDR	57.6	57.6	0.0
Council Tax Requirement	8,868.7	8,265.1	(603.6)
GENERAL FUND VARIANCE		603.6	

GENERAL FUND REVENUE SUMMARY - 2019/20
excluding asset charges and pension transfers

	(1) Original Estimate 2019/20 £'000	(2) Actual 2019/20 £'000	(3) (Under) / Over Spend £'000
Service Requirements			
Chief Executive's Office	99.5	(235.5)	(335.0)
Community & Leisure	1,637.4	2,162.0	524.6
Environmental Service	4,476.5	4,612.6	136.1
Finance	20.0	(128.7)	(148.7)
Housing & Environmental Health	2,160.6	2,580.4	419.8
I.T.	(45.2)	(208.7)	(163.5)
Legal & Democratic	22.2	(157.8)	(180.0)
Planning & Building	1,767.2	2,383.8	616.6
Planning Policy & Economic Development	1,238.8	992.0	(246.8)
Property & Asset Management	(5,925.9)	(7,128.2)	(1,202.3)
Revenues	2,406.9	1,564.6	(842.3)
	7,858.0	6,436.5	(1,421.5)
Other Requirements			
Benefits	(200.0)	(208.2)	(8.2)
Corporate & Democratic Core	2,814.2	3,198.7	384.5
Net Cost of Services	10,472.2	9,427.0	(1,045.2)
Corporate Requirements			
Contingency Provision	21.1	0.0	(21.1)
Investment Income	(568.1)	(758.2)	(190.1)
Borrowing Costs	158.1	163.6	5.5
Minimum Revenue Provision	130.6	187.0	56.4
New Homes' Bonus	(3,788.2)	(3,788.2)	0.0
Small Business Rate Relief	(1,390.9)	(1,503.9)	(113.0)
Other Government grants	(848.0)	(717.2)	130.8
Provision for NDR surplus 'levy'	2,037.8	2,000.8	(37.0)
Levy surplus allocation	(35.9)	(8.0)	27.9
Retention of NDR re Renewable Energy Schemes	(436.2)	(437.2)	(1.0)
Write Offs / Year End Transfers	0.0	(0.3)	(0.3)
Net General Fund Expenditure	5,752.5	4,565.4	(1,187.1)
Transfer to / (from) Earmarked Reserves	2,805.4	3,454.8	649.4
Transfer to Asset Management Reserve	1,471.0	1,402.4	(68.6)
Contribution to Capital Balances	1,872.9	1,875.6	2.7
GENERAL FUND REQUIREMENTS	11,901.8	11,298.2	(603.6)
Revenue Support Grant	0.0	0.0	0.0
Business Rates Retained	(4,576.4)	(4,576.4)	0.0
Parish Precepts	1,597.6	1,597.6	0.0
Surplus on Previous Years' Collection Fund	(111.9)	(111.9)	0.0
Surplus on Previous Years' Collection Fund - NDR	57.6	57.6	0.0
Council Tax Requirement	8,868.7	8,265.1	(603.6)
GENERAL FUND VARIANCE		603.6	

ITEM 8

Capital Outturn 2019/20

Report of the Finance Portfolio Holder

Recommended:

That the updated Capital Programme as shown in Annex 1 to the report be approved.

SUMMARY:

- This report summarises expenditure on the Capital Programme in 2019/20 and explains the reasons for variances from the forecast, including a summary of the total budget slippage within the Capital Programme.
- The report makes recommendations for the carry forward of certain unspent capital budgets into 2020/21 as detailed throughout the report and provides an updated capital programme for 2019/20 to 2021/22.

1 Introduction

- 1.1 The progress of the Capital Programme is reported to Cabinet regularly throughout the year. The most recent update was presented to Cabinet on 12 February 2020.
- 1.2 The purpose of this report is to present the final 2019/20 expenditure for the Capital Programme and explain significant variances compared to the estimated expenditure for the year. The report also updates the expected budget for 2020/21 and 2021/22.
- 1.3 Any slippage from 2019/20 and other changes in the programme have been taken into account in updating the cost and phasing of schemes within the updated programme presented for approval.

2 Background

- 2.1 In updating the Capital Programme the main issues relate to changes in the cost or phasing of existing schemes and changes to the level of capital resources that will influence the way in which the programme is financed.
- 2.2 Additional capital requirements on existing projects are included in the report. Where additional resources are necessary, the report will address the reasons why additional resources are requested and the method of funding those resources.

3 Capital outturn 2019/20

- 3.1 Annex 1 provides details of the revised estimate for individual schemes in 2019/20 and the actual amount that was spent in the year. It also shows an updated estimate of the remaining costs and timescale of all projects in the Capital Programme.

3.2 Overall, the Capital Programme has spent £7.8M against an estimate of £15.0M during the 2019/20 financial year.

3.3 The following table shows how the overall variance of £7.242M in 2019/20 is broken down between Services:-

Service	Estimate £'000	Actual £'000	Variance £'000
Asset Management Projects	1,962.8	1,199.3	(763.5)
Community & Leisure	4,161.5	1,783.8	(2,377.7)
Property & Asset Management	4,261.2	2,474.3	(1,786.9)
Project Enterprise	3,035.1	1,532.9	(1,502.2)
Housing & Environmental Health	800.0	807.7	7.7
I.T.	9.3	0	(9.3)
Affordable Housing	810.0	0	(810.0)
Total	15,039.9	7,798.0	(7,241.9)

3.4 The main reasons for the variance in the year are explained in the following paragraphs.

3.5 Asset Management Projects

3.5.1 The Asset Management Plan was last reported to Cabinet on 6 November 2019. This identified the Council's requirement for maintaining its asset base over three categories; land & property; vehicles & plant and IT equipment.

3.5.2 The budgets approved covered both revenue and capital items, with the capital element introduced to the Capital Programme. All costs are to be met from the Asset Management reserve.

3.5.3 Overall, capital expenditure in the year was £763,500 less than budgeted. Detailed explanations of variances within the Asset Management Plan for 2019/20 are included in the Asset Management Plan Outturn report elsewhere on this agenda.

3.6 Community & Leisure

3.6.1 The Community and Leisure capital programme has a variance of £2,377,700 against the forecast of £4,161,500.

The main reasons for this are:

- 3.6.2 The Community Asset Fund (CAF) is showing a variance for 2019/20 due to the timing of grant applications - applicants have a total of two years in which to claim approved grants. A total of £199,100 has been carried forward into 2020/21.
- 3.6.3 Two projects in the programme are showing a saving being, Charlton Lakes Footpath, £2k and War Memorial Park Play Area upgrade, £2.7k. These are offset against a small overspend relating to the Jubilee Park, Nursling Play Area of £200.
- 3.6.4 The public art project at Adanac Park has overspent slightly by £600 due to additional licence fees due to the landlord.
- 3.6.5 In respect of land protection works, additional costs of £12,000 for bunding and new gates were incurred. This excess will be funded from the Capital Receipts Reserve.
- 3.6.6 There is slippage of £1,399,300 for the Leisure Contract with works outstanding for Andover Leisure Centre and Charlton Lakes.
- 3.6.7 Andover War Memorial project has slipped by £16,000 due to finalising lighting specification issues.
- 3.6.8 Ganger Farm slippage – negotiations are under way with the developer on the final details of the fit out for the sports pavilion prior to transfer of £601,000, being the balance of the grant funded by S106 receipts.
- 3.6.9 Ampfield Recreation Ground contribution which is funded by Community Infrastructure Levy (CIL), has also slipped into 2020/21.
- 3.6.10 The fencing, planting of the canal buffer and works compound, and canal restoration at Fishlake Meadows project has been delayed as land has not, as yet, been transferred to TVBC.

3.7 Property and Asset Management

- 3.7.1 Pocket Park, Town Mill Access project is being delivered by Hampshire County Council and is being funded by a contribution of £133k by TVBC and contributions from Local Enterprise Partnership and Hampshire County Council - this will be delivered in 2020/21.
- 3.7.2 Romsey Flood Alleviation scheme is being delivered by the Environment Agency and has been delayed. TVBC contribution will be paid when the scheme is completed.
- 3.7.3 The business continuity generator project was put on hold to enable recruitment of a Building Services Engineer. This position has now been filled and the project is able to move forward.
- 3.7.4 Due to having to go to probate there has been a delay in completing the strategic purchase, approved by Council on 13 February 2019. Therefore it has slipped into 2020/21.

- 3.7.5 Refurbishment of the Multi Storey Car Park Lifts was impacted by the coronavirus and has resulted in slippage of £75,600.
- 3.7.6 A small saving of £500 was incurred during the purchase of new ticket machines for the car parks.
- 3.7.7 Botley Road informal crossing point was completed with a saving of £3,200.
- 3.7.8 Hurstbourne Tarrant Flood Alleviation Scheme contribution was added to the programme and is funded by CIL.

3.8 Project Enterprise

- 3.8.1 The completion of the joint development project of the Columbus Quarter on Walworth Business Park and the reconciliation has resulted in an adjustment of £33.8k for the expenditure for this project.
- 3.8.2 Ganger Farm Pavilion solar panels – these panels have been installed but due to the current situation have not been commissioned and therefore will be completed in 2020/21.
- 3.8.3 Commercial Investment, Andover – this was expected to be completed in March but due to the pandemic all work ceased and should now be completed in 2020/21.
- 3.8.4 Further information on Project Enterprise acquisitions is included in the Project Enterprise Outturn report elsewhere on this agenda.

3.9 Housing & Environmental Health

- 3.9.1 The annual budgets for Renovation & Minor Works Grants and Disabled Facilities Grants are a limit on the amount that the Service can commit to individual grants plus any outstanding grant commitments from previous years.
- 3.9.2 As the Disabled Facilities Grants are a statutory requirement and require a referral from an Occupational Therapist, it is difficult to predict the amount of referrals in one year, some works require planning permission or other major works to be completed before the adaptations can be completed. For 2019/20 there is a total spend of £807,700 against a budget of £750,000 and as these grants are funded by the Better Care Fund there has been no impact on the Capital Receipts Reserve. In relation to the Renovation and Minor Works grants, there has been no expenditure against a budget of £50,000 - it is difficult to predict demand for these types of works.

3.10 IT

This project has been removed from the programme as the scheme is outdated and has now been addressed in the AMP.

3.11 Affordable Housing

Whilst the Nightingale Lodge development had started on site, and whilst the grant agreement was completed and signed by TVBC it has not been signed and returned by the Registered Provider and therefore the first tranche payment could not be paid. It is anticipated that the grant agreement will be signed and returned, and the grant paid, in the next few months.

3.12 Slippage

Slippage from one year to the next is regularly monitored as part of the Capital Programme update reports.

3.12.1 Annex 2 shows details of the capital projects that have slipped from 2019/20 to 2020/21. The November and February updates identified slippage of £940,300. This report identifies a further £6,613,100 making the annual total £7,553,400. This excludes Asset Management items which are reviewed separately elsewhere on this agenda.

3.12.2 Some slippage within a Capital Programme is entirely normal. Expenditure can be delayed for many reasons and is frequently outside the Council's control.

3.12.3 Projects included in the Capital Programme will improve the delivery of services directly to the public or improve the service that the Council provides. Slippage in the Capital Programme delays the implementation of these projects and therefore also delays any benefit seen by the public.

4 **Capital Programme Update**

4.1 A comparison of the latest phasing of the capital programme compared with the budget approved in February is shown in the following table:-

	2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £'000
February Programme	15,039.9	11,485.5	3,550.0	30,075.4
Current Programme	7,798.0	18,081.9	4,360.0	30,239.9
Increase / (Decrease)	(7,241.9)	6,596.4	810.0	164.5

4.2 The increase of £164,500 is broken down in the table below.

	February Programme £'000	Current Programme £'000	Increase / (Decrease) £'000
Asset Management Projects	4,750.8	4,771.8	21.0
Community & Leisure	7,273.5	7,282.4	8.9
Property & Asset Management	4,840.2	5,013.1	172.9
Project Enterprise	9,231.6	9,194.9	(36.7)
Housing & Env. Health	1,750.0	1,757.7	7.7
IT	9.3	0.0	(9.3)
Affordable Housing	2,220.0	2,220.0	0
Total	30,075.4	30,239.9	164.5

4.3 The overall AMP budget requirement has increased by £21,000 and is discussed in a separate report on this agenda.

4.4 The total budget for Community and Leisure has increased by £8,900 as explained below:

The creation of a Community Asset Fund (CAF) was approved as part of the budget strategy in October 2013. The overall budget for the CAF is £300,000 per annum which is split between revenue and capital contributions. Revenue and capital grants will always remain within the £300,000 limit per annum. All CAF contributions are funded by New Homes Bonus. The total outstanding relating to projects approved in previous years will be adjusted annually due to project applications expiring or being withdrawn. The adjustment for 2019/20 is £5,200, which relates to an expired application and a slight increase in capital grants being awarded for this year.

4.5 Two new projects have been added to the programme for Property and Asset Management service. The CCTV installation was agreed by Council on the 26 February 2020 (minute 344.3 refers) funded from the revenue contingency budget, and Hurstbourne Tarrant Flood Alleviation Scheme was part of the CIL allocation agreed by Council on the 20 November 2019 (minute 224.2.2.3).

4.6 Savings of £6,400 and £600 were made on two of the purchased properties in 2019/20, which offset an overspend of £4,100 on the third acquisition.

4.7 Disabled Facilities Grants (DFG) are slightly overspent, offset against no spend for Minor Renovation Grants. Explanations for this have been given in the paragraphs for the Outturn report.

5 Resource Implications

- 5.1 The level of capital spending is entirely dependent on the resources that are available to finance the programme. The ability to add new schemes to the programme is influenced by forecasts of future resources. However, once a scheme is in the programme it is assumed that it will be completed and financed irrespective of whether or not resource forecasts are entirely accurate.
- 5.2 This means that any shortfalls in resources are either made good initially through use of balances or by taking into account future capital receipts that would otherwise have been used for new capital expenditure. As a result, the financing of the programme will always be equal to the estimated costs.
- 5.3 The level of capital resources per the February programme is compared to those for the current programme in the following table:-

	February 2020	Outturn 2019/20
Capital Programme	£'000	£'000
Balance Capital Receipts Reserve (CRR) as at 1 April 2019	6,021.9	6,021.9
Total Capital Expenditure 2019/20 – 2021/22	(30,075.4)	(30,239.9)
Total Capital Financing 2019/20 – 2021/22	24,666.2	25,252.1
Forecast (deficit)/credit of CRR at 31 March 2022	612.7	1,034.1
Loans from PWLB 2019/20	1,550.0	1,550.0
Forecast Capital Receipts Reserve as at 31 March 2022	2,162.7	2,584.1

6 Conclusion and reasons for recommendation

- 6.1 The positive variance between budgeted and actual expenditure was £7.3M in 2019/20. Reasons for this variance are explained in paragraph 3 of the report.
- 6.2 The ongoing budget requirements for all outstanding projects have been reviewed in the preparation of this report and the updated Capital Programme as shown in Annex 1 is recommended for approval.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	2	File Ref:	N/A
(Portfolio: Finance) Councillor M Flood			
Officer:	Laura Berntsen	Ext:	8204
Report to:	Cabinet	Date:	17 June 2020

CAPITAL PROGRAMME AND FINANCING**Approved Projects**

	February 2020				Outturn 2019/20			
	2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £'000	2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £'000
CAPITAL EXPENDITURE								
Asset Management Projects	1,962.8	2,788.0	0.0	4,750.8	1,199.3	3,572.5	0.0	4,771.8
Community & Leisure	4,161.5	2,612.0	0.0	6,773.5	1,783.8	4,998.6	0.0	6,782.4
Property & Asset Management	4,261.2	579.0	0.0	4,840.2	2,474.3	2,538.8	0.0	5,013.1
Project Enterprise	3,035.1	196.5	0.0	3,231.6	1,532.9	1,662.0	0.0	3,194.9
Housing & Environmental Health	800.0	950.0	0.0	1,750.0	807.7	950.0	0.0	1,757.7
IT	9.3	0.0	0.0	9.3	0.0	0.0	0.0	0.0
Affordable Housing	810.0	1,110.0	300.0	2,220.0	0.0	1,110.0	1,110.0	2,220.0
Total	15,039.9	8,235.5	300.0	23,575.4	7,798.0	14,831.9	1,110.0	23,739.9
CAPITAL FINANCING								
Capital Grants	750.0	850.0	0.0	1,600.0	807.7	850.0	0.0	1,657.7
Capital Receipts	6,453.2	50.0	50.0	6,553.2	6,445.1	54.4	50.0	6,549.5
PWLB Loan	1,550.0	0.0	0.0	1,550.0	1,550.0	0.0	0.0	1,550.0
Capital Contributions	8,001.7	7,496.1	1,151.9	16,649.7	4,777.8	11,115.0	1,152.1	17,044.9
Total	16,754.9	8,396.1	1,201.9	26,352.9	13,580.6	12,019.4	1,202.1	26,802.1
Contribution (to) / from balances	(1,715.0)	(160.6)	(901.9)	(2,777.5)	(5,782.6)	2,812.5	(92.1)	(3,062.2)
Total Financing	15,039.9	8,235.5	300.0	23,575.4	7,798.0	14,831.9	1,110.0	23,739.9

CAPITAL PROGRAMME AND FINANCING**Schemes yet to be identified**

	February 2020				Outturn 2019/20			
	2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £'000	2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £'000
CAPITAL EXPENDITURE								
Community & Leisure		250.0	250.0	500.0		250.0	250.0	500.0
Project Enterprise		3,000.0	3,000.0	6,000.0	0.0	3,000.0	3,000.0	6,000.0
Total	0.0	3,250.0	3,250.0	6,500.0	0.0	3,250.0	3,250.0	6,500.0
CAPITAL FINANCING								
Capital Contributions		250.0	250.0	500.0		250.0	250.0	500.0
Total	0.0	250.0	250.0	500.0	0.0	250.0	250.0	500.0
Contribution (to) / from balances		3,000.0	3,000.0	6,000.0		3,000.0	3,000.0	6,000.0
Total Financing	0.0	3,250.0	3,250.0	6,500.0	0.0	3,250.0	3,250.0	6,500.0

ASSET MANAGEMENT PROJECTS
CAPITAL PROGRAMME

ANNEX 1

Ref	Scheme	February 2020				Outturn 2019/20			
		2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £'000	2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £000
1	Land and Property Projects	617.5	1,420.0		2,037.5	283.2	1,677.8		1,961.0
2	Vehicle and Plant Projects	1,132.7	1,275.0		2,407.7	749.5	1,797.7		2,547.2
3	IT Equipment Projects	212.6	93.0		305.6	166.6	97.0		263.6
Total AMP Capital Programme		1,962.8	2,788.0	0.0	4,750.8	1,199.3	3,572.5	0.0	4,771.8

**COMMUNITY & LEISURE
CAPITAL PROGRAMME**

ANNEX 1

Ref	Scheme	February 2020				Outturn 2019/20			
		2019/20	2020/21	2021/22	Total	2019/20	2020/21	2021/22	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£000
1	Community Asset Fund - New projects 2019/20	250.0			250.0	129.2	131.1		260.3
1A	Community Asset Fund - O/s projects	229.4			229.4	151.1	73.2		224.3
2	RSC Skate Park	172.5			172.5	172.5			172.5
3	Knightwood Skate Park	10.5			10.5	3.0	7.5		10.5
4	Andover War Memorial	19.3			19.3	3.2	16.1		19.3
5	East Anton Public Art	26.5			26.5	24.0	2.5		26.5
6	Charlton Lakes Footpath	2.0			2.0				0.0
7	Upgrade War Memorial Park Play area	3.1			3.1	0.4			0.4
8	Leisure Contract	2,073.0	398.5		2,471.5	673.7	1,797.8		2,471.5
9	Fitness Equipment - Valley Park	20.0			20.0	20.0			20.0
10	Play Areas - Jubilee Park, Nursling	69.8			69.8	70.0			70.0
11	Fishlake Meadows	170.5			170.5	59.2	111.3		170.5
12	Public Art - Adanac Park	29.7			29.7	30.3			30.3
13	Ganger Farm - Sports & Recreation	635.5			635.5	34.3	601.2		635.5
14	Fitness Trail - Romsey	35.0			35.0	30.6	4.4		35.0
15	Boundary fencing & hedging - land purchase	23.9	29.7		53.6	14.8	38.8		53.6
16	Picket Twenty - Pavilion/pitch changes		1,400.0		1,400.0		1,400.0		1,400.0
17	Picket Twenty - Phase 4 play area		148.1		148.1	1.8	146.3		148.1
18	SANG - Sherfield English	80.0	100.0		180.0	69.2	110.8		180.0
19	King Somborne Community Building Contribution	95.0			95.0	95.0			95.0
20	Land Protection	54.5			54.5	62.1			62.1
21	Ampfield Recreation Ground	122.0			122.0	53.8	68.2		122.0
22	Abbotswood Pitches	39.3			39.3	39.3			39.3
23	Plaza Theatre Stage House Rebuild		200.0		200.0		200.0		200.0
24	Longparish Playground Redevelopment		40.0		40.0	40.0			40.0
25	Charlton Lakes Bridge		100.4		100.4	1.3	99.1		100.4
26	Valley Park Community Centre		79.5		79.5		79.5		79.5
27	Over Wallop War Memorial		20.0		20.0		20.0		20.0
28	Braishfield Village Hall		95.8		95.8	5.0	90.8		95.8
Total Approved Projects		4,161.5	2,612.0	0.0	6,773.5	1,783.8	4,998.6	0.0	6,782.4
Community Asset Fund Projects - yet to be identified			250.0	250.0	500.0		250.0	250.0	500.0
Total C&L Capital Programme		4,161.5	2,862.0	250.0	7,273.5	1,783.8	5,248.6	250.0	7,282.4

PROPERTY AND ASSET MANAGEMENT SERVICE
CAPITAL PROGRAMME

Ref	Scheme	February 2020				Outturn 2019/20			
		2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £000	2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £000
1	Hampshire Community Bank	125.0	125.0		250.0	125.0	125.0		250.0
2	Pocket Park, Town Mill Access & Environmental Enhancement	1,250.0			1,250.0	86.8	1,163.2		1,250.0
3	Romsey Flood Alleviation Scheme	235.0			235.0		235.0		235.0
4	Generator - Business Continuity	40.0			40.0		40.0		40.0
5	Footpath link - Smannell to Augusta		164.0		164.0		164.0		164.0
6	Strategic purchase	447.2			447.2	0.4	446.8		447.2
7	Purchase Chantry Centre	71.5			71.5	71.5			71.5
8	Chantry Centre Toilet Refurbishment	173.0			173.0	177.4			177.4
9	Multi Storey Car Park Lift Refurbishment	136.4			136.4	60.8	75.6		136.4
10	Andover/Romsey CCTV					166.8			166.8
11	High St, Retail Units	1,549.0			1,549.0	1,549.0			1,549.0
12	New Car Park Ticket machines	179.1			179.1	178.6			178.6
13	Southampton Rd, Pedestrian & Cycle Route		270.0		270.0	4.4	265.6		270.0
14	Botley Rd, informal crossing point	35.0			35.0	31.8			31.8
15	Hurstbourne Tarrant Flood Alleviation					5.4			5.4
16	The Old Creamery Footway	5.0	20.0		25.0	1.4	23.6		25.0
17	Andover Town Centre WiFi	15.0			15.0	15.0			15.0
Total P & AM Capital Programme		4,261.2	579.0	0.0	4,840.2	2,474.3	2,538.8	0.0	5,013.1

PROJECT ENTERPRISE
CAPITAL PROGRAMME

Ref	Scheme	February 2020				Outturn 2019/20			
		2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £000	2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £000
1	Columbus Quarter	1,000.0			1,000.0	966.2			966.2
2	Solar Panels Ganger Farm Pavilion	60.0			60.0		60.0		60.0
3	Domestic Investment Property 14 - Galahad Close	181.1			181.1	185.2			185.2
4	Domestic Investment Property 15 - Galahad Close	186.0			186.0	179.6			179.6
5	Domestic Investment Property 16 - Galahad Close	195.6			195.6	195.0			195.0
6	Commercial Investment, Andover	1,412.4			1,412.4	6.9	1,405.5		1,412.4
7	Domestic Investment Property 17		196.5		196.5		196.5		196.5
Total Approved Projects		3,035.1	196.5	0.0	3,231.6	1,532.9	1,662.0	0.0	3,194.9
Purchase of Investment properties - yet to be identified			3,000.0	3,000.0	6,000.0		3,000.0	3,000.0	6,000.0
Total PE Capital Programme		3,035.1	3,196.5	3,000.0	9,231.6	1,532.9	4,662.0	3,000.0	9,194.9

HOUSING & ENVIRONMENTAL HEALTH SERVICE
CAPITAL PROGRAMME

Ref	Scheme	February 2020				Outturn 2019/20			
		2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £000	2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £000
1	Renovations and Minor Works Grants	50.0	100.0		150.0		100.0		100.0
2	Disabled Facilities Grants/Loans	750.0	850.0		1,600.0	807.7	850.0		1,657.7
Total H & EH Capital Programme		800.0	950.0	0.0	1,750.0	807.7	950.0	0.0	1,757.7

INFORMATION TECHNOLOGY SERVICE
CAPITAL PROGRAMME

Ref	Scheme	February 2020				Outturn 2019/20			
		2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £000	2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £000
1	Sharepoint Server	9.3			9.3				0.0
Total IT Capital Programme		9.3	0.0	0.0	9.3	0.0	0.0	0.0	0.0

**AFFORDABLE HOUSING
CAPITAL PROGRAMME**

Ref	Scheme	February 2020				Outturn 2019/20			
		2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £000	2019/20 £'000	2020/21 £'000	2021/22 £'000	Total £000
	<u>Testway Covenant</u>								
1	Nightingale Lodge	810.0	810.0		1,620.0		810.0	810.0	1,620.0
2	Registered providers		300.0	300.0	600.0		300.0	300.0	600.0
	Total A H Capital Programme	810.0	1,110.0	300.0	2,220.0	0.0	1,110.0	1,110.0	2,220.0

	November 2019	February 2019	Outturn 2019/20	Total
Slippage 19/20				
Community & Leisure				
Community Asset Fund			199.1	199.1
Knightwood Skate Park			7.5	7.5
Andover War Memorial			16.1	16.1
East Anton Public Art			2.5	2.5
Picket Twenty Play areas	148.1		(1.8)	146.3
Picket Twenty Pavilion/Pitch changes	100.0			100.0
Boundary fencing & hedging		29.7		29.7
SANG, Sherfield English	100.0			100.0
Leisure Centre		398.5	1,399.3	1,797.8
Fishlake Meadows			111.3	111.3
Ganger Farm - Sports & Recreation			601.2	601.2
Fitness Trail - Romsey			4.4	4.4
Boundary fencing & hedging - land purchase			9.1	9.1
SANG - Sherfield English			10.8	10.8
Ampfield Recreation Ground			68.2	68.2
Longparish Playground			(40.0)	(40.0)
Charlton Lakes Bridge			(1.3)	(1.3)
Braishfield Village Hall			(5.0)	(5.0)
				3,157.7
Property & Asset Management				
Footpath link - Smannell to Augusta		164.0		164.0
Pocket Park, Town Mill Access & Environmental Enhancement			1,163.2	1,163.2
Romsey Flood Alleviation Scheme			235.0	235.0
Generator - Business Continuity			40.0	40.0
Strategic Purchase			446.8	446.8
Multi Storey Car Park Lift Refurbishment			75.6	75.6
Southampton Rd, Pedestrian & Cycle Route			(4.4)	(4.4)
				2,120.2
Project Enterprise				
Solar Panels Ganger Farm Pavilion			60.0	60.0
Commercial Investment, Andover			1,405.5	1,405.5
				1,465.5
Affordable Housing				
Nightingale Lodge			810.0	810.0
				810.0
Total Slippage	348.1	592.2	6,613.1	7553.4

ITEM 9 **Asset Management Outturn 2019/20**

Report of the Finance Portfolio Holder

Recommended:

- 1. That the expenditure for the year on Asset Management projects, as shown in Annex 1 to the report, be noted.**
- 2. That the updated budget for Asset Management projects in 2020/21, as shown in Annex 2 to the report, be approved.**

SUMMARY:

- This report compares the actual expenditure on Asset Management Plan (AMP) projects with the approved budget for 2019/20.
- The total revised AMP budget in 2019/20 was £3.302M. Actual expenditure in the year was £2.007, leaving an overall positive variance of £1.295M. The main reasons for the budget variance are explained below in section 5.
- After reviewing the outturn position for 2019/20, the AMP requirement for 2020/21 has been updated and is presented for approval.

1 Introduction

- 1.1 The Council’s Asset Management Strategy details the Council’s approach to identifying the assets it is responsible for maintaining and the methods used in prioritising necessary works to ensure assets remain operationally effective.
- 1.2 An update on the progress of the Asset Management Plan (AMP) for 2019/20 was presented to Cabinet in November 2019. As part of that report the AMP budget for the year was revised.
- 1.3 This report compares the actual expenditure in 2019/20 with the budget approved in November and explains the reasons for any significant variances.

2 Background

- 2.1 The Council has divided asset management into three separate areas which all form part of the AMP. These are; Property; Vehicles & Plant; and IT equipment.
- 2.2 The Property & Asset Management Service (PAM) carried out a condition survey on all land and buildings in the development of the Asset Management Strategy. The results of the survey were used to allocate each building into a priority category for works to be undertaken. This, combined with a review of how long the Council expects to retain individual properties, has informed the development of the land and buildings’ element of the AMP.

- 2.3 This survey continues to be maintained by PAM and is updated on an ongoing basis.
- 2.4 All vehicles and plant are regularly serviced by the Council's internal vehicle workshop. The effectiveness of all vehicles is monitored as part of the servicing programme. Among other things, this includes identifying where vehicles' workloads are different to that expected which may alter the timing of their replacement and identifying vehicles with higher / lower than expected servicing costs. Service users also keep the number of vehicles / items of plant required to deliver services under regular review.
- 2.5 The IT Service has a register of all hardware and major software systems used by the Council with profiles of their expected useful lives. From this it is possible to plan when IT infrastructure will need to be replaced. For hardware this tends to be between once every three to five years whereas software packages tend to last longer.
- 2.6 The Council has entered into a shared IT infrastructure partnership with Winchester City Council, which includes the sharing of IT infrastructure assets. This means that all IT infrastructure costs are shared between both councils reducing the net impact on the AMP.

3 Corporate Objectives and Priorities

- 3.1 In order to deliver the key priorities identified in the Corporate Plan it is essential that the Council's underlying asset base is sufficiently maintained to be fit for purpose.
- 3.2 The Council has a significant land and property holding generating income that is a key part of the Council's revenue budget. Maintaining and improving this income stream will be a significant factor in the Council's financial strategy in the future and this has a clear link to the maintenance of the land and property assets themselves.

4 Consultations/Communications

- 4.1 Relevant Heads of Service have been consulted with regard to the investment required to maintain those assets for which they are responsible.

5 2019/20 AMP review

Land and Buildings

- 5.1 The revised budget for land and buildings' projects was £1.550M. A total of £828,000 was spent in the year. A summary of the expenditure, by property, can be found in Annex 1a.
- 5.2 The variance of £721,600 is made up of budget carry forwards of £601,000 (see below) and net savings on completed projects of £120,600.

5.3 The main reasons for the budget carry forward are:

- Only essential works have been undertaken to The Lights due to the wider Andover Town Centre Rejuvenation project and the future of the building. The carry forward of £28,800 is required should there be a need for more intensive works to stop an ongoing water ingress issue to the roof.
- Works to replace lighting at Beech Hurst were deferred due to a further study on the effect of lighting distribution and of potential office moves. This is now complete and the work can progress.
- The tender for the fireproof lift at the Guildhall has now been awarded following some delays with the contractors and supply chain issues.
- Access issues have delayed the work at 18 Market Place.
- The works to the Romsey Heritage Centre are now complete and the carry forward represents the balance to be paid in 2020/21.
- There has been a review of working systems to establish the best value for the condition surveys.
- The carry forward of £28,000 at Walworth Enterprise Centre is required for the refurbishment of units following a change of tenant. This is anticipated to be higher in 2020/21.
- Works to the Andover War Memorial and the inspection of headstones and memorials have been started during 2019/20 and the carry forward of £8,600 will be used for the up-lighting project due to be completed in 2020/21.
- Planting at Charlton Lakes was delayed due to high water levels. The final works and replanting will take place in 2020/21 resulting in a carry forward of £19,300.
- Timber bridge repairs in the northern Green Spaces have been delayed due to the availability of competent contractors, with a carry forward of £29,400. This work is now underway.
- Works to a number of playgrounds have been delayed due to COVID-19. These works are expected to recommence in June 2020.
- A majority of the carry forward for Sports Facilities relates to Charlton Athletics Track. A condition report found that further works were required so the work has been held back until 2020/21.
- Most of the items from the reserve list (scheduling to be agreed) were unable to be managed during 2019/20 so are to be carried forward.

Vehicles and Plant

- 5.4 The revised budget approved in November 2019 for replacement vehicles and plant was £1.401M.
- 5.5 Total expenditure on replacement vehicles and plant amounted to £862,300. The details of this are shown in Annex 1b.
- 5.6 This variance is made up of £536,800 to be carried forward (see paragraph 5.8) and savings of £2,000.
- 5.7 In addition, the part exchange and sale of vehicles and plant through the year has generated income of £128,000 which will be transferred into the Asset Management Plan reserve to use against future purchases.
- 5.8 Throughout the year some operational requirements and estimated costs have changed and there has been a lot of movement and reallocation within the approved budget. For instance, the fourteen items marked with an asterisk (*) on Annex 1b were not replaced releasing £197,300. Five new items marked with a double asterisk (**) were added to the plan at a cost of £102,200. The remainder, along with other savings, was used to meet increased costs on budgeted items and £41,400 to be carried forward to add to the budget for refuse vehicles in 2020/21. Flexibility within the programme to react to these changes is essential in order to meet operational requirements and is permitted using existing office delegations. All 24 items requested to be carried forward have been ordered with expected delivery dates early in 2020/21.
- 5.9 IT Infrastructure
- 5.10 The approved budget for IT AMP projects was £351,600. Actual costs were £316,700 which is £34,900 less than the budget. In addition, £10,000 income was generated from the sale of some servers. The variance of £45,000 is all requested to be carried forward. The details are shown in Annex 1c.
- 5.11 There were a number of changes to the approved budget within in the year with COVID-19 having a big impact on the IT AMP costs, with a requirement for the purchase of ninety laptops in March at a cost of £65,000 to facilitate home working. This was funded through the existing Desk Top Replacement budget and savings on other projects which were no longer required or cost less than originally anticipated. The balance of £31,500 is requested to be carried forward to partially cover some of what was used for the increased laptop requirement.
- 5.12 The Idox upgrade was not completed and was under budgeted in 2019/20. The C Series Bottomline upgrade project came in under budget and £3,100 of this saving is to be added to the Idox upgrade budget giving £7,100 to be carried forward to 2020/21.
- 5.13 The Room Bookings system migration was delayed in March and is now planned for early 2020/21.

- 5.14 External support is required to support the Citrix upgrade project to completion. This is due to be revisited in July 2020.

6 Updated 2020/21 AMP requirement

Land and Buildings

- 6.1 The recommended budget for land and buildings in 2020/21 is £3.029M and includes £601,000 of projects carried forward from 2019/20.
- 6.2 A summary of the items included in the AMP for 2020/21 is shown in Annex 2a.

Vehicles and Plant

- 6.3 The recommended budget for replacement of vehicles and plant in 2020/21 is £1.966M. An increase of £11,200 is included for five tippers which are costing more than originally anticipated.
- 6.4 A summary of the items included in the AMP for 2020/21 is shown in Annex 2b and includes the items carried forward from 2019/20.

IT Infrastructure

- 6.5 The recommended budget for IT infrastructure in 2020/21 is 271,000. A summary of the items included in the AMP for 2020/21 is shown in Annex 2c and includes the items carried forward from 2019/20.

7 Options

- 7.1 There are many possible ways of prioritising the individual assets that require maintenance and the extent to which work is carried out.
- 7.2 The amounts included in the annexes and recommended for inclusion in the AMP are based on the professional advice of officers from the Services concerned in the operation and management of the Council's assets.
- 7.3 The AMP is updated by Services on an ongoing basis. Given the wide portfolio of assets the Council manages, it is inevitable that there will need to be changes made to the plan before a further report is presented to Cabinet.

8 Risk Management

- 8.1 A risk assessment has been completed in accordance with the Council's Risk management process and has identified the following significant (Red or Amber) residual risks that cannot be fully minimised by existing or planned controls or additional procedures. These are shown summarised below.
- 8.2 There is a risk that the projects included in the AMP will not be delivered as scheduled leading to assets falling into disrepair. This will be monitored by regular progress reviews of the AMP by responsible officers and update reports to Cabinet.

- 8.3 There is a risk that there will be insufficient funds available to meet AMP requirements. The current level of the AMP reserve is just sufficient to fund the programme included in this report; however, there continues to be the need to seek sustainable funding for the AMP.
- 8.4 There is a risk of claims resulting from loss or injury caused by / contributed to as a result of poorly maintained Council owned property. This will be monitored by regular progress reviews of the AMP by responsible officers and update reports to Cabinet.

9 Resource Implications

- 9.1 The costs of the AMP in 2019/20 and 2020/21 are shown in paragraphs 5 and 6 above and in annexes 1 and 2. All these costs will be met from a specific reserve created to fund asset management costs.

Financing the AMP

- 9.2 The AMP is mainly funded in three ways:
- Firstly, there is a contribution from the revenue budget. This is currently £1.217M per annum with an additional £900,000 in 2019/20 and an additional £1M in 2020/21.
 - Secondly, where the Council has a revenue surplus at the end of the year an element of this can be used to top-up the reserve.
 - Finally, there may be earmarked reserves or sources of income to finance specific projects. For example, the playgrounds in 2019/20 and 2020/21 are to be funded by New Homes' Bonus receipts in the year.
- 9.3 At 31 March 2019 the Council's AMP reserve balances stood at £2.954M. It is expected that the reserve balance at 31 March 2021 will be £528,000. The movement in the reserve balance is shown in the table below.

	£'000
Asset Management Reserves at 31 March 2019	2,954
Budgeted transfer – 2019/20	2,117
New Homes Bonus contribution to AMP	173
Sale of vehicles / IT equipment	138
Land and Property Requirement 2019/20	(828)
Vehicle and Plant Requirement 2019/20	(862)
IT Infrastructure Requirement 2019/20	(317)
Actual balance at 31 March 2020	3,375

Transfers in to reserve 2020/21	2,217
Other contributions to AMP – New Homes Bonus	202
Land and Property Requirement 2020/21	(3,029)
Vehicle and Plant Requirement 2020/21	(1,966)
IT Infrastructure Requirement 2020/21	(271)
Forecast Asset Management Reserves at 31 March 2021	528

The proposed AMP items comprise both revenue and capital expenditure. Expenditure is classified as capital when the total cost is over £10,000 and it is for the purchase of a new asset, materially lengthens the useful life of an existing asset, or adds value to the asset being modified. All other expenditure on the routine maintenance and repair of assets will be treated as revenue expenditure.

10 Legal Implications

- 10.1 Those tenants occupying Council owned properties for which the Council is responsible for maintenance could, in the event of their property falling into disrepair, take action against the Council as their landlord. This is covered in the risk assessment (paragraph 8.4).

11 Equality Issues

- 11.1 An EQIA screening has been completed in accordance with the Council's EQIA methodology and no potential for unlawful discrimination or negative impact has been identified, therefore a full EQIA has not been carried out.

12 Conclusion and reasons for recommendation

- 12.1 All AMP activities in the year have been reviewed and performance against budget noted throughout the report. In light of this review, all items covered by the Council's AMP have been considered and those most in need of repair or replacement included in the AMP for 2020/21.
- 12.2 For this reason it is recommended that the updated AMP items in Annex 2 are included in the AMP for 2020/21.
- 12.3 Asset management needs to have flexibility due to the difficulty of knowing exactly when an item will need repair or replacement. In order to ensure that operational efficiency is not impaired, the Head of Finance has delegated authority to ensure that unforeseen works can be undertaken without undue delay.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	2	File Ref:	N/A
(Portfolio: Finance) Councillor M Flood			
Officer:	Jenni Carter	Ext:	8236
Report to:	Cabinet	Date:	17 June 2020

LAND & BUILDINGS
ASSET MANAGEMENT REQUIREMENT 2019/20

<u>Property Name</u>	<u>2019/20</u> <u>Updated</u> <u>Budget</u> £	<u>Budget</u> <u>Changes</u> £	<u>Actual Spend</u> <u>to Date</u> £	<u>Carry</u> <u>Forward to</u> <u>2020/21</u>	<u>Budget</u> <u>Remaining</u> £
<u>Property & Asset Management</u>					
18 Market Place	25,000		13,741	(11,259)	0
Andover Bus Station	1,306		58	(1,248)	0
Beech Hurst	138,830	201	86,772	(30,547)	21,712
Broadwater Road	16,099	1,066	16,781	(384)	0
Crosfield Hall	4,210	3,510	7,720		0
Former Magistrates Court, Romsey	1,795		1,795		0
Guildhall	99,600		2,250	(97,350)	0
The Lights	42,649	(5,586)	7,410	(28,775)	878
Portway Depot	93,376		70,187	(5,953)	17,236
Romsey Heritage Centre and Tourist Info Cen	60,000		39,786	(20,214)	0
Shirley Road	0	1,254	1,254		0
St Mary's Churchyard	26,241	397	26,638		0
Various sites - surveys	53,803	(1,338)	(9,284)	(48,803)	12,946
Walworth Enterprise Centre	36,423		8,254	(28,169)	0
Total Property & Asset Management	599,332	(496)	273,362	(272,702)	52,772
<u>Community & Leisure</u>					
Cemeteries / Memorials	13,118		510	(8,608)	4,000
Green Spaces	298,307	3,341	247,261	(48,695)	5,692
The Lights	20,000		6,531	(12,000)	1,469
Playgrounds	315,028		173,490	(116,985)	24,553
Sports Facilities	153,089		83,144	(59,069)	10,876
Total Community & Leisure	799,542	3,341	510,936	(245,357)	46,590
<u>Reserve list - Scheduling to be agreed:</u>					
<u>Property & Asset Management</u>					
Hunts Farm	10,000	496	10,496		0
Total Property & Asset Management	10,000	496	10,496	0	0
<u>Community & Leisure</u>					
Cemeteries / Memorials	20,000		0	(20,000)	0
Green Spaces	82,000	(3,341)	33,262	(30,000)	15,397
Sports Facilities	38,800		0	(33,000)	5,800
Total Community & Leisure	140,800	(3,341)	33,262	(83,000)	21,197
Total Land & Buildings Requirement for 2019/20	1,549,674	0	828,056	(601,059)	120,559

VEHICLES & PLANT - ASSET MANAGEMENT REQUIREMENT 2019/20

<u>Unit</u>	<u>Type of Asset</u>		<u>2019/20</u> <u>Updated</u> <u>Budget</u>	<u>Budget</u> <u>Changes</u>	<u>Actual</u> <u>Spend to</u> <u>Date</u>	<u>Carry</u> <u>forward to</u> <u>2020/21</u>	<u>Budget</u> <u>Remaining</u>
			£	£	£	£	£
Grounds Maintenance	Chipper	*	10,000	(10,000)			0
Grounds Maintenance	Tractor	*	13,500	(13,500)			0
Grounds Maintenance	Tipper		27,000	4,980		(31,980)	0
Grounds Maintenance	Tipper		27,000	4,980		(31,980)	0
Grounds Maintenance	Tipper		27,000	5,240		(32,240)	0
Grounds Maintenance	Tipper		27,000	5,240		(32,240)	0
Grounds Maintenance	Tipper		27,000	5,240		(32,240)	0
Grounds Maintenance	Tipper		27,000	5,240		(32,240)	0
Grounds Maintenance	Tipper		27,000	5,240		(32,240)	0
Pest Control	Van		13,000	4,398		(17,398)	0
Pest Control	Van		13,000	4,398		(17,398)	0
Grounds Maintenance	Van		23,000	4,957		(27,957)	0
Grounds Maintenance	Van		23,000	4,957		(27,957)	0
Grounds Maintenance	Tipper		27,000	5,240		(32,240)	0
Grounds Maintenance	Tipper		27,000	5,240		(32,240)	0
Grounds Maintenance	Specialist Equipment		2,500	(226)		(1,781)	493
Street Cleansing	Sweeper		132,525	138	132,663		0
Grounds Maintenance	Rotary Mower	*	5,000	(5,000)			0
Grounds Maintenance	Rotary Mower	*	5,000	(5,000)			0
Grounds Maintenance	Excavator		19,000			(18,995)	5
Grounds Maintenance	Cylinder Mower	*	3,600	(3,600)			0
Vehicle Workshop	Van	**	13,000	13,758		(26,758)	0
Street Cleansing	Van	*	13,500	(13,500)			0
Grounds Maintenance	Rotary Mower	*	5,900	(5,900)			0
Grounds Maintenance	Rotary Mower	*	5,900	(5,900)			0
Grounds Maintenance	Rotary Mower	*	5,900	(5,900)			0
Grounds Maintenance	Rotary Mower		16,000			(14,600)	1,400
Waste Collection	Truck	*	67,000	(67,000)			0
Waste Collection	Van	*	38,000	(38,000)			0
Waste Collection	Glass Collection Vehicle		52,700	803	53,503		0
Waste Collection	Glass Collection Vehicle		33,695	804	34,499		0
Portway Depot	Specialist Equipment		10,000	750	10,750		0
Grounds Maintenance	Specialist Equipment	*	3,500	(3,500)			0
Grounds Maintenance	Fertispread	**	0	4,266		(4,266)	0
Grounds Maintenance	Tractor	**	0	18,739	18,739		0
Grounds Maintenance	Verti-drainer	**	0	17,225	17,225		0
Grounds Maintenance	Large tractor	**	0	38,180	38,180		0
Grounds Maintenance	Trailed mower	**	0	23,750	23,750		0
Street Cleansing	Trailer		6,364	(6,364)			0
Grounds Maintenance	Trailer		3,500	(1,630)		(1,870)	0
Street Cleansing	Trailer		2,500		2,466		34
Grounds Maintenance	Trailer		3,200	362		(3,562)	0
Grounds Maintenance	Trailer		3,500	(662)		(2,838)	0
Building Maintenance	Washer	*	15,000	(15,000)			0
Grounds Maintenance	Rotary Mower		4,700	1,895		(6,595)	0
Vehicle Workshop	Specialist Equipment		5,003	(653)		(4,350)	0
Vehicle Workshop	Specialist Equipment		50,000	(20,600)		(29,400)	0

VEHICLES & PLANT - ASSET MANAGEMENT REQUIREMENT 2019/20

<u>Unit</u>	<u>Type of Asset</u>	<u>2019/20 Updated Budget</u>	<u>Budget Changes</u>	<u>Actual Spend to Date</u>	<u>Carry forward to 2020/21</u>	<u>Budget Remaining</u>
		£	£	£	£	£
Grounds Maintenance	Tipper	30,510		30,510		0
Grounds Maintenance	Tipper	30,510		30,510		0
Street Cleansing	Tipper	26,874		26,874		(0)
Street Cleansing	Tipper	26,874		26,874		(0)
Street Cleansing	Tipper	26,874		26,874		(0)
Grounds Maintenance	Tipper	30,510		30,510		0
Grounds Maintenance	Tipper	30,510		30,510		0
Building Maintenance	Van	24,990		24,990		(0)
Building Maintenance	Van	30,539		30,539		0
Building Maintenance	Van	19,333		19,333		0
Building Maintenance	Van	23,878		23,878		0
Grounds Maintenance	Flail Mower	16,250		16,250		0
Grounds Maintenance	Flail Mower	16,450		16,450		0
Grounds Maintenance	Trailer	12,000		12,000		0
Grounds Maintenance	Tipper	28,960		28,960		0
Grounds Maintenance	Mower	16,450		16,450		0
Grounds Maintenance	Trailer	1,450		1,450		0
Grounds Maintenance	Trailer	2,695		2,695		0
Grounds Maintenance	Mower	4,450		4,450		0
Grounds Maintenance	Trailer	1,775		1,775		0
Grounds Maintenance	Mower	16,650		16,650		0
Grounds Maintenance	Trailer	12,000		12,000		0
Vehicle Workshop	Specialist Equipment	5,500	(5,500)			0
Vehicle Workshop	Vehicle Maintenance	100,000		100,000		0
Waste Collection	Refuse Vehicles in 20/21	-	41,415		(41,415)	0
Total Vehicles & Plant Requirement 2019/20		1,401,019	0	862,308	(536,780)	1,931

IT INFRASTRUCTURE - ASSET MANAGEMENT REQUIREMENT 2019/20

<u>Description</u>	<u>2019/20 Budget</u>	<u>Budget Changes</u>	<u>Actual Spend to Date</u>	<u>Income from part exchange</u>	<u>Carry forward to 2020/21</u>	<u>Budget Remaining</u>
	£	£	£	£	£	£
Laptops, PC, Wyse ,etc...	100,000	61,156	129,644		(31,512)	0
SAN Upgrade	100,437	(14,794)	95,643	(10,000)		0
Cabling / Networking	6,000	(1,513)	4,487			0
IDOX Upgrade	15,000	3,145	11,020		(7,125)	0
Other migrations	15,000	(2,809)	10,990		(1,201)	0
C Series Bottomline Upgrade	15,000	(10,000)	5,000			0
CCTV	8,000	(8,000)				0
Operating Software	10,000	(10,000)				0
Backup Hardware/Technology	15,000	(15,000)				0
Citrix upgrade	5,126	(1,714)	(1,714)		(5,126)	0
Multi Functional Devices	62,076	(471)	61,605			0
Total IT Infrastructure requirement 2019/20	351,639	0	316,675	(10,000)	(44,964)	0

LAND & BUILDINGS
ASSET MANAGEMENT REQUIREMENT 2020/21

<u>Property Name</u>	<u>2020/21</u> <u>Approved</u> <u>Budget</u> £	<u>Brought</u> <u>Forward from</u> <u>19/20</u> £	<u>2020/21</u> <u>Budget</u> £
<u>Property & Asset Management</u>			
18 Market Place	0	11,259	11,259
Andover Bus Station	0	1,248	1,248
Bus Shelters	5,000		5,000
Beech Hurst	875,000	30,547	905,547
Botley Road	17,000		17,000
Broadwater Road	0	384	384
Charlton Sports Centre	10,000		10,000
Churchill Road Bungalow	5,000		5,000
Crosfield Hall	20,000		20,000
Guildhall	131,393	97,350	228,743
The Lights	0	28,775	28,775
London Road Sports Pavilion	1,000		1,000
Portway Depot	215,000	5,953	220,953
Romsey Heritage Centre and Tourist Info Cen	0	20,214	20,214
St Mary's Churchyard	40,000		40,000
Union Street	5,000		5,000
Various car parks	19,000		19,000
Various - Management Information System	5,000		5,000
Various sites - surveys	45,000	48,803	93,803
Walworth Enterprise Centre	40,000	28,169	68,169
Youth in Romsey	5,000		5,000
Total Property & Asset Management	1,438,393	272,702	1,711,095
<u>Community & Leisure</u>			
Cemeteries / Memorials	7,000	28,608	35,608
Green Spaces	539,500	78,695	618,195
The Lights	37,500	12,000	49,500
Playgrounds	85,000	116,985	201,985
Sports Facilities	321,000	92,069	413,069
Total Community & Leisure	990,000	328,357	1,318,357
Total Land & Buildings Requirement for 2020/21	2,428,393	601,059	3,029,452

VEHICLES & PLANT - ASSET MANAGEMENT REQUIREMENT 2020/21

<u>Unit</u>	<u>Type of Asset</u>	<u>2020/21 Approved Budget</u>	<u>Changes to budget</u>	<u>Brought forward from 20/21</u>	<u>2020/21 Budget</u>
		£	£		
Grounds Maintenance	Rotary Mower	7,800			7,800
Grounds Maintenance	Cylinder Mower	4,000			4,000
Grounds Maintenance	Rotary Mower	18,500			18,500
Grounds Maintenance	Rotary Mower	18,500			18,500
Grounds Maintenance	Rotary Mower	18,500			18,500
Grounds Maintenance	Cylinder Mower	32,000			32,000
Grounds Maintenance	Cylinder Mower	32,000			32,000
Grounds Maintenance	Specialist Equipment	1,900			1,900
Grounds Maintenance	Rotary Mower	26,000			26,000
Grounds Maintenance	Specialist Equipment	2,500			2,500
Grounds Maintenance	Tipper	30,000	2,240		32,240
Grounds Maintenance	Tipper	30,000	2,240		32,240
Grounds Maintenance	Tipper	30,000	2,240		32,240
Grounds Maintenance	Tipper	30,000	2,240		32,240
Grounds Maintenance	Tipper	30,000	2,240		32,240
Street Cleansing	Tipper	36,000			36,000
Street Cleansing	Tipper	36,000			36,000
Street Cleansing	Tipper	36,000			36,000
Waste Collection	Tipper	40,000			40,000
Waste Collection	Tipper	40,000			40,000
Grounds Maintenance	Trailer	1,500			1,500
Grounds Maintenance	Trailer	3,200			3,200
Grounds Maintenance	Trailer	3,200			3,200
Grounds Maintenance	Chipper	15,000			15,000
Grounds Maintenance	Van	18,500			18,500
Grounds Maintenance	Van	19,000			19,000
Street Cleansing	Tipper	32,000			32,000
Street Cleansing	Tipper	32,000			32,000
Street Cleansing	Tipper	32,000			32,000
Street Cleansing	Tipper	32,000			32,000
Street Cleansing	Tipper	32,000			32,000
Street Cleansing	Tipper	32,000			32,000
Vehicle Workshop	Van	28,000			28,000
Waste Collection	Refuse Vehicle	163,000		13,805	176,805
Waste Collection	Refuse Vehicle	163,000		13,805	176,805
Waste Collection	Refuse Vehicle	163,000		13,805	176,805
Grounds Maintenance	Specialist Equipment	6,700			6,700
Grounds Maintenance	Specialist Equipment	6,700			6,700
Vehicle Workshop	Specialist Equipment	5,500			5,500
Vehicle Workshop	Specialist Equipment	10,000			10,000
Vehicle Workshop	Fleet Management System	20,000			20,000
Vehicle Workshop	Vehicle Maintenance	100,000			100,000
Grounds Maintenance	Tipper	-		31,980	31,980
Grounds Maintenance	Tipper	-		31,980	31,980
Grounds Maintenance	Tipper	-		32,240	32,240
Grounds Maintenance	Tipper	-		32,240	32,240
Grounds Maintenance	Tipper	-		32,240	32,240
Grounds Maintenance	Tipper	-		32,240	32,240
Grounds Maintenance	Tipper	-		32,240	32,240
Pest Control	Van	-		17,398	17,398
Pest Control	Van	-		17,398	17,398
Grounds Maintenance	Van	-		27,957	27,957
Grounds Maintenance	Van	-		27,957	27,957

VEHICLES & PLANT - ASSET MANAGEMENT REQUIREMENT 2020/21

<u>Unit</u>	<u>Type of Asset</u>	<u>2020/21 Approved Budget</u>	<u>Changes to budget</u>	<u>Brought forward from 20/21</u>	<u>2020/21 Budget</u>
		£	£		
Grounds Maintenance	Tipper	-		32,240	32,240
Grounds Maintenance	Tipper	-		32,240	32,240
Grounds Maintenance	Specialist Equipment	-		1,781	1,781
Grounds Maintenance	Excavator	-		18,995	18,995
Vehicle Workshop	Van	-		26,758	26,758
Grounds Maintenance	Rotary Mower	-		14,600	14,600
Grounds Maintenance	Fertispray	-		4,266	4,266
Grounds Maintenance	Trailer	-		1,870	1,870
Grounds Maintenance	Trailer	-		3,562	3,562
Grounds Maintenance	Trailer	-		2,838	2,838
Grounds Maintenance	Rotary Mower	-		6,595	6,595
Vehicle Workshop	Specialist Equipment	-		4,350	4,350
Vehicle Workshop	Specialist Equipment	-		29,400	29,400
Total Vehicles & Plant Requirement 2020/21		1,418,000	11,200	536,780	1,965,980

IT INFRASTRUCTURE - ASSET MANAGEMENT REQUIREMENT 2020/21

<u>Description</u>	<u>2020/21 Approved Budget</u>	<u>Brought forward from 2019/20</u>	<u>2020/21 Budget</u>
	£	£	£
Laptops, PC, Wyse ,etc...	70,000	31,512	101,512
Network Refresh Project	75,000		75,000
Citrix upgrade	10,000		10,000
IDOX Upgrade	10,000		10,000
Capita upgrade	20,000		20,000
WUG project	18,000		18,000
Apps migrations projects	15,000		15,000
CCTV	8,000		8,000
IDOX Upgrade	0	7,125	7,125
Other migrations	0	1,201	1,201
Citrix upgrade	0	5,126	5,126
Total IT Infrastructure requirement 2020/21	226,000	44,964	270,964

ITEM 10

Project Enterprise Outturn 2019/20

Report of the Finance Portfolio Holder

Recommended:

That the outturn position for Project Enterprise investments in 2019/20 be noted.

SUMMARY:

- The Council created the workstream, known as Project Enterprise, to generate income and reduce its reliance on external government funding.
- This report summarises the return on investment made during the 2019/20 financial year from Project Enterprise projects and compares the results with the original business case for each project.

1 Introduction

- 1.1 Project Enterprise (PE) is now a well-established workstream through which the Council makes investments to increase its income generation capacity and reduce reliance on central Government funding.
- 1.2 On 6 November 2019, Cabinet approved the Medium Term Financial Strategy (MTFS) for 2020/21-2022/23. This strategy set out that the Council will continue to seek new investment opportunities through Project Enterprise to achieve its objectives.
- 1.3 This report summarises the 2019/20 outturn position of projects completed as part of PE.

2 Background

- 2.1 Since 2014, the Council has invested in a number of projects that have sought to generate additional revenue income. This additional income has been generated by investing the reserves held by the Council in projects that will yield greater returns than the cash investment portfolio.
- 2.2 This report examines the amount of investment that has been made in PE projects and reviews the results achieved by them in 2019/20. It also considers other projects that have been approved by the Council which will be completed in future financial years.
- 2.3 The amount of investment in completed PE acquisitions at 31 March 2020 was £28.009M, of which £560,000 related to projects that were completed in 2019/20. Two further projects have been approved with a total 2020/21 budget of £1.609M.

- 2.4 The performance of PE projects can usefully be compared with the results of the Council's treasury management function. The Treasury Management Review is presented elsewhere on this agenda.
- 2.5 The purpose of this report is to account, in the public domain, for the Council's expenditure insofar as this can be done without breaching commercial confidences or impeding projects which have not yet been completed. These latter considerations necessitate a confidential annex.
- 2.6 Inevitably, over time, information will move from the confidential annex into the public report as transactions are completed.

3 Corporate Objectives and Priorities

- 3.1 The MTF5 sets out that the Council will continue to seek out new investment opportunities through Project Enterprise, making better use of cash resources to enhance revenue returns.

4 Project Enterprise Investments

- 4.1 The following table shows a summary of the total cost of properties purchased by the Council as part of PE up to 31 March 2020.
- 4.2 Overall rental income figures and returns on investment are included in the Resource Implications section below.

	Total cost £'000
Investment properties held throughout the year	
Sopwith Park, Portway Business Park	912
Imperial Court, Walworth Business Park	696
Plot 88, Walworth Business Park	4,587
Shirley Road, Southampton	5,773
Bitterne Road, Southampton	4,952
Hambridge Lane, Newbury	1,670
Andover Trade Park	6,738
Solar panels at Portway depot	51
Housing purchases / development (11houses)	2,070
Sub-Total	27,449

Investment properties completed during the year	
Purchase of three houses in Andover	560
Total expenditure on investment property	28,009

- 4.3 Further information, including the rental income achieved from each investment and the asset valuations as at 31 January 2020 (which are commercially confidential information) and explanations of movement from the original business cases, are shown in the confidential annex.
- 4.4 In addition to the investments listed above that have been purchased and retained by the Council, the completion of the Columbus Quarter development also took place in the year. This concluded with a sale of the property to generate a one-off capital receipt. The details of this transaction are commercially sensitive and are discussed in more detail in the confidential annex.
- 4.5 Net rental income from PE properties held by the Council throughout 2019/20 was £2.030M.
- 4.6 This was £117,000 more than the £1.913M that was forecast in the approved business cases. The main reasons for the variance are discussed in the confidential annex.
- 4.7 The average return on investment achieved in the year was 7.4%.
- 4.8 At 31 March 2020, two further investments had been approved by the Council. The approved capital budgets and income projections are shown in the confidential annex.

5 Risk Management

- 5.1 This report is for information purposes so the Council's Risk management process does not need to be applied.

6 Resource Implications

Capital Reserves

- 6.1 All PE property investments have been financed from the Capital Receipts Reserve.
- 6.2 The actual expenditure and approved budgets for PE property acquisitions are now in excess of £29.6M. To ensure the long-term sustainability of the Capital Receipts Reserve, some of the rental income earned each year will be used to repay the reserve.
- 6.3 This will be by way of a transfer equivalent to 2% of the capital expenditure, ensuring that the full capital cost is repaid over the life of the investments.

- 6.4 More information on the forecast balance of the Capital Receipts Reserve is included in the Capital Outturn report elsewhere on this agenda. This identifies £6M of approved funding for Project Enterprise projects for 2020/21 to 2021/22. Once this has been exhausted, the Council is expected to be in a position where external borrowing is required to fund future investments. This will need to be considered when preparing the business case for future property purchase or development.

Revenue Implications

- 6.5 The properties purchased above all form part of the corporate property portfolio that is managed by the Property & Asset Management Service.
- 6.6 Income from PE properties owned by the Council throughout the 2019/20 financial year generated £2.030M in rental income at an average return on investment of 7.4%.
- 6.7 By comparison, the Council's cash investment portfolio generated an average return of 0.94% in the year.
- 6.8 Overall, this equates to an additional income for the Council of £1.77M as a result of the PE investments held throughout the year.

Forecast for 2020/21

- 6.9 There is not expected to be a significant movement in the rent levels over the next financial year and income in excess of £2M is again expected. With interest levels being reduced in recent months, it is likely that the 2020/21 outturn will return a greater gain when compared to the cash portfolio.
- 6.10 However, the impact of the coronavirus on the economy will inevitably have an impact of tenants' ability to meet their rent obligations and it is possible that some of those tenants will cease trading, potentially leaving the Council with holding costs associated with empty properties.
- 6.11 Several tenants have already contacted the Council to discuss rent arrangements in light of the coronavirus pandemic. A summary of those requests is included in the confidential annex.

7 Conclusion and reasons for recommendation

- 7.1 This report reviews the performance of the investments made under the Project Enterprise programme in the 2019/20 financial year.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
Report - It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
Annex - It is considered that the annex to this report contains exempt information within the meaning of paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended. It is further considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information relates to the financial or business affairs of both the Council and third parties.			
No of Annexes:	1	File Ref:	N/A
(Portfolio: Finance) Councillor M Flood			
Officer:	Carl Whatley	Ext:	8540
Report to:	Cabinet	Date:	17 June 2020

ITEM 11 Treasury Management Outturn 2019/20

Report of the Finance Portfolio Holder

Recommended:

That the Annual Treasury Management Report for 2019/20 and the Prudential Indicators for the year as shown in the Annex to the report be noted.

SUMMARY:

- This report reviews the performance of the Treasury Management function in 2019/20 compared with the forecasts and policies set out for last year.
- Investment income for the year was £25,700 more than included in the forecast.

1 Introduction

- 1.1 This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2019/20. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management, (the Code), and the CIPFA Prudential Code for Capital Finance in Local Authorities, (the Prudential Code).
- 1.2 The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is, therefore, important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by members.

2 The Council's Capital Expenditure and Financing

- 2.1 The Council undertakes capital expenditure on long-term assets. These activities may either be:
- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
 - If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.
- 2.2 The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

£m	2018/19 Actual	2019/20 Forecast	2019/20 Actual
Capital expenditure	28.5	15.0	7.8
Financed in year	22.6	13.4	6.2
Unfinanced capital expenditure	5.9	1.6	1.6

3 The Council's Overall Borrowing Need

- 3.1 The Council's underlying need to borrow to finance capital expenditure is termed the Capital Financing Requirement (CFR).
- 3.2 **Gross borrowing and the CFR** - in order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council should ensure that its gross external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year (2018/19) plus the estimates of any additional capital financing requirement for the current (2019/20) and next two financial years. This essentially means that the Council is not borrowing to support revenue expenditure. This indicator allowed the Council some flexibility to borrow in advance of its immediate capital needs in 2019/20. The table in Annex 1 highlights the Council's gross borrowing position against the CFR. The Council has complied with this prudential indicator.

4 Treasury Performance in 2019/20

- 4.1 The Council managed all the investments in-house in 2019/20.
- 4.2 Most investments during the year were placed in call-accounts or fixed-term deposits for durations of up to one year, with the exception of investments to a Local Authority totalling £5M for five years.
- 4.3 The average return on investments for the year was 0.94% compared to the average 7 day Libid benchmark of 0.53%, an out-performance of 0.41%.
- 4.4 The Council's investment position at the end of the year is detailed below.

	Principal at 31/03/20 £M	Principal at 31/03/19 £M	Rate of Return 2019/20 %	Benchmark Return %	Variance %
Internally Managed Investments	71.5	57.2	0.94	0.53	0.41

- 4.5 Of the principal invested at 31 March 2020, £38M was invested in fixed rate, fixed term deposits and the remainder was invested in call accounts with access ranging from immediate to 95 days' notice.

- 4.6 A comparison of the investment interest earned with the original budget and forecast is shown in the table below.

	Original Budget 2019/20 £000	Forecast 2019/20 £000	Actual 2019/20 £000	Variance to Original £000
Interest on Investments	540.8	701.0	726.7	185.9

- 4.7 Income received on the Council's cash balances was higher than forecast due to higher income from rents and slippage in the Capital Programme and Asset Management Plan. This resulted in a favourable variance of £185.9k when measured against the original budget, and £25.7k when compared to the budget forecast prepared in February 2020.

5 The strategy for 2019/20

- 5.1 Investment returns remained low during 2019/20. The expectation for interest rates within the treasury management strategy for 2019/20 was that Bank Rate would stay at 0.75% during 2019/20 as it was not expected that the MPC would be able to deliver on an increase in Bank Rate until the Brexit issue was finally settled. However, there was an expectation that Bank Rate would rise after that issue was settled, but would only rise to 1.0% during 2020.
- 5.2 Rising concerns over the possibility that the UK could leave the EU at the end of October 2019 caused longer term investment rates to be on a falling trend for most of April to September. They then rose after the end of October deadline was rejected by the Commons but fell back again in January before recovering again after the 31 January departure of the UK from the EU. However, on the 19 March, the Bank of England (BoE) cut interest rates twice in one week in an emergency move to support the UK economy. The Base Rate is now 0.1%, the lowest it has ever been in the BoE's 325-year history.
- 5.3 As a result of Government action, it was necessary to temporarily increase the investment group limits to £30M due to increased cash flow relating to government grants issued to alleviate the effects of the coronavirus. This will be reviewed as necessary.
- 5.4 The primary objective for investments placed was, and continues to be, the security of the investment. The impact of this is that returns continue to be low, but the Council remains well placed to take advantage of increases in interest rates when they eventually come.

6 Prudential Indicators and Treasury Limits

Prudential Indicators

- 6.1 The prudential indicators and borrowing limits are shown in Annex 1 and are relevant for setting an integrated treasury management statement.

6.2 The first indicator is the ratio of financing costs to net revenue stream. This compares the Council's net investment income and borrowing expenditure as a ratio of the budget requirement. A negative figure shows that investment income is greater than borrowing costs.

6.3 The second indicator is the Capital Financing Requirement (CFR). This is the total amount by which the funding of capital expenditure is reliant on external borrowing.

7 Consultations/ Communications

7.1 The Council's treasury advisors, Link Asset Services, have been consulted in the preparation of this report.

8 Equality Issues

8.1 An EQIA screening has been completed in accordance with the Council's EQIA methodology and no potential for unlawful discrimination or low level negative impact have been identified, therefore a full EQIA has not been carried out.

9 Conclusion and reasons for recommendation

9.1 The Council achieved an average investment income rate of 0.94% in the year compared with an average benchmark figure of 0.53%.

9.2 Actual income for the year exceeded the original estimate by £185,900.

9.3 The report summarises performance during 2019/20. It does not propose any changes in respect of Treasury Management in the future and therefore the recommendation is that the report be noted.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	1	File Ref:	N/A
(Portfolio: Finance) Councillor M Flood			
Officer:	Laura Berntsen	Ext:	8204
Report to:	Cabinet	Date:	17 June 2020

PRUDENTIAL INDICATORS

PRUDENTIAL INDICATOR	2018/19	2019/20	2019/20	2020/21	2021/22
EXTRACT FROM BUDGET	£'000	£'000	£'000	£'000	£'000
	Actual	Forecast	Actuals	Estimate	Estimate
Capital Expenditure	28,541	15,039	7,798	18,081.9	4,360
Ratio of financing costs to net revenue stream	-4.5%	-3.1%	-4.6%	-3.4%	-3.6%
Capital Financing Requirement (CFR) b/f	-678	5,222	5,222	6,585	6,394
Minimum Revenue Provision		(187)	(187)	(191)	(196)
External Debt	5,900	1,550	1,550		
Capital Financing Requirement (CFR) c/f	5,222	6,585	6,585	6,394	6,198
Gross debt <= CFR actuals + 3 years					
Gross debt			7,248	7,018	6,783
CFR + 3 years movement			6,585	6,394	6,198
Difference			(663)	(625)	(585)
Notes: Gross debt higher than CFR due to negative CFR b/f in 2018/19 Marginal over borrowing position shown in 2019/20 and 2020/21 will fall each year as principal and interest repaid.					

PRUDENTIAL INDICATORS

PRUDENTIAL INDICATOR	2018/19	2019/20	2020/21	2021/22	2022/23
TREASURY MANAGEMENT PRUDENTIAL INDICATORS	£'000	£'000	£'000	£'000	£'000
	Actual	Actual	Estimate	Estimate	Estimate
Authorised Limit for external debt	20,000	20,000	20,000	20,000	20,000
Operational Boundary for external debt	15,000	15,000	15,000	15,000	15,000
Upper limit for fixed interest rate exposure					
Net principal re fixed rate borrowing / investments	100 %	100 %	100 %	100 %	100 %
Upper limit for variable rate exposure					
Net principal re variable rate borrowing / investments	50 %	50 %	50 %	50 %	50 %
Upper limit for total principal sums invested for over 364 days (amount shown subject to being not more than 50% of the portfolio size at the time the investment is placed)	£35,000	£35,000	£35,000	£35,000	£35,000
Maturity structure of fixed rate borrowing during 2019/20	Upper limit		Lower limit		
Less than 1 year	100 %		0 %		
1 year to less than 2 years	100 %		0 %		
2 years to less than 5 years	100 %		0 %		
5 years to less than 10 years	100%		0 %		
10 years or longer	100%		0 %		
Note: During 2020/21 short term borrowing is expected to meet cash flow requirements and may be used to finance the current temporary deficit on the Capital Programme.					

ITEM 12 Valley Housing Outturn and Business Plan Update

Report of the Finance Portfolio Holder

Recommended:

- 1. That the Directors' annual report, as shown in Annex 1 to the report, be noted.**
- 2. That the updated Business Plan for 2020/21 to 2022/23, as shown in Annex 2 to the report, be approved.**

SUMMARY:

- Valley Housing Ltd, a company wholly owned by the Council, was established in April 2016.
- There is an Operational Agreement between the Council and VHL that requires the company to present regular financial reports and business plan updates to the Council.
- This report presents the directors' report on the activity of the company in the 2019/20 financial year and updates its business plan for 2020/21 to 2022/23.

1 Introduction

- 1.1 Valley Housing Ltd (VHL) was established in April 2016. Test Valley Borough Council is the 100% shareholder.
- 1.2 The arrangements put in place to ensure control of VHL by the Council include an Operational Agreement. A requirement of this agreement is that the company shall deliver regular financial reports and business plan updates to the Council.

2 Background

- 2.1 Since the incorporation of VHL, the Council has purchased a number of houses and developed one of its own sites to deliver market-rent housing within the borough.
- 2.2 This report updates Cabinet on the company's activity in the 2019/20 financial year and includes an update to the business plan that was approved by Cabinet in December 2019.
- 2.3 The company's property portfolio has increased from eleven to fifteen properties during the year.

3 VHL reports to be considered

2019/20 directors' report

- 3.1 The company directors have prepared a report on the activities of the company in the 2019/20 financial year. This report is shown in Annex 1.
- 3.2 The report is based on figures in the company's draft accounts that are currently being audited. The audit will be completed in enough time to allow consolidation with the Council's main accounts, which must be approved by the end of November.

Updated Business Plan 2020/21 to 2022/23

- 3.3 The Finance Portfolio Holder presented the VHL business plan for 2019/20 to 2022/23 to Cabinet in December 2019.
- 3.4 Annex 2 shows an update to this business plan in light of the actual income and expenditure in 2019/20 and the experience gained over the past few months.
- 3.5 The financial summary included with the business plan includes two scenarios based on: a) no further growth in the company beyond what is already known; and b) a continuation of the current annual growth in the portfolio.

4 Corporate Objectives and Priorities

- 4.1 The activities of VHL will continue to contribute to the Corporate Plan 2019 – 2023, particularly in the context of the objective to *Grow the potential of people to be able to live well and fulfil their aspirations*.

5 Options

- 5.1 Cabinet can either approve the business plan or ask the directors to re-work it and bring it back at a later date.

6 Option Appraisal

- 6.1 The business plan is an essential document for setting the company's direction over the medium term. If Cabinet do not accept the Business Plan as presented, the reasons for this should be made clear so that the directors can prepare a revised plan to be re-presented to Cabinet in the near future.

7 Risk Management

- 7.1 A risk assessment has been completed in accordance with the Council's Risk management process and has identified significant (Red or Amber) risks as detailed in the risk assessment.
- 7.2 The main risk to the Council is the financial risk arising from its investment in the company. This risk will continue whilst the company has outstanding borrowing from the Council.

- 7.3 The Council has entered into long leases with VHL for the properties that it manages. However, the long-term impact of changes to the capital value of the properties (either up or down) rests with the Council. There is therefore a risk that the Council's long-term valuation of the properties may be less than was paid for them.
- 7.4 The directors maintain a risk register for VHL. This was last reviewed and updated in April 2020. There were no red risks identified.

8 Resource Implications

Operational Financing

- 8.1 There is an operational loan facility approved whereby the Council can loan up to £250,000 to VHL for day-to-day cashflow management, particularly in the early years where the company is expected to make losses.
- 8.2 At 31 March 2020, £25,000 had been lent to VHL. Interest on the loan is charged at a commercial rate in accordance with the loan agreement between VHL and the Council.

Transactions between VHL and the Council

- 8.3 Although the VHL draft accounts have reported cumulative losses to 31st March 2020, a significant proportion of VHL's expenditure relates to transactions between the company and the Council.
- 8.4 The biggest of these charges are property lease rentals; recharges of time spent by Council staff in carrying out duties for the company; and interest on loan financing.
- 8.5 It is estimated that, after allowing for the financing costs associated with purchasing / developing the properties let to VHL, the Council will generate over £90,000 of additional income in 2020/21, with this figure set to grow further as the company continues to expand.

Control and Liability

- 8.6 The Council maintains a large amount of control over the activities of the company. This includes; a requirement that the directors must seek approval before adding any new properties to the portfolio; and prohibition of loan finance from any organisation other than the Council.
- 8.7 As the 100% shareholder in VHL, the Council is ultimately the beneficiary of any profits made by the company. The Council's liability is limited to its share capital investment (£100) and any loan and trade creditor amounts outstanding.

9 Legal Implications

- 9.1 The performance report and updated Business Plan are presented to Cabinet in accordance with the Operational Agreement in place between the Council and VHL.

10 Equality Issues

10.1 No equality issues have been identified in this report.

11 Conclusion and reasons for recommendation

11.1 The report presents the directors' report on the activities of VHL in 2019/20 and an update to the company's business plan for the medium term.

11.2 The forecasts in the business plan are based on experience gained over the past three years.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
Report - It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
Annexes - It is considered that the annexes to the report contains exempt information within the meaning of paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended. It is further considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information relates to the financial or business affairs of both the Council and third parties.			
No of Annexes:	2	File Ref:	N/A
(Portfolio: Finance) Councillor M Flood			
Officer:	Carl Whatley	Ext:	8540
Report to:	Cabinet	Date:	17 June 2020

ITEM 13 Annual Governance Statement 2019/20

Report of the Finance Portfolio Holder

Recommended:

That the Annual Governance Statement for 2019/20 be approved and that the Leader and Chief Executive be authorised to sign it on behalf of the Council.

Recommendation to Council

SUMMARY:

- The purpose of this report is to seek approval for the Annual Governance Statement, which accompanies the 2019/20 Statement of Accounts.
- Best practice requires that the approval of this Statement is considered separately from the Statement of Accounts, although both are published together each year.

1 Introduction

- 1.1 Test Valley Borough Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, which includes arrangements for the management of risk.

2 Background

- 2.1 As part of its responsibilities outlined above, the Council is also required to produce an Annual Governance Statement and publish the Statement alongside its annual accounts. The format of the statement is based on guidance produced in 2016 by the Chartered Institute of Public Finance (CIPFA) in conjunction with the Society of Local Chief Executives (SOLACE) titled "Delivering Good Governance in Local Government: Framework".
- 2.2 The Statement is attached as an Annex to this report and covers the following areas:
- (a) Scope of responsibility
 - (b) The purpose of the Governance Framework
 - (c) The Governance Framework in place at the Council
 - (d) A review of its effectiveness
 - (e) A separate Annex of Significant Governance Issues that need to be addressed during the year

- 2.3 The Review Effectiveness (item 2.2 (d)) has been carried out by the Deputy Chief Internal Auditor (DCIA) of Portsmouth City Council.
- 2.4 The DCIA has reviewed all of the internal audit work carried out during the year and familiarised himself with the Council's governance arrangements. To inform this work, a self assessment of the internal audit function's conformance with the Public Sector Internal Audit Standards (PSIAS) was carried out in March 2020.
- 2.5 This assessment concluded that the function "generally" or "partially" conforms with the standards. There is evidence that the work the Service has delivered is effective; especially around risk and performance. It contributes to, and has influence in, the Authority on these areas. It is a highly respected service that is engaged with the organisation and which provides on-going support in key areas, as well as effective assurance on controls".
- 2.6 Following an internal and external assessment in March 2019 an action plan was compiled to address gaps in conformance identified at the time and to ensure the function is fully effective both strategically and operationally. The action plan was implemented during 2019/20 and reported to the Audit Panel. The only note to the 2019/20 Audit Opinion is in regards to the composition of the audit universe and audit plan for 2019/20. Due to the timing of the external PSIAS assessment, the audit plan for 2019/20 had already been created based on the existing audit universe which, following the external assessment had been declared as inadequate. Therefore it is not possible to confirm that the Authority produced an audit plan which encompassed the key risks facing the council. By way of mitigation to this, the key fundamental system audits have been conducted under a new Risk based Auditing model providing confidence that the main financial audits of the Council have incorporated a robust risk assessment to ensure the scope is adequate in determining the risks associated with those activities.
- 2.7 On the basis of Internal Audit work completed in 2019/20 only, the DCIA of Portsmouth City Council has provided a "substantial assurance" in respect of the Council's risk management, control and governance arrangements.
- 2.8 The emergence of the Covid 19 pandemic towards the end of March 2020 has had an unprecedented impact on the Council's governance arrangements for the remainder of the 2019/20 year and more significantly into 2020/21. These impacts will need to be evaluated, in line with government guidance and mitigation measures, and developed alongside the Council's strategic partners and Local Resilience Forum.
- 2.9 The date for final publication of the Council's accounts and Annual Accounts and Annual Governance Statement has been put back to 30 November in England as a result of the Coronavirus pandemic. Once post Covid 19 assurance work has been undertaken, this Annual Governance Statement may need to be updated, prior to the new deadline, to reflect any governance changes or issues that arose.

3 Corporate Objectives and Priorities

- 3.1 In addition to its legal responsibilities, approval of an Annual Governance Statement is considered to be best practice and will ensure that proper arrangements are in place to deliver the aims of the Council's Corporate Plan.

4 Consultations/Communications

- 4.1 The Chief Executive, Corporate Directors and all Heads of Service have been asked to review the Statement and consider whether there are any areas which they felt are appropriate for disclosure. All comments received have been incorporated into the Statement. The Audit Panel has also reviewed the Statement and action plan at its meeting on 16th March 2020 and endorsed the Statement. Subsequently, Audit Panel Members were informed about updates to the Statement and Action Plan in respect of the Covid-19 pandemic and made no additional comments.

5 Options

- 5.1 The Council has a statutory duty to approve an Annual Governance Statement. In view of this, options are limited.

6 Risk Management

- 6.1 A risk management assessment has been completed in accordance with the Council's Risk Management Methodology and has identified four significant governance issues as detailed in the annex to the Statement. The Required Actions proposed to mitigate these risks include timescales and officers responsible for completing them.

7 Resource Implications

- 7.1 There are no direct resource implications in approving the Annual Governance Statement. The publication costs can be met from within existing budgets.

8 Legal Implications

- 8.1 The Council is required by the Accounts and Audit (England) Regulations 2015 to approve, and subsequently publish, the Annual Governance Statement with the Statement of Accounts.

9 Equality Issues

- 9.1 An EQIA screening has been completed in accordance with the Council's EQIA methodology and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EQIA has not been carried out.

10 Conclusion and reasons for recommendation

10.1 The Annual Governance Statement is part of the Framework for delivering good governance in local authorities. The Statement is high profile document signed by the Leader of the Council and Chief Executive and is published with the Statement of Accounts each year to demonstrate a commitment to improving corporate governance.

<p><u>Background Papers (Local Government Act 1972 Section 100D)</u> Delivering Good Governance in Local Government: Framework' – CIPFA /SOLACE Publication 2016 Accounts and Audit (England) Regulations 2015' – www.legislation.gov.uk</p>			
<p><u>Confidentiality</u> It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.</p>			
No of Annexes:	1	File Ref:	N/A
(Portfolio: Finance) Councillor M Flood			
Officer:	William Fullbrook	Ext:	8201
Report to:	Cabinet	Date:	17 June 2020

Test Valley Borough Council

Annual Governance Statement 2019/20

Scope of responsibility

The Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, and which includes arrangements for the management of risk.

The Council has approved and adopted a local code of corporate governance, which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. A copy of the code is on the Council's website at: <http://www.testvalley.gov.uk/aboutyourcouncil/corporatedirection/local-code-corporate-governance>, or can be obtained from the Head of Legal and Democratic Services. This statement explains how the Council has complied, and continues to comply, with the principles underlying this code and also meets the requirements of regulation 6 of the Accounts and Audit (England) Regulations 2015, which requires all relevant bodies to prepare an annual governance statement.

The purpose of the governance framework

The governance framework comprises the systems and processes, and culture and values, by which the Authority is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, value for money services.

The system of internal control is a significant part of that framework and is designed to manage risk at a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an on-going process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks occurring and the impact should they happen, and to manage them efficiently, effectively and economically.

The governance framework has been in place at the Council for the year ended 31 March 2020 and will continue to be developed during the coming year.

The governance framework

The key elements of the systems and processes that comprise the Council's governance arrangements are as follows:

- The Council has fulfilled the following key roles (now formally adopted as part of the Local Code of Governance):
 - To promote the well-being of the area and provide leadership to the community;
 - To ensure the provision of high quality services provided in-house, by private sector companies, jointly with other Councils or agencies, or by the voluntary sector;
 - To be accountable and provide stewardship for the use of public funds and resources;
 - To build a strong sense of community.

In fulfilling these roles the Council is committed to following the six core principles of good corporate governance identified in the CIPFA/SOLACE Guidance and how the Council is working towards achieving these principles is set out in the document "Principles of Good Governance"

- A single strategic partnership for the Borough is in place called the Test Valley Partnership. It brings together the key partner agencies from across the public and voluntary and community sector. It meets twice a year and provides a place in which the key strategic issues facing the borough can be discussed, joint work developed and statutory duties met.
- The Council has a clear vision of its purpose and desired outcomes for the short, medium and long term. These are encapsulated in its Corporate Plan through a range of corporate and service strategies and through four areas of focus as part of the Council's commitment to the Test Valley Partnership. There has been considerable consultation and stakeholder involvement in the development and progression of these plans and strategies and they are made available to the public through a variety of means including the Council's website and Test Valley News.
- The Council has published a Corporate Plan for 2019 / 2023 "Growing Our Potential" which was approved by the Council on 10/04/19. It has four main aims and an action plan detailing how these aims will be delivered. It is supported by a performance management framework (including performance indicators) to measure progress. In developing the plan previous priorities were reviewed, extensive consultation was undertaken with local people and elected Councillors whilst also considering external influences on the borough such as government policy. The Council was, last year, chosen to take part in a national innovation in democracy pilot sponsored by Central Government. This allowed the Council to develop further good practice in terms of community involvement through the running of a citizens assembly for a regeneration scheme in Romsey.

- This informed the setting of the Council's future priorities and is supported by a robust evidence base taking into account the views of over 2000 local residents, external influences and statistical bases. The Council formally reviews its progress and performance against its corporate priorities through an Annual Corporate Action Plan Report <https://www.testvalley.gov.uk/aboutyourcouncil/corporatedirection/corporate-plan-for-2019-to-2023> which is presented to Overview and Scrutiny Committee (OSCOM) and the Cabinet.
- Members of OSCOM undertake task and finish panel reviews. Once an area for review has been identified, the lead member/chairman of the panel presents the draft scoping document for the review to the full committee for consideration. A full report is then subsequently presented to OSCOM once the review has been completed or reached an appropriate stage. This process has ensured more effective and focused reviews and a clear line of responsibility to the main committee. In addition, there are standing panels; the Audit Panel and the Budget Panel which meet regularly throughout the year and cover scrutiny of all the financial activities of the Council. The standing panels report to OSCOM on a regular basis and bring any issues of concern to the attention of the Committee.
- The Council has in place a Medium Term Financial Strategy, updated annually, which supports the aims of the Corporate Plan.
- The quality and value for money of services provided to users is measured through the Authority's performance management system. This includes the measurement and review of performance against national and local performance indicators and actions taken to address areas for improvement. Performance is monitored regularly throughout the year by Performance Boards.
- The roles of the Cabinet, OSCOM, and other committees of the Council as well as specific roles assigned to the Leader, Deputy Leader, Portfolio Holders and senior officers of the Council are defined and documented within the Council's Constitution. The Constitution also clearly identifies the powers, duties and responsibilities delegated to the Deputy Leader, Portfolio Holders and Officers, and includes rules for how Council and committee meetings should operate and the relationship between Members and Officers.
- The conduct of Members and Officers is regulated by separate codes of conduct within the Council's Constitution. The Council's General Purposes Committee together with the General Purposes Employment Appeals and Ethics Sub-Committee promote high standards of conduct by Members and consider complaints made against Members. A comprehensive set of Human Resources policies ensures compliance with employment legislation and promotes good personnel practices. These include disciplinary and capability processes to deal with conduct or performance which is unacceptable. These policies and procedures are regularly reviewed and revised.

- The conduct of day to day Council business is regulated through policies and procedures such as Contract Standing Orders and Financial Regulations. These accord with good professional practice and were revised in 2017. The delegations to Members and Officers are kept continually under review and revised as appropriate.
- Elected members and all officers are aware of their obligations under equality legislation, as well as the standards of behaviour and language which are expected from representatives and employees of the Council. Ongoing training is provided for both Members and officers. Equality impact assessments are built into the Council's decision-making process. The Council has reviewed its corporate equalities objectives, alongside its duties under the new gender pay gap publication requirements. The Council continues to deliver training on the Equality Act 2010 to new members of staff and to Members. The Council published information that demonstrates compliance with the Equality Duty as defined by the Equality Act 2010 on its website in March 2018.
(<https://www.testvalley.gov.uk/aboutyourcouncil/corporatedirection/equality---diversity/equalities>).
- The Council has established Disability Focus Groups that contributed towards the development of the new Corporate Plan. . The groups are helping the Council and its partners on an ongoing basis.
- Section 11 of the Children Act 2004 places key responsibilities on district councils (as a statutory partner) with regard to safeguarding children and young people. The Care Act 2014 came into force in April 2015. This now places adult safeguarding on a statutory footing and requires district councils to pay due regard to our vulnerable adults in accordance with this legislation. The Council has adopted a Safeguarding Children, Young People and Vulnerable Adults policy and procedure to ensure compliance with these duties. On a regular basis the Hampshire Safeguarding Children Board requires all statutory partners to complete a Section 11 audit as a self assessment tool to assess their position in respect of its safeguarding duties. The last audit in 2019 identified that Test Valley Borough Council is compliant with Section 11 of the Children Act.
- The Council is introducing a new Council Tax discount that will exempt Care Leavers from Council Tax until their 25th birthday.
- The Council's approach to risk management is outlined in its Risk Management Strategy. Corporate risks are reviewed on a quarterly basis by the Council's Service Performance Boards and progress in managing the corporate risk register is reported to OSCOM on an annual basis. The Finance Portfolio Holder is the Council's Member Champion for risk management and risk management is embedded within the Council's processes e.g. reports to decision-making committees use a template which includes a section on risk assessment which must be completed before the report can be considered.

- The Council's OSCOM Audit Panel meets 3 times a year to undertake the core functions of an "audit committee". The terms of reference for the Audit Panel include:

Audit Activity

- To consider the Internal Audit Partnership Manager's annual report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements.
- To consider summaries of specific internal audit reports as requested.
- To consider reports dealing with the management and performance of the providers of internal audit services.
- To consider a report from internal audit on agreed actions not implemented within a reasonable timescale.
- To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.
- To consider specific reports as agreed with the external auditor.
- To comment on the scope and depth of external audit work and to ensure it gives value for money.
- To commission work from internal and external audit.

Regulatory Framework

- To maintain an overview of the Council's constitution in respect of contract standing orders, financial regulations and codes of conduct and behaviour.
 - To review any issue referred to it by the chief executive or a director, or any Council body.
 - To monitor the effective development and operation of corporate governance in the Council.
 - To monitor Council policies on whistleblowing and the anti-fraud, anti-corruption and anti-bribery strategies and the Council's complaints process.
 - To oversee the production of the authority's Annual Governance Statement and to recommend its adoption.
 - To consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.
 - To consider the Council's compliance with its own and other published standards and controls.
- The Chief Executive is the Council's Head of Paid Service and has overall corporate management and operational responsibility for the way in which the Council delivers its services. The Head of Legal and Democratic Services is designated as the Council's Monitoring Officer and has responsibilities under section 5 of the Local Government and Housing Act 1989 for ensuring that the Council complies with relevant laws and regulations and internal policies such as Contract Standing Orders. The Head of Finance is designated as the Council's Section 151 Officer with responsibility for ensuring the "proper administration of financial affairs". The Head of Finance also has responsibility under section 114 of the Local Government Finance Act 1988 for reporting to the Council and the external auditor if the Council has made,

or is about to make, expenditure which is unlawful. These three statutory officers meet as necessary during the year to discuss significant corporate issues as they arise.

- The CIPFA statement on the Role of the Chief Financial Officer in Local Government (2010) requires the Chief Finance Officer to report directly to the Chief Executive and be a member of the 'Leadership Team', of equal status to other members. The Council does not strictly comply with this requirement in that the Head of Finance is not part of the Strategic Management Team (Chief Executive and two Corporate Directors) and reports to one of the Corporate Directors. However, in practice, the Head of Finance is able to report directly to the Chief Executive and Members as and when required, is a member of the Officers' Management Team, and is involved and consulted in all matters which have financial implications for the Council.
- The Council's Constitution contains a Confidential Reporting Code for Employees which safeguards "whistle-blowers" who raise legitimate concerns about the Council's actions and specifies how their concerns should be addressed. Financial Regulations require all staff to raise concerns about the use or misuse of Council resources with the Head of Finance or Internal Audit who will carry out an independent investigation of the circumstances. Internal Audit also actively encourages staff to raise matters of concern through "Speak Up" campaigns. A form is available on the Council's Intranet for staff to raise concerns (anonymously if desired) about the use of Council resources and this facility has been extended to the website so that members of the public can raise concerns in this area. The Council also has a formal complaints procedure for members of the public to raise issues, e.g. where they are dissatisfied with the service they have received, and an annual report is prepared for OSCOM summarising these complaints and how they were resolved.
- The Council has a detailed Anti-Fraud and Corruption Policy which sets out the roles, responsibilities of officers and Members and actions to be taken when fraud or corruption is discovered. In addition, an Anti-Bribery Policy has been approved to address the requirements of the Bribery Act 2010.
- The Democratic Services Manager is responsible for identifying and providing for councillors' training needs. The Council has a cross-party Member and Community Development Group which is supported by officers from a range of services. This Group has continued to work to promote an enhanced role for councillors that focuses on them acting as a catalyst for change to encourage communities to reach their full potential. This work has brought together the needs and expectations of our communities in order to make balanced decisions, and has ensured a culture of democratic accountability is embraced throughout the Council. The Group enables the Council to develop a programme of councillor training and development that is shaped by the councillors themselves ensuring that training and development activities offered are tailored to individual councillor needs as well as the needs of councillors generally, the council and communities. This work has been

shared with the Councillor Commission and has become a key part of the ongoing work that supports this national project.

- All new councillors are provided with induction training to assist them with understanding and successfully carrying out their different roles, with an ongoing programme of training and development provided on specific issues where appropriate e.g. planning, and to build key skills and knowledge.
- The Councillor Member and Community Development Group helped develop an extensive induction programme which was implemented for the new intake of councillors elected in May 2019.
- All officers also receive induction training and appropriate professional and skills training and development identified, for instance, through annual performance discussions.
- Work has continued during 2019/20 to develop and produce a People Strategy to shape the cultural direction and people management practices for the future to enable the Council to achieve its ambitions over the next 3-5 years. Whilst being able to respond to the changing needs of local government and the borough's residents this will form part of the Council's Corporate Framework with close links to the Corporate Plan and Medium Term Financial Strategy.
- The Council has in place various channels of communication with the community and other stakeholders. The Council's Consultation Portal provides a single link to all our current 'live' consultations, giving residents the opportunity to get involved, as well as access to details of the feedback from previous consultations. There are a number of tools in place to enable the Council to hear the widest range of views from local communities, in a consistent way, as part of an evidence led approach to decision making. These include:
 - Statement of community involvement.
 - Community Planning Toolkit.
 - Specialist advice and support through Community Engagement Officers and policy Team.
 - Equality objectives which set out how the Council will ensure an inclusive approach to consultation. As the Council's place-based approach has grown partnership websites such as Andover Vision and Romsey Future have been developed, where appropriate, due to the collaborative nature of the projects e.g. Romsey South of town Centre. Consultation and project information has been posted to these websites with clear links back to relevant Council Services.).
<https://www.testvalley.gov.uk/consultations>. Publications such as Test Valley News are sent to all households and the Council's website is an important source of information about the Council and its services. The Council's website has been designed to make it more accessible to residents and businesses of Test Valley and to make it easier to

undertake transactions online. A new External Communications Strategy has been produced to support the new Corporate Plan.

- The Council has identified its key partnerships and promotes good governance in those. The Council's Contract Standing Orders and Financial Regulations contain specific sections on partnerships and identify officer responsibilities in relation to the management and involvement in partnerships. Protocols and agreements are put in place for the management of significant partnerships.
- Covid 19 Governance - The Coronavirus pandemic which manifested towards the end of this reporting period has necessitated some interim amendments to processes and controls. These are being delivered in a controlled manner with appropriate advice to managers regarding the risk of error and fraud. The crisis has required the Council to be innovative and flexible in releasing funds in a swift and controlled way. Interim processes have been put in place to maximise the benefits to residents and businesses. Crises like this will inevitably attract individuals who see the opportunity for fraud. All managers have been reminded of the risk of fraud and the various forms it may take. Interim processes are designed with this particular risk in mind.

Review of effectiveness

The Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the senior managers within the Authority who have responsibility for the development and maintenance of the governance environment, the annual report of the Internal Audit Partnership Manager, and also by comments made by the external auditor and other review agencies and inspectorates.

The effectiveness of the governance framework is maintained and reviewed through a number of mechanisms and processes:

Full Council is ultimately responsible for maintaining, revising and ensuring compliance with the Council's Constitution. The Head of Legal and Democratic Services reviews the Constitution at least annually to ensure that it is up to date with current legislation and best practice.

- The Cabinet has responsibility for the day to day operation of the Council's business unless that business is delegated specifically to another committee (e.g. Planning, Licensing) and ensuring that governance arrangements and compliance is adequate for the conduct of that business.
- As part of the Council's open and transparent approach, Overview and Scrutiny Committee has responsibility for scrutinising the decisions of the Cabinet and reviewing the Council's policies and functions and making recommendations to the Cabinet as appropriate.

- The Council's OSCOM and its Audit Panel takes responsibility for audit and risk management issues, reviewing the Council's work in these areas and monitoring the progress and performance of both Internal and External Audit.
- The Council's General Purposes Committee together with the General Purposes Employment Appeals and Ethics Sub-Committee have the role of promoting and maintaining high standards of conduct amongst Members and assisting them to observe the Authority's Code of Conduct. The work of the Sub-Committee is supported by the appointment of three Independent Persons and Parish representatives as required by the Localism Act 2011, The General Purposes Committee may receive reports as to the operation of the Code of Conduct in addition to which the General Purposes Employment Appeals and Ethics Sub-Committee will receive complaints about Member conduct and determine such complaints and direct or recommend any further action required consistent with the Localism Act 2011 and associated regulations.
- The Council's Internal Audit team, located within the Finance Service, carries out a continuous review of the Council's systems to provide independent assurance that the control environment is effective in achieving the Council's objectives. The team objectively examines, evaluates and reports on the adequacy of the control environment as a contribution to the proper, economic, efficient and effective use of the Authority's resources. The performance of the Internal Audit team is monitored by the Council's Audit Panel and Section 151 Officer. The Internal Audit Partnership Manager presents the Internal Audit Strategy and Annual Audit Plan to the Audit Panel and produces an Annual Report giving an opinion of the adequacy of the Council's systems of internal control.
- The Council participated in an LGA Peer Challenge in October 2018 providing an independent review across the following areas:
 - Understanding of the local place and priority setting
 - Leadership of Place
 - Organisational leadership and governance
 - Financial planning and viability
 - Capacity to deliver

In addition to the five core questions, the Council asked the team to consider the Council's approach to inclusive growth and development, particularly within the principal towns of Romsey and Andover.

The Peer Team published their findings and recommendations through a feedback report. The Council was recognised as being well-led and effectively managed, with the Council's current financial position comparatively strong. The Council was found to be self-aware with good officer/member relationships with a robust approach to strategic planning in place. The peer team felt that the Council could be more confident in communicating the contribution it is making to the communities it serves.

The Council considered the findings and produced and implemented an action plan approved by Cabinet which provides a focus for how the council will take forward the

recommendations highlighted by the peer team. A copy of the report can be found via the following link. [LGA Peer Review 2018](#).

A self assessment of the internal audit function's conformance with the Public Sector Internal Audit Standards (PSIAS) was carried out in March 2020. The Public Sector Internal Audit Standards are a mandatory requirement, the objectives of which are to:

- define the nature of internal auditing within the UK public sector,
- set basic principles for carrying out internal audit in the UK public sector,
- establish a framework for providing internal audit services, which add value to the organisation, leading to improved organisational processes and operations, and
- establish the basis for the evaluation of internal audit performance and to drive improvement planning.

The self assessment concluded that the function “generally” or “partially” conforms with the standards. There is evidence that the work the Internal Audit function has delivered is effective; especially around risk and performance. It contributes to and has influence in, the Authority on these areas. It is a highly respected service that is engaged with the Organisation and which provides on-going support in key areas, as well as effective assurance on controls.

Following an external assessment in March 2019 an action plan was compiled to address the gaps identified at the time and to ensure the function is fully effective both strategically and operationally. The action plan has been implemented during 2019/20 and reported to the Audit Panel. The only note to the 2019/20 Audit Opinion is in regards to the composition of the audit universe and audit plan for 2019/20. Due to the timing of the external PSIAS assessment, the audit plan for 2019/20 had already been created based on the existing audit universe which, following the assessment has been declared as inadequate. Therefore it is not possible to confirm that the Authority produced an audit plan which encompassed the key risks facing the council. By way of mitigation to this, the key fundamental system audits have been conducted under a new Risk based Auditing model providing confidence that the main financial audits of the Council have incorporated a robust risk assessment to ensure the scope is adequate in determining the risks associated with those activities.

On the basis of Internal Audit work completed in 2019/20, the Deputy Chief Internal Auditor of Portsmouth City Council is able to provide Substantial assurance in respect of the Council's risk management, control and governance arrangements. “Substantial Assurance” means that systems in place are generally sound, but some weaknesses have been identified which may put some of the control objectives at risk. These weaknesses have been identified and form the basis of the action plan appended to this Statement.

- The Council is regularly reviewed by the External Auditor (Ernst and Young LLP) who independently examines the Council's accounts and financial systems and who presents an [Annual Audit Letter](#) to Members, the latest available covering the financial year 2018/19. This was a positive report with

an unqualified opinion on the Council's accounts, system of internal control and arrangements to achieve value for money.

The emergence of the Covid 19 pandemic towards the end of March 2020 has had an unprecedented impact on the Council's governance arrangements for the remainder of the 2019/20 year and more significantly into 2020/21. These impacts will need to be evaluated, in line with government guidance and mitigation measures, and developed alongside the Council's strategic partners and Local Resilience Forum.

The date for final publication of the Council's accounts and Annual Accounts and Annual Governance Statement has also been put back to 30 November in England as a result of the Coronavirus pandemic. Once post Covid 19 assurance work has been undertaken, this Annual Governance Statement may need to be updated, prior to the new deadline, to reflect any governance changes or issues that arose.

DECLARATION

We have been advised on the implications of this review of the effectiveness of the governance framework and of any significant governance issues. A plan to address weaknesses and ensure continuous improvement of the system is in place as shown in the attached annex.

We propose over the coming year to take steps to address these matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

Signed: **Signed:**

Leader of the Council

Chief Executive

ANNEX

Significant governance issues

Annex

The following identifies the significant governance issues to be addressed, the proposed action, timescale and lead officer.

Issue	Action to be Taken	Timescale	Lead Officer
<p>Climate Emergency Action Plan: The Council declared a Climate Emergency in September 2019. A draft action plan, setting out how the Council will reduce carbon emissions, is to be reported to Overview and Scrutiny Committee on 18th March and Full Council in April 2020.</p>	<p>To deliver the actions contained within the Climate Emergency Action Plan.</p>	<p>31/03/21</p>	<p>G Smith</p>
<p>South of Romsey Town Centre Masterplan: Working with Romsey Future the Council is due to complete the Masterplan by June 2020. The implementation of the Masterplan will require additional resources, project management and professional advice some of which will be externally procured.</p>	<p>To effectively manage the resourcing and complexity of the implementation of the Masterplan.</p>	<p>31/03/21</p>	<p>A Ferrier/G Smith</p>
<p>Andover Town Centre Masterplan: In consultation with the local community and Andover Vision the Masterplan is due for completion by July 2020. The implementation of the Masterplan will require additional resources, project management and professional advice, some of which will be externally procured.</p>	<p>To effectively manage the resourcing and complexity of the implementation of the Masterplan.</p>	<p>31/03/21</p>	<p>C Moore/P Jackson</p>

ANNEX

Issue	Action to be Taken	Timescale	Lead Officer
<p>Covid 19 Response and Recovery: The Local Resilience Forum (LRF) formally activated a Recovery Co-ordinating Group (RCG) on the 25 March. This multi-agency group involves strategic partners from across the LRF to develop a recovery plan with the aim <i>“to restore the social, economic and political wellbeing of Hants & the Isle of Wight”</i>.</p>	<p>To develop a local recovery plan for the Council and its communities. To seek to align this where appropriate with the LRF/RCG plan using the LRF mechanism as way in which to influence and tap into any wider resource or opportunities and to ensure a level of consistency on the key issues.</p>	<p>31/03/21</p>	<p>A Ferrier</p>

ITEM 14 Community Assets – Guidance on requests for use of Compulsory Purchase Powers

Report of the Corporate Portfolio Holder

Recommended:

That the “Guidance on requests for use of the Council’s compulsory purchase powers to acquire a community asset with onward transfer to the community” shown in annex 2 to the report be approved and adopted.

SUMMARY:

- Government guidance sets out that where a Council receives a request from a third party for assistance in a scheme relating to a community asset which would require Compulsory Purchase to take it forward, then a formal response must be provided.
- Communities are increasingly looking to local authorities to use their compulsory purchase powers to acquire an asset with onward transfer to the community.
- This report presents a proposed guidance note to assist communities contemplating such requests. The Guidance aims to help communities in preparing effective requests by setting out the information the Council will require in order to give proper consideration to requests.

1 Introduction

- 1.1 Guidance issued by Central Government provides that where a Council receives a request from a third party for assistance in a scheme relating to a community asset which would require Compulsory Purchase to take it forward, then a formal response must be provided.
- 1.2 The proposed Guidance set out at Annex 2 to this report, “Guidance on requests for use of the Council’s compulsory purchase powers to acquire a community asset with onward transfer to the community” provides information for those seeking to make such a request, including setting what information the Council will need to see in order to properly consider a request.

2 Background

- 2.1 Under the Localism Act 2011, a regime exists whereby community groups may nominate buildings or land to be registered as “Assets of Community Value”.
- 2.2 Land is of community value for these purposes if its actual current use ‘furthers the social wellbeing or social interests of the local community’ and it is realistic that this will continue to be the case for a time in the following five years. If a community nomination meets the criteria the Council must register the asset.

- 2.3 If the owner of a listed asset wishes to dispose of it, notice must be given to the Council who will notify the nominating community group. The community group then has the opportunity to bid for the asset.
- 2.4 But herein lies a problem for groups. The Act provides a right to *bid* not a right to *buy*. The owner of the asset is under no obligation whatsoever to sell to the community group. Groups cannot compel a sale or force an owner to negotiate. This can lead to a stalemate with land or buildings falling into disuse and disrepair.
- 2.5 Community groups are increasingly asking Local Authorities to exercise their powers of compulsory purchase in respect of such assets (public houses being a common example) with a view to onward purchase by the community group.
- 2.6 The revised 2019 Ministry of Housing, Communities and Local Government guidance “Compulsory purchase process and the Crichel Down Rules” highlights this avenue as an option for communities. An extract from the Guidance is attached at Annex 1 to this report.
- 2.7 Point 215 of the MHCLG Guidance reads:
- What requests can be made to a Local Authority?*
- Authorities can receive requests from the community or local bodies to use their compulsory purchase powers to acquire community assets, which may have been designated as Assets of Community Value, that are in danger of being lost where the owner of the asset is unwilling to sell or vacant commercial properties that are detracting from the vitality of an areas.*
- 2.8 It is important to note that the ability to ask the Council to exercise compulsory purchase powers is not limited to assets formally registered as Assets of Community Value, but may relate to any community asset.
- 2.9 There is no specific statutory power to compulsorily purchase assets of community value. Councils have to use one of the existing range of statutory powers, including the powers in section 226 of the Town and Country Planning Act 1990 which includes giving a Local Authority power (subject to authorisation by the Secretary of State) to acquire compulsorily any land in their area “if the authority think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land”.
- 2.10 Such power must not be exercised unless the development or improvement is likely to contribute to the promotion or improvement of the economic, social or environmental well-being of the area.
- 2.11 There must be a credible and viable scheme to justify the serious step of compulsory purchase. There should be evidence that the community body is not just able to acquire the land or property but to repair it (if necessary), maintain and run it. Requesters are asked to demonstrate how they will pay for, run and if necessary improve an asset and will generally be required to provide the Council with purchase funds prior to commencement of any compulsory purchase process.

- 2.12 The Guidance makes it clear that the Council will assess each request on its individual merits and no guarantees are given that the Council will exercise its powers in any case.
- 2.13 The purpose of the Guidance is to assist communities and local groups in putting together realistic and effective requests.

3 Corporate Objectives and Priorities

- 3.1 Adoption of the Guidance will contribute to the corporate priorities of growing the potential of our town centres, communities and the local environment for current and future generations.

4 Options

- 4.1 The options are:

4.2 Option 1

To adopt the Guidance shown in annex 2 to this report

Option 2

Not to adopt the Guidance.

5 Option Appraisal

- 5.1 In order to assist communities and local bodies in collating the most effective requests, it is recommended that the Guidance is adopted. If the Guidance was not adopted the situation may arise where a request is submitted without sufficient supporting documentation which will cause delay. Such requests may on occasion be time-critical so enabling an efficient process will be of benefit.

6 Risk Management

- 6.1 A Risk Management questionnaire has been completed and indicates this report does not require a risk assessment because the changes/issues covered by this report are not significant in terms of risk or have previously been considered.

7 Resource Implications

- 7.1 There are no resource implications of approving and adopting this Guidance itself. As and when a request is received from a community or local body, the request will be considered and a decision made in accordance with the Guidance including consideration of resource implications.

8 Legal Implications

- 8.1 There are no legal implications of approving and adopting this Guidance save for establishing a legitimate expectation that requests will be considered and responded to. This requirement for consideration of, and response to, requests exists in any event under the MHCLG Guidance.

9 Equality Issues

9.1 No equality issues or adverse effects on those with protected characteristics are identified.

10 Other Issues

10.1 None identified.

11 Conclusion and reasons for recommendation

11.1 It is recommended that the Guidance shown in annex 2 to this report is adopted and approved to assist communities and local bodies who are considering requesting Test Valley Borough Council to exercise its powers of Compulsory Purchase in respect of a community asset. The Guidance will enable communities or local bodies to compile effective and comprehensive requests to the Council.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
Guidance on Compulsory Purchase process and The Crichel Down Rules – extract attached. Full guidance can be found at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/817392/CPO_guidance_-_with_2019_update.pdf			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	2	File Ref:	N/A
Portfolio: Corporate Councillor T Tasker			
Officer:	Karen Dunn	Ext:	8401
Report to:	Cabinet	Date:	17 June 2020

Procedural issues applying to some compulsory purchase orders

Section 17: for community assets (at the request of the community or a local body)

225. What requests can be made to a local authority?

Authorities can receive requests from the community or local bodies to use their compulsory purchase powers to acquire community assets, which may have been designated as [Assets of Community Value](#), that are in danger of being lost where the owner of the asset is unwilling to sell or vacant commercial properties that are detracting from the vitality of an area.

226. What considerations need to be made when receiving a request?

Local authorities should consider all requests from third parties, but particularly voluntary and community organisations, and commercial groupings like Business Improvement District bodies, which put forward a scheme for a particular asset which would require compulsory purchase to take forward, and provide a formal response.

Local authorities must be able to finance the cost of the scheme (including the compensation to the owner) and the compulsory purchase order process either from their own resources, or with a partial or full contribution from those making the request.

Local authorities should, for example, ascertain the value of the asset to the community, or the effect of bringing it back into use; the perceived threat to the asset; the future use of the asset and who would manage it (including a business plan where appropriate); any planning issues; and how the acquisition would be financed.

Test Valley Borough Council

Guidance on requests for use of the Council's compulsory purchase powers to acquire a community asset with onward transfer to the community



Guidance on requests for use of the Council's compulsory purchase powers to acquire a community asset with onward transfer to the community.

This Guidance provides assistance to those wishing to submit a request to the Council to exercise its powers of Compulsory Purchase in respect of a community asset where onward purchase by the community is contemplated.

A Compulsory Purchase is a legal function that allows certain public bodies, including councils, to acquire land for a specific purpose in circumstances where the landowner is unwilling to sell by agreement.

Communities are increasingly asking local authorities to exercise their powers of compulsory purchase in respect of community assets with a view to onward purchase of the asset by a community body. Community bodies nationally have acquired assets such as (but not limited to) pubs in this way.

Compulsory Purchase is a remedy of last resort and should only be contemplated where there is a compelling case in the public interest. The Compulsory purchase process is a complex and often lengthy process, the detail of which falls outside the scope of this Guidance.

The Ministry of Housing, Communities and Local Government's Guidance on Compulsory Purchase and The Crichel Down Rules provides:

"215. What requests can be made to a local authority?"

Authorities can receive requests from the community or local bodies to use their compulsory purchase powers to acquire community assets, which may have been designated as Assets of Community Value, that are in danger of being lost where the owner of the asset is unwilling to sell or vacant commercial properties that are detracting from the vitality of an areas.

216. What considerations need to be made when receiving a request?

Local Authorities should consider all requests from third parties but particularly voluntary and community organisations, and commercial groupings like Business Improvement District bodies which put forward a scheme for a particular asset which would require a compulsory purchase order to take it forward.

Local Authorities must be able to finance the cost of the scheme (including compensation to the owner) and the compulsory purchase order process either from their own resources or with a partial or full contribution from those making the request.

Local Authorities should for example ascertain the value of the asset to the community, or the effect of bringing it back into use; the perceived threat to the asset; the future use of the asset and who would manage it (including a business plan where appropriate); any planning issues; and how the asset would be financed."

This Guidance sets out the base level of information that the Council would expect to receive to enable it to properly consider and respond to a request for compulsory purchase with onward transfer of the asset to the community.

Please note that the below is not and cannot be a definitive or conclusive list. Given the unique nature of community assets it is quite likely that additional information may be required but the list below is intended as a starting point for communities considering submitting a request. Each request will be carefully considered on its own merits and will require a decision by full Council or Cabinet, depending on the circumstances. The Council will expect to be put in funds in respect of the purchase price prior to any compulsory purchase.

Nothing in this Guidance should be taken as committing the Council to exercise its powers in any given situation. The Council reserves the right to dispose of property as it sees fit in the event that onward purchase fails to complete.

In order to consider a request, the Council will require the following information, with as much supporting detail as possible:

- 1. A full description of the asset with an explanation of the value of the asset to the community.**
- 2. Full details of the anticipated effect of bringing the asset back into use or continuing or changing an existing use.**
- 3. A full description, with evidence, of the perceived threat to the asset.**
- 4. If purchased, what would be the future use of the asset?**
- 5. Confirmation of the value of the asset. Is this agreed with the landowner? Is there a Red Book valuation?**
- 6. What is the planning status of the asset? Are there any planning issues with the anticipated scheme or use?**
- 7. What attempts have been made to negotiate with the owner of the asset? Please provide full details.**
- 8. Who would manage the asset and how would it be run on an on-going basis?**
- 9. Please provide a business plan if appropriate.**
- 10. Are any repairs required to the asset to bring it back into use? If so, please provide full details, a copy of any survey and costings for repair with confirmation of how these costs will be funded.**
- 11. Who would ultimately take ownership of the asset if purchased?**
- 12. How would the acquisition be financed? Please provide supporting evidence.**
- 13. Will the acquirer be in a position to pay over purchase funds to the Council in advance of any acquisition?**

Useful Information:

1. Ministry of Housing, Communities and Local Government Guidance on Compulsory Purchase process and The Critel Down Rules:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/817392/CPO_guidance_-_with_2019_update.pdf

2. The Localism Act 2011:

<http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

ITEM 15 Negotiated Stopping Policy and Temporary Transit Agreement

Report of the Corporate Portfolio Holder

Recommended:

- 1. That the Negotiated Stopping Policy and Temporary Transit Agreement set out in the Annex to the report be approved and adopted from the date of any injunction order granted as described in paragraph 2 of the report.**
- 2. That authority is delegated to the Head of Legal and Democratic Services in consultation with the Corporate Portfolio Holder and Leader to finalise the wording of the Policy and Schedules, including inserting the provisions of any injunction order made.**

SUMMARY:

- This report presents a proposed “Negotiated Stopping Policy and Temporary Transit Agreement” for consideration.
- It is proposed that the Policy is approved and adopted alongside any injunction granted by the court prohibiting unlawful encampments within the Borough.

1 Introduction

- 1.1 Test Valley Borough Council intends to apply to the High Court for an Injunction Order prohibiting unauthorised encampments and associated nuisances in certain areas of the Borough.
- 1.2 It is proposed that the Negotiated Stopping Policy and Temporary Transit Agreement as show in the Annex to the report is approved to supplement and function alongside any injunction obtained.

2 Background

- 2.1 This report and the Policy shown in the Annex to the report seeks to tackle, in part, the escalating issue of problematic unlawful encampments in the Test Valley Borough Council Area.
- 2.2 Since the start of 2018, there has been a marked increase in both the number and complexity of unlawful encampments experienced across certain areas of the Borough.
- 2.3 A large number of these unlawful encampments have been accompanied by anti-social and sometimes criminal behaviour including nuisance, intimidation and threats, the loss of use of community open space and sports pitches, deposit of household and human waste, criminal damage and Fly-Tipping.

- 2.4 Increasingly, unlawful occupiers have taken to breaking into sites to take up occupation, causing criminal damage in the process.
- 2.5 The Council will tackle this problem by applying to the High Court for an injunction order under section 222 of the Local Government Act 1972 and/or section 187B of the Town and Country Planning Act 1990, prohibiting unauthorised encampments and deposit of controlled waste across the areas of the Borough where there is evidence of this unlawful behaviour.
- 2.6 These areas comprise the urban area of Andover and environs and the Alma Road Car Park in Romsey. A significant weight of evidence has been gathered to present to the court demonstrating the scale and nature of the problem experienced within the Borough. This report does not deal with the issue of the injunction application itself, which the Head of Legal and Democratic Services has delegated authority to pursue.
- 2.7 It should be noted that Council applies for an injunction order as a last resort, since court action on the part of the Council and private landowners and action by the police have had no impact on the regularity or nature of the incursions and it is apparent that nothing short of an injunction will bring a halt to the unauthorised encampments, associated nuisances and criminal behaviour.
- 2.8 It is appreciated that an injunction order in the terms sought will impact on the members of the Gypsy and Traveller Community. It is also of note that Test Valley Borough Council does not have a Gypsy and Traveller transit site. Neither does Hampshire County Council have a site to which such groups may be directed. Therefore, to work in tandem with any order obtained, it is recommended that the Council adopts a Negotiated Stopping Policy and Temporary Transit Agreement affording an opportunity for those who wish to stop on Council-owned land to request permission to lawfully do so. This would provide a mechanism for tolerated well-behaved and sensibly-sized encampments on appropriate sites.
- 2.9 The draft Policy and Agreement proposes that requests to 'stop up' must be received prior to taking up occupation of land. The Policy further provides that once a request is received, the Council would assess whether the proposed site is suitable including (but not limited to) consideration of whether the presence of vehicles would interrupt local amenities, whether the site is in a residential area, a nature reserve or the like, near to a highway so as to present a hazard and also taking into account the size of the encampment.
- 2.10 If the site/encampment is deemed to be unsuitable then the request will be refused.
- 2.11 As part of the request process, applicants would need to provide full contact details and to sign an Agreement undertaking that they (and any others at the encampment site) will not deposit or unlawfully dispose of any waste, will not allow any open fires or burning of material, will not urinate or defecate in the open, will not play loud or amplified music and will not use motorised vehicles which may present a nuisance or hazard.

- 2.12 The Agreement will also require the occupiers to leave the site by a given date and time, to leave it site clean and tidy and to remove all waste and gas canisters. The Agreement provides that any breach of its terms will cause the agreement to be terminated immediately and require immediate vacation of the land.

3 Corporate Objectives and Priorities

- 3.1 Adoption of the attached policy in conjunction with an injunction under section 222 of the Local Government Act 1972 and/or section 187B of the Town and Country Planning Act 1990 will contribute to the corporate priorities of growing the potential of the Borough's towns, communities, people and the local environment.

4 Options and Appraisal

- 4.1 The options are either to adopt the Policy alongside any Injunction obtained or not. It would be most likely be disproportionate for an order to be made in the absence of a dedicated transit site or other provision, such as is proposed. For that reason, adoption of the Policy, shown in the Annex to this report, is the recommended option.

5 Risk Management

- 5.1 An evaluation of the risks indicate that the existing controls in place mean that no significant risks have been identified at this time.

6 Resource Implications

- 6.1 No significant resource implications of adoption of the policy are identified.

7 Legal Implications

- 7.1 If the policy is adopted there will be an expectation that the Council complies with it, unless there is good reason to depart from it.

8 Equality Issues

- 8.1 Many members of the Gypsy and Traveller Community will have protected characteristics in accordance with the Equality Act 2010. It is also acknowledged that this Community and its way of life will be impacted by any order made.
- 8.2 The Council must also have due regard to the Public Sector Equality Duty in accordance with section 149 of the Equality Act 2010 which provides that a public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act;
 - (b) advance equality of opportunity between persons who share a relevant characteristic and persons who do not share it; and

- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.3 Due consideration must also be given to Articles 8 and 14 of Part 1 of the Human Rights Act 1988 which, respectively, enshrine the right to respect of private and family life and prohibit infringement of Convention rights by discrimination on any grounds including grounds of race, language, religion, national or social origin, birth or other status.

8.4 The Council therefore needs to balance the rights of the Gypsy and Traveller Community and the settled community in seeking the injunction order which is deemed necessary to curtail the problems we have experienced. In mitigation of the impact on the travelling community, the geographic area of the injunction application is limited and encompasses the areas with well-evidenced history of impact.

8.5 The Policy proposed would provide further mitigation and balancing and support the proportionality of an injunction order in these circumstances.

9 Other Issues

9.1 None identified.

10 Conclusion and reasons for recommendation

10.1 It is therefore recommended that in the event that the Court sees fit to grant an injunction order prohibiting unauthorised encampments within those areas of the Borough where unlawful encampments and their negative impacts have most regularly been felt that the policy shown in the Annex to the report is adopted to work in tandem with the order.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	1	File Ref:	N/A
(Portfolio: Corporate) Councillor T Tasker			
Officer:	Karen Dunn	Ext:	8401
Report to:	Cabinet	Date:	17 June 2020

NEGOTIATED STOPPING POLICY AND TEMPORARY TRANSIT AGREEMENT
TEST VALLEY BOROUGH COUNCIL

1. This Policy has been developed to ensure that the nomadic way of life of gypsies and travellers can be facilitated with the Borough with a High Court injunction in place, prohibiting named and unnamed individuals from entering onto defined land within the Borough and setting up encampment and/or occupying the land for residential purposes including the occupation of caravans/mobile homes, storage of vehicles, caravans and residential paraphernalia. A copy of the injunction order can be found at Schedule 1 of this policy.

2. The injunction has been obtained as a proportionate response to an increasing number of 'unauthorised encampments' which have occurred within the borough and which have been accompanied by one or more of the following aggravated factors:
 - a. Aggressive and/or violent and/or threats and/or intimidation and/or anti-social behavior by occupants of the encampment to residents, businesses and visitors to the borough
 - b. Criminal damage

- c. 'Commercial' fly tipping
- d. Open human defecation / open deposit of use nappies and soiled tissue paper
- e. Loose dogs and animals causing nuisance to others
- f. Obstruction of highways
- g. Breaking and entering into private and/or public land and/or causing damage to the land
- h. Open fires
- i. Abandoned gas canisters
- j. Interruption to business/sporting events/community events

3. The Council acknowledges that

- a. The injunction will have an impact on the Gypsy and Traveller community;
- b. That the Human Rights Act 1998 and the Equality Act 2010 recognises and protect individuals with those protected characteristics, and there are consequent obligations on the Council as a Public Body as a result of this protection;

- c. That the aggravating factors identified at paragraph 2 above are in no way representative of the Gypsy and Traveller community generally, and, to the extent that those individuals who engage in this activity identify as Gypsy or Traveller, that they are a small and non-representative minority within those groups.
 - d. That the Council has an obligation to support genuine cases of need.
 - e. The Council must always take into account the best interests of the child, which is a primary consideration.
4. In light of the above, the Council recognises the need to find an appropriate and balanced and proportionate response to the issues outlined in paragraph 2 above, to minimise the impact on the settled community and private and Council owned land caused by those unauthorised encampments of the nature described above, whilst at the same time ensuring it protects the rights of Gypsy and traveller community in accordance with the Equalities Act 2010 and The Human Rights Act 1998.
5. The injunction is founded on the basis that it is only those encampments which are present 'without lawful permission' of the landowner and/or planning permission which are prevented. Therefore, there will, and must, be a clearly communicated basis upon which that permission will be granted, so as

to satisfy any individual who wishes to 'stop-up' for a period that they are doing so in such a way as to not amount to a contempt of court.

6. This policy represents the basis upon which a person or persons may seek lawful permission from the Council to 'set-up camp' within its Borough. The Council may only grant lawful permission as a landowner in respect of land which it owns. Therefore, if an individual or group of individuals wishes to use a piece of *private* land for the purposes of encamping for a period, they must obtain the prior permission of the landowner, and if requested, provide evidence of this to the Council. If such permission is not obtained and evidenced, the encampment will be considered a breach of the injunction if it is on land protected by the injunction. Similarly, a person or persons must obtain the prior permission of the council prior to setting-up camp on land which is owned by Test Valley Borough Council. The relevant contact details will be advertised on the Council's website.

7. If the individual or individuals have either the benefit of a planning permission from the Local Authority, or the benefit of 'General Permitted Development' rights, to encamp on the land, as defined in the General Permitted Development Order 2015, then providing they have the consent of the landowner to remain on the land, then no further evidence other than

consent from the landowner will be required. For the avoidance of doubt, the circumstances in which Permitted Development will exist are set out in Schedule 2 of this Policy.

8. The Council will consider any application for negotiated stopping in line with the following considerations. The applicants will need to sign (or indicate their consent, which will be recorded in writing by a Council officer) to the 'Negotiated Stopping Agreement' which can be found at Schedule 3.

In determining an application the Council will consider the following:

- a. Is the site suitable? The officer will assess whether the site is one which can reasonably accommodate an encampment, regard will be had to:
 - i. Whether the presence of vehicles will interrupt local amenities;
 - ii. Whether there is free and easy access to the site, for example, to enable emergency services to attend if necessary, and for delivery and removal of portable toilets;
 - iii. Whether the site is sensitive, for example, in a wholly or mainly residential neighbourhood, near schools, or care homes, or if it is a Site of Special Scientific Interest, or a nature reserve

- iv. Proximity to highways, or other features which may present as a hazard to the proposed occupants of the encampment
 - v. The size of the encampment
 - b. Does the encampment benefit from planning permission? The nature of the encampment will need to benefit from the General Permitted Development Order 2015, or have obtained specific consent from the Local Authority.
 - c. Has the welfare checklist been completed? This will need to be undertaken for all encampments that come into the borough. Have any steps necessary arising out of the welfare checks been taken into account and has the best interests of any children on the encampment been considered.
 - d. Do the vehicles have functional toilet facilities, if not the Council will need to direct persons to the nearest appropriate facilities and where appropriate portable toilets may be able to be provided by the Council for a small fee.
- 9. During the currency of an encampment, Council officers will attend to ensure that there are no issues being either directed toward, or caused by, the

encampment. The aim of the Council is to facilitate a harmonious balance between the rights and needs of the settled community and the Gypsy and Traveller community to assist community cohesion.

Covid-19

10. The Council acknowledges that some gypsies and travellers will be considered vulnerable during Covid-19 and may need to socially distance or self-isolate on the same site or a separate site away from family members. Where this is the case they should contact the Council on [ENTER A TELEPHONE NUMBER] or email [ENTER DETAILS], so that suitable arrangements can be made and where necessary toilet facilities and rubbish disposal can be arranged in a manner that reduces the opportunity for the virus to spread to others within the community.

Schedule 1 – Injunction Order

Schedule 2 – General Permitted Development

Schedule 3 – Negotiated Stopping Application

This application determines the basis upon which the Council is to provide 'lawful permission' for the applicant to stop-up on the identified land so as to comply with the terms of the unauthorised encampment injunction. Please complete each section. The Council will complete their section, and a copy of this agreement and the Negotiated Stopping Policy will then be retained by both parties.

The applicant will provide to the Council, and the Council will provide to the applicant, a nominated point of contact so that any issues can be discussed and remedied. In the event that the applicant has any issues or concerns, or is subject to any aggressive/violent or anti-social behavior from others, they should contact the Council and/or Police as soon as possible.

By agreeing to the terms of this agreement, and upon the Council granting permission as outlined in this agreement, the applicant is assured that they will not be in breach of the terms of the unauthorised encampment injunction.

Section 1 – For the Applicant to Complete

Name of Applicant:

Date:

Location:

Nominated Point of Contact:

Telephone Number:

When did you arrive?:

How long do you need to remain at this location?:

How many people are you travelling with?:

How many vehicles, including caravans, are you travelling with?:

Please list VRMS:

What is the reason for your stay?:

Have you been shown a copy of the Negotiated Stopping Policy?: Y/N

Have you been shown a copy of the unauthorised encampment injunction?

Y/N

By staying at this location, we agree to the following:

- I, and those I am travelling with, will not:

- deposit waste at this location, and will take away and lawfully dispose of all waste unless specific arrangements for waste disposal are agreed with the Council
 - Allow or cause any open fires or burning of material
 - use threatening/violent or antisocial behavior towards residents and/or other lawful visitors to the site
 - openly defecate or urinate and will use the toilet facilities contained within our own vehicles. If we require toilet facilities due to malfunction and/or unavailability of our own facilities, we will notify the Council who will discuss with us the provision of portable toilet facilities or agree the use of local services
 - play loud or amplified music.
 - Use motorised bikes/scooters/quad bikes or other similar vehicles which may present as a nuisance or hazard
- I, and those I am travelling with, will keep all animals on a leash/tether and under control at all times when they are in the open air and will notify and agree with the Council the animals that are permitted on the Land pursuant to this agreement.

- The size of the encampment will not exceed _____ persons and _____ vehicle

- We will leave the site by no later than 4.p.m. on _____ and will leave the site clean and tidy, taking all waste and gas canister with us

- We understand that if we breach the terms of this agreement the agreement will terminate forthwith and we will be required to leave the land forthwith.

Section 2 – for the Council to Complete

Name of allocated Council Officer:

Telephone number:

Is the location Public or Private Land: Public/Private

Has access been obtained peacefully and without any criminal damage? Y/N

Is the location/proposed location of the encampment in an obstructive location: Y/N

Does the encampment benefit from planning permission, or permitted development in accordance with the General Permitted Development Order

2015: Y/N

Has section 1 of this application been explained to and completed by the applicant: Y/N

Has the welfare checklist been completed: Y/N

I confirm that the above named applicant, along with ____ (enter number) of other individuals and _____ (enter number of vehicles) has permission to remain at _____ until 4.p.m. on _____.

Signed: _____ (Council Officer)

For an on behalf of the Test Valley Borough Council

Dated: _____

Signed: _____ (Applicant)

Name: _____

Dated: _____

I confirm that I have read, or have had read to me, the terms of this agreement, which have been explained and which I understand and agree to.

ITEM 16 Scheme of Delegations to Officers

Report of the Head of Legal and Democratic Services

Recommended:

That the Scheme of Delegations to Officers annexed to the report to Annual Council, in so far as it applies to the powers and duties of the Cabinet, be approved.

SUMMARY:

- The purpose of the report is to approve the Council's Scheme of Delegations to Officers.

1 Background

- 1.1 The Scheme of Delegations to Officers is approved each year in accordance with the Constitution by Annual Council, the Cabinet and relevant Committees.
- 1.2 During the course of the year since the last Annual Council, changes have occurred to the Scheme of Delegations to Officers and new delegations to Officers have been made as the need has arisen over time. These changes have been incorporated into the Scheme shown in the Annex to the report to Annual Council.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	1	File Ref:	N/A
(Portfolio: Corporate)			
Officer:	Karen Dunn	Extension:	8401
Report to:	Cabinet	Date:	17 June 2020

Delegations to Officers: Delegations to Chief Executive, Corporate Directors and Heads of Services

- (1) To deal with matters relating to recruitment, selection and termination of employment, pay, employment benefits, training and development and other provisions relating to employees of the Council contained from time to time in the Council's Staffing Policies and Procedures documentation.
- (2) To enter into and sign contracts with public utilities, authorities or other bodies where such contracts are regarded as routine commercial matters authenticated by the signature of an officer of the utility, authority or body provided that the contract is within the sum allowed in the Council's estimates and/or Financial Regulations.
- (3) To authorise staff to attend meetings, seminars and conferences, including those arranged by the relevant professional associations.
- (4) To authorise officers to appear in the Courts.
- (5) To terminate employment in case of ill health/capability, in consultation with the Human Resources Manager.
- (6) To dismiss staff in accordance with the Council's disciplinary procedure.
- (7) In the absence of the Chief Executive, Mrs C Moore, Corporate Director, and in the absence of both the Chief Executive and Mrs C Moore, Mr A Ferrier, Corporate Director, be authorised to exercise the powers and duties of the Chief Executive.
- (8) That the appropriate Heads of Service be delegated the authority to amend charges to reflect changes in VAT rates.
- (9) That the appropriate Head of Service be delegated authority to agree the introduction of a charge for a new Council activity, in consultation with the Head of Finance.
- (10) That in the absence of any Head of Service, those matters delegated to that Head of Service be delegated to the Chief Executive or either of the Corporate Directors.
- (11) That Heads of Service may make arrangements for any functions delegated to them to be carried out by other officers in their name.
- (12) That the Chief Executive, Directors and Heads of Service be authorised, in consultation with the Head of Finance, the Monitoring Officer and the Leader, to settle complaints against the Council up to the amount of £1000 per complaint.
- (13) In consultation with the Human Resources Manager and the Head of Finance, to make minor changes to the establishment within the approved budget. In the event that either the Human Resources Manager or the Head of Finance is proposing the changes within his/her Service, consultation shall be with the Chief Executive and the Human Resources Manager or the Head of Finance, whichever is not proposing the change.

- (14) That the holders of the following posts be authorised to act as the nominated consultee and to give consent on behalf of the Council to the Police under Part 3 and Chapter 3 of the Anti-Social Behaviour, Crime and Policing Act 2014:
- | | |
|----------|--|
| 50359085 | Chief Executive |
| 50360579 | Corporate Director |
| 50360580 | Corporate Director |
| 50360846 | Head of Housing and Environmental Health |
- (15) To respond to routine operational consultations.
- (16) In consultation with the relevant Portfolio Holder, to respond to Government consultations.
- (17) To respond to partner consultations where service provision within the Borough may be affected.

Delegation to Authorised Signatories, Contracting Officers and Contract Managers

- (1) Where it is a part of the duties of an officer to exercise the function of an Authorised Signatory, a Contracting Officer or a Contract Manager then that officer be authorised to sign contracts.

Such signatures shall be countersigned by the Head of Service or an officer to whom the functions of a Head of Service are delegated under delegation (11) of Delegations to Chief Executive, Corporate Directors, and Heads of Services; and

The names of such officers authorised under the provisions of this delegation shall be notified by the Head of Service to the Head of Finance, acting as the Council's Chief Financial Officer, together with details of the maximum value up to which individual officers are authorised to sign and a description of the type of contracts so authorised.

Delegation to Monitoring Officer

- (1) To make amendments and consequential amendments to the Council's Constitution to give effect to any Council resolution and or any statutory requirement.
- (2) To make amendments to the Constitution in accordance with the provisions of Article 14.
- (3) In the absence of the Monitoring Officer, the Legal Services Manager (Corporate) or the Legal Services Manager (Planning) be authorised to exercise the powers and duties of the Monitoring Officer as Deputy Monitoring Officer.

Delegations to Chief Executive

- (1) To inform the Council's Bank of the identity of the Council's S151 Local Government Act 1972 Proper Officer.
- (2) To do anything, in consultation with the Leader, which is calculated to facilitate, or is conducive or incidental to, the discharge of the Council's functions subject to:
 - (i) the matter being regarded as an emergency or urgent situation; and
 - (ii) a report back to the Council, Cabinet or Committee concerned.
- (3) In the event of a major incident, being an event or situation with a range of serious consequences which requires special arrangements to be implemented, to take such action as he considers appropriate to deal with the incident. In the event that the Chief Executive cannot be contacted, Mrs C Moore, Corporate Director, be authorised to take such action as she considers appropriate to deal with the incident. In the event that Mrs C Moore cannot be contacted, Mr A Ferrier be authorised to take such action as he considers appropriate to deal with the incident. In the event that Mr A Ferrier cannot be contacted, any Head of Service be authorised to take such action as he/she considers appropriate to deal with the incident.

Delegation to S151 Local Government Act 1972 Proper Officer

- (1) To issue instructions as to who may withdraw or deal with any of the Council's property or securities.
- (2) To issue instructions and sign any agreement with regard to the purchase or sale of foreign exchange and/or securities.
- (3) To sign the mandate to the Council's Bank for the signing of cheques by authorised facsimile signatories.
- (4) To sign the mandate to the Council's Bank for the use of codes by authorised officers in providing instructions to the Bank.
- (5) To make arrangements for the carrying out in his/her name of all or any of his/her powers referred to herein by such person or persons as he/she considers appropriate.
- (6) In the absence of the S151 Proper Officer, the Head of Revenues be authorised to exercise the powers and duties of the S151 Proper Officer.

Delegation to Head of Community and Leisure Services

- (1) Day-to-day control and management of Council leisure facilities and associated activities and events provided by the Council.
- (2) In consultation with the Community and Leisure Portfolio Holder, to allow the free use of the Council's outdoor leisure facilities for charitable and community use in accordance with the Council's policy.
- (3) In consultation with the Community and Leisure Portfolio Holder, to allow concessionary use of the Council's leisure facilities in accordance with the Council's policy for support to elite athletes.
- (4) To appoint consultants to undertake professional services on schemes included in approved capital or revenue estimates.
- (5) To select contractors for invitation or tender on approved schemes.
- (6) To permit or organise special events on Council land in accordance with the Council's policy.
- (7) To set fees and charges for hiring sports fields and public open space in the ownership or control of the Council.
- (8) To enter into and approve terms of partnership statements in connection with community grants.
- (9) To take all necessary steps to implement projects approved by the Cabinet or Council.
- (10) In consultation with the Community and Leisure Portfolio Holder, to allow fees and charges for events and commercial bookings to be agreed and/or waived (as the market will bear), including Artisan markets, and community events in the High Street and Council venues.
- (11) To make arrangements for the funeral of the deceased under Section 46 of the Public Health (Control of Disease) Act 1984.
- (12) As Registrar of Burials for the Andover, Charlton, Romsey and Woodley Cemeteries, to grant applications for exhumations subject to the payment of the appropriate fee and the applicant obtaining approval from the Secretary of State for Justice or their successor.
- (13) As Registrar of Burials for the Andover, Charlton, Romsey and Woodley Cemeteries, to grant applications for the Exclusive Right of Burial to grave spaces, subject to compliance with the Council's regulations.
- (14) Day to day control and management of all cemeteries in control of Council in accordance with the Council's Regulations.

- (15) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Community and Leisure Services from time to time, be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto set out in the:

Environmental Protection Act 1990

Clean Neighbourhoods and Environment Act 2005 (insofar as they relate to fixed penalty notices and associated matters, pertaining to litter and dog fouling)

50361554	Head of Community and Leisure Services
50361012	Parks and Countryside Manager
50361015	Senior Countryside Officer
50361016	Countryside Officer
50361014	Green Space Officer
50360954	Sports Recreation Officer

- (16) That the Community Manager (post holder 50462608) be authorised to issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000.
- (17) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Community and Leisure Services from time to time, be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto set out in the:

Environmental Protection Act 1990

Refuse Disposal (Amenity) Act 1978 (Sections 2, 2B, 2C, 21A)

Anti-Social Behaviour Act 2003 (Section 43)

Clean Neighbourhoods and Environmental Act 2005 (insofar as they relate to fixed penalty notices and associated matters, pertaining to litter, dog fouling, fly posting and graffiti, and abandoned vehicles)

Anti-Social Behaviour, Crime and Policing Act 2014

50360905	Community Engagement Manager
50360906	Community Engagement Officer (Community Safety)
50360907	Community Engagement Officer (Community Safety)
50360910	Community Engagement Officer (Community Safety)

- (18) In consultation with the Community and Leisure Portfolio Holder, to give the Council's representations to the Police to enable them to make a Dispersal Order or a Closure Order under the Anti-Social Behaviour, Crime and Policing Act 2014.
- (19) To determine all community grant applications in accordance with the approved criteria.
- (20) In consultation with the Community and Leisure Portfolio Holder, to evaluate and approve grant applications from the Community Asset Fund, in accordance with the approved criteria.
- (21) To request reviews of licences and to make representations to review hearings,

pursuant to the Gambling Act 2005 and any subordinate legislation made thereunder and any amendments hereto.

Delegation to Head of Environmental Services

- (1) To tender for individual contracts with other public bodies (being a body within the Local Government (Goods and Services) Act 1970) as follows:
- Up to £50,000 in consultation with the Head of Finance;
 - Between £50,000 and £250,000 in consultation with the Chairman and Vice-Chairman of the Cabinet and the Head of Finance; or
 - Above £250,000 and up to the maximum of £650,000 to be approved by the Cabinet.

Subject in each case to reporting back to Cabinet on successful tenders.

No contract shall have a term exceeding 5 years.

- (2) To serve notices in relation to contraventions of the legislation set out below and any regulations made thereunder and any amendments thereto:
- Anti-Social Behaviour Act 2003 Part 6 as amended by Clean Neighbourhoods and Environment Act 2005
 Anti-Social Behaviour, Crime and Policing Act 2014
 Clean Neighbourhoods and Environment Act 2005
 Control of Pollution Act 1974 and Control of Pollution (Amendment) Act 1989
 Environment Act 1995
 Parts II, III & IV and related schedules Environmental Protection Act 1990
 Environmental Protection Act 1990
 Licensing Act 2003
 Refuse Disposal (Amenity) Act 1978
 Regulation of Investigatory Powers Act 2000
 RIDDOR 2000
 Waste (England and Wales) Regulations 2011
- (3) To prepare reports for legal proceedings in the event of contravention of the legislation and any regulations made thereunder and any amendments thereto set out in (2) above and to issue instructions to the Council's Head of Legal and Democratic Services to take legal proceedings.
- (4) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Environmental Services from time to time, be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto.

50360721
50360756

Street Cleaning Manager
Grounds maintenance Manager

50360599 Waste Services Manager

Limited powers Anti-Social Behaviour Act 2003 Part 6
 Anti-Social Behaviour, Crime and Policing Act 2014
 Clean Neighbourhoods and Environment Act 2005 (insofar as they relate to fixed penalty notices and associated matters pertaining to graffiti, fly posting, litter, dog fouling and fly tipping)
 Control of Pollution Act 1974 and Control of Pollution (Amendment) Act 1989
 Environment Act 1995
 Environmental Protection Act 1990 - All powers in relation to Part II, powers relating to Statutory Nuisance in Part III, and all powers in relation Part IV
 Licensing Act 2003
 All powers under the Refuse Disposal (Amenity) Act 1978
 Regulation of Investigatory Powers Act 2000
 RIDDOR 2000
 Waste (England and Wales) Regulations 2011

50360708 Senior Environmental Services Officer

Limited powers Anti-Social Behaviour Act 2003 Part 6
 Anti-Social Behaviour, Crime and Policing Act 2014
 Clean Neighbourhoods and Environment Act 2005 (insofar as they relate to fixed penalty notices and associated matters pertaining to graffiti, fly posting, litter, dog fouling and fly tipping)
 Limited powers Control of Pollution (Amendment) Act 1989
 Environment Act 1995
 Environmental Protection Act 1990 - All powers in relation to Part II, powers relating to Statutory Nuisance in Part III, and all powers in relation Part IV
 Licensing Act 2003
 All powers under the Refuse Disposal (Amenity) Act 1978
 Regulation of Investigatory Powers Act 2000
 Waste (England and Wales) Regulations 2011

50360629 Recycling Development Officer

Limited powers Anti-Social Behaviour Act 2003 Part 6
 Clean Neighbourhoods and Environment Act 2005 (insofar as they relate to fixed penalty notices and associated matters pertaining to graffiti, fly posting, litter, dog fouling and fly tipping)
 Limited powers Control of Pollution (Amendment) Act 1989
 Environment Act 1995
 Environmental Protection Act 1990 - All powers in relation to Part II, powers relating to Statutory Nuisance in Part III, and all powers in relation Part IV
 All powers relating to abandoned vehicles under the Refuse Disposal (Amenity) Act 1978

50360630 Waste and Recycling Officer

Limited powers Anti-Social Behaviour Act 2003 Part 6
 Clean Neighbourhoods and Environment Act 2005 (insofar as they relate to fixed penalty notices and associated matters pertaining to graffiti, fly posting, litter, dog fouling and fly tipping)
 Environment Act 1995

Environmental Protection Act 1990 - All powers in relation to Part II, powers relating to Statutory Nuisance in Part III, and all powers in relation Part IV
 All powers relating to abandoned vehicles under the Refuse Disposal (Amenity) Act 1978

50360718 Environmental Services Officer

50360719 Environmental Services Officer

Limited powers Anti-Social Behaviour Act 2003 Part 6

Anti-Social Behaviour, Crime and Policing Act 2014

Clean Neighbourhoods and Environment Act 2005 (insofar as they relate to fixed penalty notices and associated matters pertaining to graffiti, fly posting, litter, dog fouling and fly tipping)

Limited powers Control of Pollution (Amendment) Act 1989

Environment Act 1995

Environmental Protection Act 1990 - All powers in relation to Part II, powers relating to Statutory Nuisance in Part III, and all powers in relation Part IV

All powers under the Refuse Disposal (Amenity) Act 1978

Regulation of Investigatory Powers Act 2000

Waste (England and Wales) Regulations 2011

- (5) To issue filled sand bags free of charge to households and commercial properties if in the Council's view they are at significant risk of flooding.

Delegation to Head of Finance

- (1) To determine the use of capital receipts in the future on the basis that the maximum amount of receipts allowed would be used for capital expenditure and no voluntary set aside would be made.
- (2) To certify Housing Association schemes to the Housing Corporation on behalf of the Council.
- (3) To determine changes to the rate of interest on mortgage loans etc under Section 438 and Schedule 16 of the Housing Act 1985 and in accordance with those provisions.
- (4) To countersign payments and sign instructions to the Council's Bank.
- (5) To agree and sign any contract agreement or other document with the Council's Bank for the provision of banking services involving the giving of instructions by the Council to the Bank by electronic or similar means (whether any such instruction and/or information relate to the making or authorisation of any payment or other order).
- (6) To exercise borrowing powers contained in the Local Government Finance Act 2003 (as amended) in accordance with the prudential framework for local authority capital investment.
- (7) To enter into leasing arrangements on behalf of the Council for items approved.

- (8) That the Accountancy Manager (post holder 50360822) be authorised to countersign payments and sign instructions to the Council's Bank.
- (9) To take all actions he/she considers appropriate for recovery of Council debts.
- (10) To take all necessary administrative action involving the Council on pension matters.
- (11) To make all payments within the Council's Financial Regulations and/or legally payable.
- (12) To implement decisions regarding pay for staff.
- (13) To grant loans for car purchase to persons coming within the Council's approved schemes.
- (14) To vary the Council's Contract Car Hire Scheme in line with variations to the National Joint Council Scheme.
- (15) To incur expenditure outside the provision of estimates in accordance with Financial Regulations.
- (16) To arrange all insurance policies (including maintaining a self-insurance reserve) and make payments in the settlement of any claim against the Council.
- (17) To update the Use of IT and Social Media Policy as and when required.
- (18) That the Principal Auditor (post holder 50360824) be authorised to give notice inviting agreement to pay a penalty as an alternative to prosecution pursuant to Sections 115A and 115B of the Social Security Administration Act 1992.

Delegation to Head of Housing and Environmental Health Services

- (1) In cases of emergency, the Head of Housing and Environmental Health Services be authorised to carry out the Council's function under Section 33 of the Local Government (Miscellaneous Provisions) Act 1976.
- (2) Discretionary decisions concerning the nomination of special cases from the Housing Register be delegated to the Head of Housing and Environmental Health Services, subject to informing the Housing and Environmental Health Portfolio Holder prior to notifying the applicant.
- (3) To sign notices to quit in respect of temporary accommodation occupied by the homeless.
- (4) To review homeless decisions under Section 202 of the Housing Act 1996 (as amended), and in view of likely media interest, to inform the Housing and Environmental Health Portfolio Holder of the decisions that have been taken.
- (5) To determine homeless applications under Part VII of the Housing Act 1996 (as amended).

- (6) To conduct, jointly or severally with the Housing Manager, reviews of adverse decisions relating to registration on the Housing Register.
- (7) To determine any matter relating to:
 - (a) transfer of accommodation;
 - (b) nominations to Registered Providers of Social Housing;
 - (c) allocation of temporary accommodation for homeless applicants;
 - (d) payment of removal expenses in appropriate cases; or
 - (e) emergency arrangements.
- (8) To deal with applications under the Rent (Agriculture) Act 1976.
- (9) To enter into leases of individual properties with private owners in order to secure temporary accommodation for homeless households.
- (10) To consult with tenants under the Housing Act 1985.
- (11) To agree transfers of tenants on management grounds as proposed by Registered Providers of Social Housing.
- (12) To approve home loss payments, removal and relocation allowances in accordance with any scheme approved by the Council.
- (13) To investigate allegations of harassment and threats by any illegal evictions.
- (14) To review and determine appeals lodged by Housing Register applicants under Section 164 of the Housing Act 1996.
- (15) In consultation with the Head of Legal and Democratic Services, to enter into short term leases as they consider appropriate on terms to be agreed by them and to administer the short term letting scheme to accommodate homeless persons.
- (16) To transfer funding between schemes and programmes within the approved Housing Investment Programme, subject to reporting such changes to the next appropriate meeting of the Cabinet.
- (17) That the Environmental Health Manager (post holder 50360920) be authorised to issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000.
- (18) That the Housing Manager (post holder 50360864) be authorised to conduct homelessness reviews under Section 202 of the Housing Act 1996 (as amended).
- (19) That the Housing Development and Standards Manager (post holder 50360894) be authorised to agree the payment of additional grants above the £15,000.00 maximum for Discretionary Renovation Grants (DRGs) in appropriate circumstances, in consultation with the Housing and Environmental Health Portfolio Holder.
- (20) To approve grant funding in accordance with the Affordable Housing Grants Policy.

- (21) That the Environmental Health Manager (post holder 50360920) shall be authorised to advise upon compliance with the legislation set out in (k) below, and regulations and other subordinate legislation made thereunder and any amendments thereto, to formally notify contraventions of the legislation etc. as necessary, and to exercise all powers provided under such legislation, including issuing and serving Notices relating to contraventions of the legislation etc. or Notices seeking information relating to such contraventions and to carry out the activities in (a) to (k) below.
- (a) To make charges, agree contracts, make expenditure, authorise work in default, and allocate grant aid as permitted within approved budgets and environmental health legislation.
 - (b) To respond to consultations relating to technical and legal matters which are delegated.
 - (c) To promote and publicise compliance with legislation, good health and good environmental practice.
 - (d) To provide services relating to Environmental Health matters, as permitted under the relevant legislation set out in (k) below.
 - (e) To grant, with or without conditions, or to refuse applications for and to revoke street trading licences or consents. To make charges for such grants up to the limit stipulated in the Council's budget.
 - (f) To carry out investigations and to obtain, issue, give or publish notices or orders for the control of infectious disease as permitted under the relevant legislation.
 - (g) To make, refuse, or vary such registrations as are applied for, or requested, under the legislation set out in (k) below and to maintain appropriate registers.
 - (h) To grant, refuse, or vary permits and licences as are applied for under the legislation set out in (k) below.
 - (i) In consultation with the Housing and Environmental Health Portfolio Holder, to agree the payment of additional grant above the £15,000.00 maximum for Discretionary Renovation Grants (DRGs) in appropriate circumstances.
 - (j) To prepare reports for legal proceedings in the event of contravention of legislation set out in (k) below and in the event of contraventions of the Health & Safety at Work etc. Act 1974, subordinate legislation made thereunder or any amendments thereto, to issue instructions to the Council's Solicitors to take legal proceedings.
 - (k) That the holders of the posts below be authorised to enter land or premises, to exercise all available powers of investigation and inspection, to carry out any act included in, to advise upon compliance with, and to formally notify contraventions of the legislation and subordinate legislation made there under and any amendments thereto, as set out below.

50360919 Principal Environmental Health Officer (Health Protection)

- 50360918 Principal Environmental Health Officer (Environmental Protection)**
50360922 (Senior) Environmental Health Officer (Environmental Protection)
50360923 (Senior) Environmental Health Officer or (Senior) Environmental Protection Officer
50360927 (Senior) Environmental Health Officer (Health Protection)
50360930 (Senior) Environmental Health Officer (Health Protection)
50360931 (Senior) Environmental Health Officer (Health Protection)

Animal Boarding Establishments Act 1963

Animal By-Products (Enforcement) (England) Regulations 2013

Animal Health Act 1981

Animal Welfare Act 2006

Anti-Social Behaviour Act 2003 Part 6 as amended by the Clean Neighbourhoods and Environment Act 2005

Anti-Social Behaviour, Crime and Policing Act 2014

Asbestos at Work Regulations 1994

Asbestos Regulations 1983

Breeding and Sale of Dogs (Welfare) Act 1999

Breeding of Dogs Act 1973 and 1991

Building Act 1984

Caravan Sites and Control of Development Act 1960

Clean Air Act 1993

Clean Neighbourhoods and Environment Act 2005

Contaminants in Food (England) Regulations 2013

Control of Asbestos Regulations 2012

Control of Pollution Act 1974

Crime and Disorder Act 1998

Criminal Justice and Public Order Act 1994

Dangerous Dogs Act 1991

Dangerous Wild Animals Act 1976

Environment Act 1995

Environmental Protection Act 1990

Environmental Permitting (England and Wales) Regulations 2016 (as amended)

European Communities Act 1972

Factories Act 1961

Food and Environmental Protection Act 1988

Food Information Regulations 2014

Food Safety Act 1990 (as amended) and any Orders or Regulations or other statutory instruments made thereunder, or relating thereto, or having effect by virtue of the European Communities Act 1972 and relating to food safety, and any modification or re-enactment of such provisions, including:

Regulation (EC) 852/2004, 853/2004, 854/2004, 1169/2011 and 178/2002

Food Safety and Hygiene (England) Regulations 2013 (as amended).

General Food Regulations 2004

Hampshire Act 1983

Health Act 2006 Part 1 Chapter 1

Health and Safety (Enforcing Authority) Regulations 1998

Health Protection (Local Authority Powers) Regulations 2010

Health Protection (Part 2A Orders) Regulations 2010
 Home Energy Conservation Act 1995
 Housing Acts 1957 to 2004
 Housing Grants, Construction and Regeneration Act 1996 as amended by
 the Local Democracy, Economic Development and Construction Act 2009
 Imported Food Regulations 1997
 Licensing Act 2003
 Litter Act 1993
 Local Government and Housing Act 1989
 Local Government (Miscellaneous Provisions) Acts 1976 and 1982
 Meat (Enhanced Enforcement Powers) (England) Regulations 2000
 National Assistance Act 1948
 Natural Mineral Water, Spring Water & Bottled Drinking Water Regulations
 2007 (as amended)
 Noise Act 1996
 Noise and Statutory Nuisance Act 1993
 Offices, Shops and Railway Premises Act 1963
 Official Controls (Animal, Feed and Food) (England) Regulations 2006
 Official Feed and Food Controls (England) Regulations 2009 (as amended).
 Open Spaces Act 1906
 Pet Animals Act 1951
 Police and Criminal Evidence Act 1984
 Pollution Prevention and Control Act 1999
 Prevention of Damage by Pests Act 1949
 Private Water Supplies (England) Regulations 2016 (as amended)
 Public Health Acts 1875, 1936 to 1961
 Public Health (Control of Disease) Act 1984
 Quick Frozen Foodstuffs Regulations 1990
 Redress Schemes for Letting Agency Work and Property Management work
 (Requirements to Belong to a Scheme etc.) (England) Order 2014
 Refuse Disposal (Amenity) Act 1978
 Regulation of Investigatory Powers Act 2000
 Riding Establishments Act 1964 and 1970
 Shops Act 1950
 Smoke and Carbon Monoxide Alarm (England) Regulations 2015
 Sunbeds (Regulation) Act 2010
 Sunday Trading Act 1994
 Trade in Animals and Related Products Regulations 2011
 Transmissible Spongiform Encephalopathies (England) Regulations 2010
 Water Industry Act 1991
 Zoo Licensing Act 1981

50360894 Housing Development and Standards Manager
50360868 Principal Environmental Health Officer (Housing)
50360932 (Senior) Environmental Health Officer (Housing)
 Anti-social Behaviour Act 2003 Part 6 as amended by the Clean
 Neighbourhoods and Environment Act 2005
 Building Act 1984
 Caravan Sites and Control of Development Act 1960
 Clean Air Act 1993

Clean Neighbourhoods and Environment Act 2005
 Control of Pollution Act 1974
 Crime and Disorder Act 1998
 Criminal Justice and Public Order Act 1994
 Energy Efficiency (Private Rented Sector) (England and Wales) Regulations 2015 (as amended)
 Environment Act 1995
 Environmental Protection Act 1990
 European Communities Act 1972
 Hampshire Act 1983
 Health Act 2006 Part 1 Chapter 1
 Home Energy Conservation Act 1995
 Housing Acts 1957 to 2004
 Housing and Planning Act 2016
 Housing Grants, Construction and Regeneration Act 1996
 Litter Act 1993
 Local Government and Housing Act 1989
 Local Government (Miscellaneous Provisions) Acts 1976 and 1982
 Mobile Homes Act 2013
 National Assistance Act 1948
 Noise Act 1996
 Noise and Statutory Nuisance Act 1993
 Open Spaces Act 1906
 Police and Criminal Evidence Act 1984
 Prevention of Damage by Pests Act 1949
 Protection from Eviction Act 1977
 Public Health Acts 1875, 1936 to 1961
 Public Health (Control of Disease) Act 1984
 Redress Schemes for Letting Agency Work and Property Management work (Requirements to Belong to a Scheme etc.) (England) Order 2014
 Refuse Disposal (Amenity) Act 1978
 Regulation of Investigatory Powers Act 2000
 Smoke and Carbon Monoxide Alarm (England) Regulations 2015
 Water Industry Act 1991

50360928 (Senior) Health Protection Officer

Animal Boarding Establishments Act 1963
 Animal By-Products (Enforcement) (England) Regulations 2013
 Animal Health Act 1981
 Animal Welfare Act 2006
 Asbestos at Work Regulations 1994
 Asbestos Regulations 1983
 Breeding and Sale of Dogs (Welfare) Act 1999
 Breeding of Dogs Act 1973 and 1991
 Clean Neighbourhoods and Environment Act 2005
 Contaminants in Food (England) Regulations 2013
 Control of Asbestos Regulations 2012
 Dangerous Dogs Act 1991
 Dangerous Wild Animals Act 1975
 Environmental Protection Act 1990

European Communities Act 1972
 Factories Act 1961
 Food and Environmental Protection Act 1988
 Food Safety Act 1990 and any Orders or Regulations or other statutory instruments made thereunder, or relating thereto, or having effect by virtue of the European Communities Act 1972 and relating to food safety, and any modification or re-enactment of such provisions, including:
 Regulation (EC) 852/2004, 853/2004, 854/2004, , 1169/2011 and 178/2002
 Food Safety and Hygiene (England) Regulations 2013 (as amended).
 General Food Regulations 2004
 Hampshire Act 1983
 Health Act 2006 Part 1 Chapter 1
 Health and Safety (Enforcing Authority) Regulations 1998
 Licensing Act 2003
 Local Government (Misc. Provisions) Acts 1976 and 1982
 Meat (Enhanced Enforcement Powers)(England) Regulations 2000
 Microchipping of Dogs (England) Regulations 2015
 Natural Mineral Water, Spring Water & Bottled Drinking Water Regulations 2007 (as amended)
 Noise and Statutory Nuisance Act 1993
 Offices, Shops and Railway Premises Act 1963
 Official Controls (Animals, Feed and Food)(England) Regulations 2006
 Official Feed and Food Control (England) Regulations 2009
 Pet Animals Act 1951
 Prevention of Damage by Pests Act 1949
 Public Health (Control of Disease) Act 1984
 Quick Frozen Foodstuffs Regulations 1990
 Riding Establishments Act 1964 and 1970
 Shops Act 1950
 Sunbeds (Regulation) Act 2010
 Sunday Trading Act 1994
 Trade in Animals and Related Products Regulations 2011
 Transmissible Spongiform Encephalopathies (England) Regulations 2010
 Water Industry Act 1991
 Zoo Licensing Act 1981

50360869 Senior Private Sector Housing Officer
50360870 Senior Private Sector Housing Officer
50360871 Senior Private Sector Housing Officer

Building Act 1984
 Caravan Sites and Control of Development Act 1960
 Clean Neighbourhoods and Environment Act 2005
 Energy Efficiency (Private Rented Sector) (England and Wales) Regulations 2015 (as amended)
 Environmental Protection Act 1990 - all powers under Section 79 (1) a and h
 Housing Acts 1957 to 2004
 Housing and Planning Act 2016
 Housing Grants, Construction and Regeneration Act 1996
 Licensing Act 2003
 Local Government and Housing Act 1989

Local Government (Miscellaneous Provisions) Acts 1976 and 1982
 Mobile Homes Act 2013
 Protection from Eviction Act 1977
 Redress Schemes for Letting Agency Work and Property Management work
 (Requirements to Belong to a Scheme etc.) (England) Order 2014
 RIDDOR 2000
 Smoke and Carbon Monoxide Alarm (England) Regulations 2015

50360925 Environmental Protection Officer

Anti-social Behaviour Act 2003 Part 6 as amended by the Clean
 Neighbourhoods and Environment Act 2005
 Anti-Social Behaviour, Crime and Policing Act 2014
 Building Act 1984
 Clean Air Act 1993
 Clean Neighbourhoods and Environment Act 2005
 Control of Pollution Act 1974
 Crime and Disorder Act 1998
 Environment Act 1995
 Environmental Protection Act 1990
 Environmental Permitting (England and Wales) Regulations 2016 (as
 amended)
 Health Act 2006 Part 1 Chapter 1
 Licensing Act 2003
 Local Government (Misc. provisions) Acts 1976-1982
 National Assistance Act 1943
 Noise Act 1996
 Noise and Statutory Nuisance Act 1993
 Pollution Prevention and Control Act 1999
 Prevention of Damage by Pests Act 1949
 Private Water Supplies (England) Regulations 2016 (as amended)
 Public Health Acts 1875, 1936 to 1961
 Water Industry Act 1991

50360924 Scientific Officer

Building Act 1984
 Clean Air Act 1993
 Clean Neighbourhoods and Environment Act 2005
 Control of Pollution Act 1974
 Environment Act 1995
 Environmental Permitting (England and Wales) Regulations 2016 (as
 amended)
 Environmental Protection Act 1990
 Licensing Act 2003
 Local Government (Misc. provisions) Acts 1976 and 1982
 Noise Act 1996
 Noise and Statutory Nuisance Act 1993
 Prevention of Damage by Pests Act 1949
 Private Water Supplies (England) Regulations 2016 (as amended)
 Public Health Acts 1875, 1936 to 1961
 Water Industry Act 1991

50360921 Animal Welfare Officer

Animal Boarding Establishments Act 1963
 Animal Health Act 1981
 Animal Welfare Act 2006
 Anti-Social Behaviour, Crime and Policing Act 2014
 Breeding and Sale of Dogs (Welfare) Act 1999
 Breeding of Dogs Act 1973 and 1991
 Clean Neighbourhoods and Environment Act 2005
 Dangerous Dogs Act 1991
 Dangerous Wild Animals Act 1976
 Environmental Protection Act 1990
 Local Government (Misc. Provisions) Acts 1976 and 1982
 Microchipping of Dogs (England) Regulations 2015
 Noise and Statutory Nuisance Act 1993
 Pet Animals Act 1951
 Riding Establishments Act 1964 and 1970
 Zoo Licensing Act 1981

- (l) That the holders of the posts below be authorised to enter land or premises and to carry out any act included in the Prevention of Damage by Pests Act 1949:

50360854 Area Pest Control Officer
 50360855 Area Pest Control Officer

- (m) That the holders of the posts below may issue and serve Notices in respect of the legislation set out below.

50360919 Principal Environmental Health Officer (Health Protection)
50360918 Principal Environmental Health Officer (Environmental Protection)

Animal Boarding Establishments Act 1963
 Animal By-Products (Enforcement) (England) Regulations 2013
 Animal Health Act 1981
 Animal Welfare Act 2006
 Anti-Social Behaviour Act 2003 Part 6 as amended by the Clean Neighbourhoods and Environment Act 2005
 Anti-Social Behaviour, Crime and Policing Act 2014
 Asbestos at Work Regulations 1994
 Asbestos Regulations 1983
 Breeding and Sale of Dogs (Welfare) Act 1999
 Breeding of Dogs Act 1973 and 1991
 Building Act 1984
 Caravan Sites and Control of Development Act 1960
 Clean Air Act 1993
 Clean Neighbourhoods and Environment Act 2005
 Contaminants in Food (England) Regulations 2013
 Control of Asbestos Regulations 2012
 Control of Pollution Act 1974
 Crime and Disorder Act 1998

Criminal Justice and Public Order Act 1994
 Dangerous Dogs Act 1991
 Dangerous Wild Animals Act 1976
 Environment Act 1995
 Environmental Protection Act 1990
 Environmental Permitting (England and Wales) Regulations 2016 (as amended)
 European Communities Act 1972
 Factories Act 1961
 Food and Environmental Protection Act 1988
 Food Information Regulations 2014
 Regulation (EC) 852/2004, 853/2004, 178/2002 – Food Hygiene (England) Regulations 2006
 Food Safety Act 1990 (as amended) and any Orders or Regulations or other statutory instruments made thereunder, or relating thereto, or having effect by virtue of the European Communities Act 1972 and relating to food safety, and any modification or re-enactment of such provisions, including:
 Regulation (EC) 852/2004, 853/2004, 854/2004, , 1169/2011 and 178/2002
 Food Safety and Hygiene (England) Regulations 2013 (as amended).
 General Food Regulations 2004
 Hampshire Act 1983
 Health Act 2006 Part 1 Chapter 1
 Health and Safety Enforcement (Enforcing Authority) Regulations 1998
 Health Protection (Local Authority Powers) Regulations 2010
 Health Protection (Part2A Orders) Regulations 2010
 Home Energy Conservation Act 1995
 Housing Acts 1957 to 2004
 Housing Grants, Construction and Regeneration Act 1996 as amended by the Local Democracy, Economic Development and Construction Act 2009
 Imported Food Regulations 1997
 Licensing Act 2003
 Litter Act 1993
 Local Government and Housing Act 1989
 Local Government (Miscellaneous Provisions) Acts 1976 and 1982
 Meat (Enhanced Enforcement Powers) (England) Regulations 2000
 National Assistance Act 1948
 Natural Mineral Water, Spring Water & Bottled Drinking Water Regulations 2007 (as amended)
 Noise Act 1996
 Noise and Statutory Nuisance Act 1993
 Offices, Shops and Railway Premises Act 1963
 Official Feed and Food Controls (England) Regulations 2007 (as amended)
 Official Controls (Animal, Feed and Food) (England) Regulations 2006
 Official Feed and Food Controls (England) Regulations 2009 (as amended).
 Open Spaces Act 1906
 Pet Animals Act 1951
 Police and Criminal Evidence Act 1984
 Pollution Prevention and Control Act 1999
 Prevention of Damage by Pests Act 1949
 Private Water Supplies (England) Regulations 2016 (as amended)

Public Health Acts 1875, 1936 to 1961
 Public Health (Control of Disease) Act 1984
 Quick Frozen Foodstuffs Regulations 1990
 Redress Schemes for Letting Agency Work and Property Management work
 (Requirements to Belong to a Scheme etc.) (England) Order 2014
 Refuse Disposal (Amenity) Act 1978
 Regulation of Investigatory Powers Act 2000
 Riding Establishments Act 1964 and 1970
 Shops Act 1950
 Smoke and Carbon Monoxide Alarm (England) Regulations 2015
 Sunbeds (Regulation) Act 2010
 Sunday Trading Act 1994
 Trade in Animals and Related Products Regulations 2011
 Transmissible Spongiform Encephalopathies (England) Regulations 2010
 Water Industry Act 1991
 Zoo Licensing Act 1981

50360894 Housing Development and Standards Manager
50360868 Principal Environmental Health Officer (Housing)
 Anti-social Behaviour Act 2003 Part 6 as amended by the Clean
 Neighbourhoods and Environment Act 2005
 Building Act 1984
 Caravan Sites and Control of Development Act 1960
 Clean Air Act 1993
 Clean Neighbourhoods and Environment Act 2005
 Control of Pollution Act 1974
 Crime and Disorder Act 1998
 Criminal Justice and Public Order Act 1994
 Energy Efficiency (Private Rented Sector) (England and Wales) Regulations
 2015 (as amended)
 Environment Act 1995
 Environmental Protection Act 1990
 European Communities Act 1972
 Hampshire Act 1983
 Health Act 2006 Part 1 Chapter 1
 Home Energy Conservation Act 1995
 Housing Acts 1957 to 2004
 Housing and Planning Act 2016
 Housing Grants, Construction and Regeneration Act 1996
 Litter Act 1993
 Local Government and Housing Act 1989
 Local Government (Miscellaneous Provisions) Acts 1976 and 1982
 Mobile Homes Act 2013
 National Assistance Act 1948
 Noise Act 1996
 Noise and Statutory Nuisance Act 1993
 Open Spaces Act 1906
 Police and Criminal Evidence Act 1984
 Prevention of Damage by Pests Act 1949

Protection from Eviction Act 1977
 Public Health Acts 1875, 1936 to 1961
 Public Health (Control of Disease) Act 1984
 Redress Schemes for Letting Agency Work and Property Management work
 (Requirements to Belong to a Scheme etc.) (England) Order 2014
 Refuse Disposal (Amenity) Act 1978
 Regulation of Investigatory Powers Act 2000
 Smoke and Carbon Monoxide Alarm (England) Regulations 2015
 Water Industry Act 1991

50360922 (Senior) Environmental Health Officer (Environmental Protection)
50360923 (Senior) Environmental Health Officer or (Senior) Environmental Protection Officer
50360927 (Senior) Environmental Health Officer (Health Protection)
50360930 (Senior) Environmental Health Officer (Health Protection)
50360931 (Senior) Environmental Health Officer (Health Protection)
50360928 Senior Health Protection Officer

Animal By-Products (Enforcement)(England) Regulations 2013
 Contaminants in Food (England) Regulations 2013
 Food Safety Act 1990 (as amended) and any Orders or Regulations or other statutory instruments made thereunder, or relating thereto, or having effect by virtue of the European Communities Act 1972 and relating to food safety, and any modification or re-enactment of such provisions, including:
 Regulation (EC) 852/2004, 853/2004, 854/2004, , 1169/2011 and 178/2002
 Food Information Regulations 2014
 Food Safety and Hygiene (England) Regulations 2013 (as amended).
 General Food Regulations 2004
 Meat (Enhanced Enforcement Powers) (England) Regulations 2000
 Natural Mineral Water, Spring Water & Bottled Drinking Water Regulations 2007 (as amended)
 Official Controls (Animals, Feed and Food)(England) Regulations 2006
 Official Feed and Food Controls (England) Regulations 2009
 Quick-frozen Foodstuffs Regulations 1990
 Trade in Animals and Related Products Regulations 2011
 Transmissible Spongiform Encephalopathies (England) Regulations 2010

50360922 (Senior) Environmental Health Officer (Environmental Protection)
50360923 (Senior) Environmental Health Officer or (Senior) Environmental Protection Officer
50360927 (Senior) Environmental Health Officer (Health Protection)
50360930 (Senior) Environmental Health Officer (Health Protection)
50360931 (Senior) Environmental Health Officer (Health Protection)
50360925 Environmental Protection Officer
50360924 Scientific Officer
50360932 (Senior) Environmental Health Officer (Housing)

Control of Pollution Act 1974 - Section 60 only

Environmental Protection Act 1990 – Part 3 only
 Clean Neighbourhoods and Environment Act 2005 – Sections 77- 79 only
 Public Health Act 1936 - Section 50 only

- (22) That the following post holders, who are qualified in accordance with the legislation, be appointed as Health and Safety Inspectors under Section 19 of the Health and Safety at Work etc Act 1974 and any other relevant statutory provisions.

50360920 Environmental Health Manager
 50360918 Principal Environmental Health Officer (Environmental Protection)
 50360919 Principal Environmental Health Officer (Health Protection)
 50360927 (Senior) Environmental Health Officer (Health Protection)
 50360930 (Senior) Environmental Health Officer (Health Protection)
 50360931 (Senior) Environmental Health Officer (Health Protection)
 50360922 (Senior) Environmental Health Officer (Environmental Protection)
 50360923 (Senior) Environmental Health Officer or (Senior) Environmental Protection Officer
 50360928 (Senior) Health Protection Officer (Health Protection)

And that they be authorised to advise upon compliance with the legislation set out in the Health and Safety at Work etc. Act 1974 and subordinate legislation made there under and any amendments thereto, to formally notify contraventions of the legislation etc. as necessary, and to issue and serve Notices relating to contraventions of the legislation etc. or Notices seeking information relating to such contraventions, to bring proceedings [or lay information] in accordance with Section 38 of the Health and Safety at Work etc. Act 1974 and to exercise all available powers, including those listed in (a) to (e) below.

- (a) To carry out inspections, investigations and interviews as permitted under the relevant legislation.
- (b) To exercise the rights of entry permitted under the relevant legislation.
- (c) To undertake sampling, detection and seizure of goods and materials as permitted under the relevant legislation.
- (d) To inspect and obtain records as appropriate under the relevant legislation.
- (e) To make such records, sketches, and to take such photographs as are permitted under the legislation.

- (23) That the holders of the following posts who are qualified in accordance with the legislation be appointed as inspectors under the Animal Welfare Act 2006 and any other relevant statutory provisions.

50360920 Environmental Health Manager
 50360918 Principal Environmental Health Officer (Environmental Protection)
 50360919 Principal Environmental Health Officer (Health Protection)
 50360921 Animal Welfare Officer
 50360922 (Senior) Environmental Health Officer (Environmental Protection)
 50360923 (Senior) Environmental Health Officer or (Senior) Environmental Protection Officer
 50360927 (Senior) Environmental Health Officer (Health Protection)
 50360928 (Senior) Health Protection Officer
 50360930 (Senior) Environmental Health Officer (Health Protection)

50360931 (Senior) Environmental Health Officer (Health Protection)

- (24) That the Environmental Health Manager (post holder 50360920) be authorised to request reviews of licences and certificates and to make representations to review hearings, pursuant to the Licensing Act 2003 and any subordinate legislation made thereunder and any amendments thereto.
- (25) That the Principal Environmental Health Officer (Health Protection) (post holder 50360919) be appointed as lead officer under and in accordance with the Food Law Code of Practice (England) 2017 and any amendment thereto.
- (26) To grant and vary licences under the Caravan Sites and Control of Development Act 1960 including appropriate licence conditions, and to authorise the necessary enforcement action under the Mobile Homes Act 2013.
- (27) That the holders of the following posts be nominated as appointed officers in respect of the statutory provisions set out below.

50360920 Environmental Health Manager

50360918 Principal Environmental Health Officer (Environmental Protection)

50360921 Animal Welfare Officer

50360928 Senior Health Protection Officer

Section 149(1) of the Environmental Protection Act 1990

Regulation 11(2) of the Microchipping of Dogs (England) Regulations 2015.

- (28) That the Head of Housing and Environmental Health (where required, in consultation with the Portfolio Holder for Housing and Environmental Health) be authorised to approve requests for Designated Protection Area waivers in the circumstances set out in the table below:

Delegation Framework for formal support for DPA Waiver			
Type of Scheme	Decision	Reason	Delegated to
HARAH and Rural Exception Sites	Refuse	COM8 seeks affordable homes in perpetuity.	Head of Housing and Environmental Health
COM 9 sites (Community Led Development)	Refuse save in exceptional circumstances where it can be agreed SUBJECT TO inclusion of rural buy back clause upon stair-casing to 100% to the Council or its nominated provider.	COM9 seeks affordable homes in perpetuity but consideration to be given to availability of mortgage funding and viability of scheme	Head of Housing and Environmental Health in consultation with Portfolio Holder and Parish Council
MDA sites and Planned Urban Extension (e.g. Picket Twenty, Smannell) [previously designated as rural and included in DPA but now classed as urban where these restrictions would not apply]	Agreed	Planned urban extension – proposed development indicates shared ownership could be re-provided.	Head of Housing and Environmental Health
Permitted development sites in Rural Villages	Review on a site by site basis	COM7 – no requirement for perpetuity but consideration to be given to availability of further affordable homes, availability of mortgage funding and viability of scheme.	Head of Housing and Environmental Health in consultation with Portfolio Holder and Parish Council
Resale of existing restricted shared ownership home	Review on case by case basis	Ability of shared owners to sell the property at the restricted percentage and availability of mortgage funding	Head of Housing and Environmental Health in consultation with the Portfolio Holder and Parish Council
Any other requests for exemptions other than above	Review on a site by site basis	Consideration to be given for the reason for the request, availability of future affordable homes, mortgage funding and viability of scheme	Head of Housing and Environmental Health in consultation with Portfolio Holder and Parish Council

Delegation to Head of Legal and Democratic Services

Legal and Other Proceedings

- (1) The institution, prosecution, amendment or termination of any proceedings, which the Council is empowered to undertake, in or before any court, tribunal or inquiry.
- (2) The defence or settlement of any proceedings brought against the Council.
- (3) The taking of any action incidental or conducive to or which would facilitate any action under (1) or (2) above.
- (4) The obtaining of Counsel's opinion on any matter.

Notices

- (1) The issue of Notices on behalf of the Council under Section 112 of the Road Traffic Regulation Act 1984, requiring information to be given as to the identity of a driver alleged to be guilty of an offence.
- (2) The issue of Notices under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 and Section 330 of the Town and Country Planning Act 1990 where he/she deems it necessary to secure information about land to enable the Council to exercise its functions.

Miscellaneous

- (1) In all cases where a mortgagor is three months in arrears with payments under the mortgage, to obtain possession of the property and arrange for its sale and the recovery of all monies owed to the Council.
- (2) To give approval to the carrying out of all works to properties which are the subject of small dwellings mortgages or housing act advances provided the security of the Council is not thereby adversely affected.
- (3) To sign releases of mortgages granted by the Council provided such repayment has been made.
- (4) To make applications under Section 47 of the National Assistance Act 1948 and Section 1 of the National Assistance (Amendment) Act 1951 upon receiving representations from the Proper Officer.
- (5) To recover the cost of works in default under Section 193 and Schedule 10 of the Housing Act 1985 relating to repairs to privately rented dwellings.
- (6) To sign a waiver relating to House Renovation Grants limiting repayment to the nominal sum of 5p in the event of the lender having to exercise its power of sale subject to the payment to the Council of any proceeds of sale held by the lender after full repayment of outstanding mortgage debt and proper costs to a maximum of the grant repayment.

- (7) To transfer open space, landscaping and recreational facilities on private residential developments by way of adoption subject to the developer paying a capital sum for maintenance calculated by the Head of Community and Leisure Services and to the landscaping, open space or recreational facilities being completed to the satisfaction of the Head of Community and Leisure Services.
- (8) To enter into agreements in respect of applications to retain and maintain trees, shrubs, plants or grass in part of a highway verge.
- (9) To sign notices, orders or other documents made or issued by the Council.
- (10) To close streets for public processions, rejoicings or illuminations under Section 21 of the Town Police Clauses Act 1847.
- (11) After consultation with the Chairman of the appropriate Development Control Committee, to lodge an objection or representation as to the imposition of conditions on an application for an Operator's Licence in those cases where the operating centre would be unsuitable for use as such on environmental grounds in accordance with the provisions of the Goods Vehicles (Licensing of Operators) Act 1995.
- (12) To authorise the postponement of the Council's discount charge relating to former Council houses.
- (13) To complete legal agreements or legal charges pursuant to the Private Sector Housing Renewal Policy and to register such documents as appropriate at HM Land Registry.
- (14) To authorise the postponement of a legal charge created pursuant to the Private Sector Housing Renewal Policy.
- (15) To amend the listings of the Council's Publication Scheme produced in accordance with the Freedom of Information Act 2000, within the existing Information Classes.
- (16) To update the Data Protection Policy (DPP) as and when required.
- (17) To make minor amendments to the Corporate Surveillance Policy where they relate to changes in the legislation, directions or recommendations from an inspector appointed by the Office of the Surveillance Commissioner, or guidance from the Home Office.
- (18) To authorise Authorising Officers pursuant to the Corporate Surveillance Policy.
- (19) To establish an Independent Review Panel for a period of four years to review Members' Allowances and to pay consultancy fees to the Chairman of the Panel.
- (20) To authorise reimbursement of the cost of accommodation booked directly by Members in excess of the approved allowance in exceptional circumstances pursuant to the Members' Allowance Scheme.
- (21) To approve payments to co-opted Members pursuant to the Members' Allowance Scheme.

- (22) In consultation with the Chairman of General Purposes Committee, to grant dispensations to Members of Test Valley Borough Council in respect of Personal Interests in accordance with General Purposes Committee 6 January 2014 Minute 221 and to report such dispensations to the next meeting of the General Purposes Committee.
- (23) The holders of the following posts be authorised to grant dispensations to Members of Test Valley Borough Council pursuant to section 33(2)(a), (b) and (d) of the Localism Act 2011.
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|----------|---------------------------------------|
| 50361323 | Head of Legal and Democratic Services |
| 50361465 | Legal Services Manager (Corporate) |
| 50361468 | Legal Services Manager (Planning) |
| 50361467 | Principal Solicitor |
- (24) To convene meetings of working parties, panels and other meetings in which members are involved.
- (25) Following consultation with the Leader, to approve the attendance of Members at conferences and meetings including the payment of travelling and subsistence allowances.
- (26) In consultation with the Corporate Portfolio Holder, to appoint individuals to parish, town and community councils should circumstances mean that they are no longer quorate.
- (27) To amend the Licensing Committee and Sub-Committee Procedure Rules to give effect to legislative changes.
- (28) To determine all applications and decide all other matters in relation to the licensing functions set out in the Licensing Act 2003 and any amending legislation, save for those applications and matters expressly excluded from delegation to officers by that legislation.
- (29) To determine applications made pursuant to the Licensing Act 2003 and any amending legislation where the holding of a hearing has been dispensed with in accordance with Regulations made thereunder.
- (30) To reject representations under the Licensing Act 2003 or Gambling Act 2005 which he/she considers to be vexatious, frivolous or repetitious.
- (31) To make recommendations under the Licensing Act 2003 as to the restriction of admission of children to non-classified films, or a particular classified film, save always to his/her discretion to refer a film to a Licensing Sub-Committee for determination of the appropriate recommendation.
- (32) To serve Closure Notices under Section 19 of the Criminal Justice and Police Act 2001 in respect of premises used for the unlicensed sale of alcohol and to take action for the enforcement, cancellation and termination of such notices pursuant to Sections 19-28 of that Act.

- (33) To determine all applications and decide all other matters in relation to the licensing functions set out in the Gambling Act 2005 and any amending legislation, save for those applications and matters expressly excluded from delegation to officers by that legislation.
- (34) To determine applications made pursuant to the Gambling Act 2005 and any amending legislation where the holding of a hearing has been dispensed with in accordance with Regulations made thereunder.
- (35) To determine applications for Licensed Premises Gaming Machine Permits; Club Gaming Permits, Club Machine Permits, Prize Gaming Permits, and Small Lottery Registrations.
- (36) To cancel or vary Licensed Premises Gaming Machine Permits.
- (37) To revoke a Small Lottery Registration.
- (38) To remove automatic entitlement to gaming and/or to two gaming machines on alcohol licensed premises.
- (39) To administer the Hypnotism Act 1952 including the institution of proceedings for breaches of the Act and Section 12 of the Local Government (Miscellaneous Provisions) Act 1982.
- (40) To issue licences under Section 2 of the House-to-House Collections Act 1939, as amended after suitable attempts at liaison and after making such enquiries as may be necessary.
- (41) To allocate street collections.
- (42) To determine applications for sex establishment licences save for where objections to the grant, transfer or renewal of a licence have been received.
- (43) To grant, with or without conditions, or refuse applications for a licence to place tables and chairs on the highway in accordance with the Highways Act 1980, including the suspension of such licences.
- (44) To amend the scheme for the Licensing of Tables and Chairs on the highway, save for any significant amendments which shall be referred to the Cabinet.
- (45) In consultation with the Corporate Portfolio Holder, to approve increases in Hackney Carriage fares.
- (46) To issue, suspend, revoke or refuse hackney carriage and private hire licences under the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 and to issue notices exempting private hire vehicles from displaying the private hire vehicle plate under the provision of Section 75(3) of the Act.
- (47) To depart from Standard Private Hire Vehicle Licence Conditions regarding vehicle signage upon grant or renewal of a licence in any individual case where he/she considers it appropriate to do so.

- (48) To determine all applications and decide all other matters in relation to the licensing functions set out in the Scrap Metal Dealers Act 2013 and any amending legislation, save for the hearing of representations in cases involving the refusal, revocation or variation of a licence.
- (49) That the holders of the following posts be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto set out in the:
- Gambling Act 2005
 - Health Act 2006 Part 1 Chapter 1 (insofar as they relate to fixed penalty notices and associated matters pertaining to the smoke free requirements)
 - House to House Collections Act 1939
 - Hypnotism Act 1952
 - Licensing Act 2003
 - Local Government (Miscellaneous Provisions) Acts 1976 and 1982
 - Police, Factories Etc. (Miscellaneous Provisions) Act 1916
 - Public Health Acts 1875 and 1936
 - Scrap Metal Dealers Act 2013
 - Town Police Clauses Acts 1847 and 1889
- | | |
|----------|---|
| 50361447 | Licensing Manager |
| 50361451 | Senior Licensing and Local Land Charges Officer |
| 50361449 | Licensing and Local Land Charges Assistant |

Delegation to Head of Planning and Building Services

- (1) To make decisions on all applications, notifications, consultations, negotiations, serving of notices, and other activities carried out under Town and Country Planning legislation, which are delegated to Head of Planning and Building Services, except as follows:-
- (a) Applications which are contrary to the provisions of an approved or draft development plan or other statement of approved planning policy where adverse representations have been received and which is recommended for approval.
 - (b) Applications (excluding notifications) where a Member requests in writing, with reasons and within the Application Publicity Expiry Date, that they be submitted to Committee. A Member can withdraw this request at any time prior to the determination of the application to enable its determination under delegated powers.
 - (c) Applications submitted by or on behalf of the Council, or any company in which the Council holds an interest, for its own developments except for the approval of minor developments.

- (2) To determine applications (excluding applications for advertisement consent, certificates of lawfulness, listed building consent, and applications resulting from the withdrawal by condition of domestic permitted development rights; Schedule 2, Part 1, Classes B, C, D, E, F, G, and H of the Town and Country Planning (General Permitted Development) (England) Order 2015 or as amended) on which a material planning objection(s) has been received within the Application Publicity Expiry Date and which cannot be resolved by negotiation or through the imposition of conditions and where the officer's recommendation is for approval, following consultation with the Ward Members, the latter having the right to request that the application be reported to Committee for decision.
- (3) To allocate and release Section 106 developer contributions for external projects up to a maximum of £25,000.00 per project, following consultation with the relevant Ward Members, Portfolio Holder and Head of Finance.
- (4) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Planning and Building from time to time, be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto, as set out in the:

Anti-Social Behaviour Act 2003, Part 8
 Environment Act 1995
 Forestry Act 1967
 Planning (Hazardous Substances) Act 1990
 Planning (Listed Building and Conservation Areas) Act 1990
 Town and Country Planning Act 1990

50361136	Head of Planning and Building Services
50361139	Development Manager
50361140	Development Manager
50361200	Principal Planning Officer
50361216	Principal Planning Officer
50361212	Senior Planning Officer
50361213	Senior Planning Officer
50361217	Senior Planning Officer
50361218	Senior Planning Officer
50649303	Senior Planning Officer
50649304	Senior Planning Officer
50361330	Senior Planning Officer
50361204	Planning Officer
50361219	Planning Officer
50361220	Planning Officer
50360949	Planning Officer
50361201	Planning Assistant
50361202	Planning Assistant
50361203	Planning Assistant
50361222	Planning Assistant
50361226	Planning Assistant
50361246	Planning Enforcement Manager
50381163	Enforcement Officer

50361248 Enforcement Officer
 50361249 Enforcement Officer
 50361250 Enforcement Officer
 50361063 Team Leader (Trees)
 50361064 Arboricultural Officer
 50361065 Arboricultural Officer
 50361020 Team Leader (Design and Conservation)
 50361022 Conservation Officer
 50361066 Senior Landscape Architect
 50361067 Landscape Officer

- (5) To issue notices pursuant to Sections 171C (Planning Contravention Notices) and 330 (Power to require information as to interests in land) of the Town and Country Planning Act 1990 (as amended).
- (6) That the following postholders, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Planning and Building from time to time, be authorised to issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000.
- 50361139 Development Manager
 50361140 Development Manager
- (7) To discharge any of the Council's functions pursuant to the Anti-Social Behaviour Act 2003 Part 6 as amended by the Clean Neighbourhoods and Environment Act 2005 insofar as it relates to graffiti and fly posting.
- (8) To discharge any of the Council's functions pursuant to the Clean Neighbourhoods and Environment Act 2005 Part 2 insofar as it relates to nuisance parking and Part 4 insofar as it relates to graffiti, fly posting and advertisements.
- (9) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Planning and Building from time to time, be authorised:
- (a) To give fixed penalty notices pursuant to the legislation set out below and any subordinate legislation made thereunder and any amendments thereto.
- (b) To enter land or premises and to carry out any act included in the legislation set out below and any subordinate legislation made thereunto and any amendments thereto.

Anti-social Behaviour Act 2003 Part 6 (insofar as it relates to graffiti and fly posting)
 Clean Neighbourhoods and Environment Act 2005 Part 2 (insofar as it relates to nuisance parking) and Part 4 (insofar as it relates to graffiti and fly posting and advertisements).

50361246 Planning Enforcement Manager
 50381163 Enforcement Officer
 50361248 Enforcement Officer
 50361249 Enforcement Officer
 50361250 Enforcement Officer

- (10) To approve with or without conditions, or to reject, plans under Building Regulations.
- (11) To serve notices in respect of demolitions and dangerous structures.
- (12) To determine applications for relaxation of Building Regulations and, subject to being satisfied, to issue approval and report thereon to the next meeting of the relevant Development Control Committee.
- (13) To serve notices under Section 25 of the Land Drainage Act 1991.
- (14) To authorise proceedings under Sections 35 and 35A of the Building Act 1984.
- (15) To serve notices in connection with building works requiring either removal or alteration in accordance with Section 36 of the Building Act 1984.
- (16) To appoint consultants to undertake professional services on schemes included in approved capital or revenue estimates.
- (17) To be designated the “Appointing Officer” in accordance with Section 30 of the Party Wall etc. Act 1996.
- (18) In consultation with the Head of Finance, to set the levels of charges for building regulation applications.
- (19) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Planning and Building from time to time, who are qualified in accordance with the legislation are authorised to enter land or premises and to carry out any act included in the Building Act 1984 and the Land Drainage Act 1991 and subordinate legislation made thereunder and any amendments thereto:
 - 50361232 Building Control Manager
 - 50361234 Area Building Control Surveyor
 - 50361235 Area Building Control Surveyor
 - 50361236 Area Building Control Surveyor
 - 50361233 Area Building Control Surveyor
 - 50361237 Area Building Control Surveyor
 - 50361238 Technical Assistant
- (20) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Planning and Building from time to time, be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto:
 - Fire Safety and Safety of Places of Sport Act 1987
 - Hypnotism Act 1952
 - Licensing Act 2003
 - Local Government (Miscellaneous Provisions) Acts 1976 and 1982
 - Town Police Clauses Acts 1847 and 1889
 - Public Health Acts 1875 and 1936
 - 50361232 Building Control Manager

50361233	Area Building Control Surveyor
50361234	Area Building Control Surveyor
50361235	Area Building Control Surveyor
50361236	Area Building Control Surveyor
50361237	Area Building Control Surveyor
50361238	Technical Assistant

- (21) To adjust and change charges for pre-application advice should the need arise including taking account of any changes in fee regulations or other legislation and the need for charging not to exceed the cost of service provision.
- (22) To issue updates of the Local Information Requirements Descriptions document as and when appropriate.
- (23) To make decisions on:
- The making of provisional tree preservation orders; and to vary, modify or revoke such orders.
 - The confirmation (with or without modifications) of tree preservation orders where no objections have been received or all objections which may have been received have been withdrawn.
 - Decisions on action to be taken following service of notice on the Council under Section 211 of the Town and Country Planning Act 1990.
 - All related applications, notices and matters under the Town and Country Planning Act 1990 as amended and regulations made thereunder.
 - Matters and activities under relevant sections of the Environment Act 1995 and the Forestry Act 1967 and regulations made thereunder.
 - All notifications, consultations, negotiations, serving of Notices, and other activities under the Planning (Listed Buildings and Conservation Areas) Act 1990 and regulations made thereunder.
- (24) To determine what action should be taken, if any, in relation to notices received pursuant to Section 23 Local Government (Miscellaneous Provisions) Act 1976 (power of local authorities to deal with dangerous trees) and to instruct the Head of Legal and Democratic Services to take such steps as he/she (Head of Planning and Building Services) considers appropriate in cases where, in the opinion of the Head of Planning and Building Services, significant public benefit furthering the Council's corporate objectives and priorities would result from such steps.
- (25) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Planning and Building from time to time, be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto as set out in the:
- Local Government (Miscellaneous Provisions) Act 1976
- | | |
|----------|------------------------|
| 50361063 | Team Leader (Trees) |
| 50361064 | Arboricultural Officer |
| 50361065 | Arboricultural Officer |
- (26) To deal with and determine all complaints and issue any notices in relation to high hedges pursuant to Part 8 of the Anti-Social Behaviour Act 2003.

Delegation to Head of Planning Policy and Economic Development

- (1) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Chief Executive from time to time, be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto, as set out in the:
- Planning (Listed Building and Conservation Areas) Act 1990
Town and Country Planning Act 1990
- | | |
|----------|--|
| 50361050 | Head of Planning Policy and Economic Development |
| 50361059 | Principal Planning Officer (Strategy) |
| 50361056 | Principal Planning Officer (Delivery) |
| 50361062 | Senior Planning Officer |
| 50361061 | Planning Officer |
| 50813751 | Planning Officer (Delivery and Neighbourhood Planning) |
| 50895958 | Planning Officer (Delivery) |
- (2) In consultation with the Economic Development and Tourism Portfolio Holder and Planning Portfolio Holder, to apply for other Community Transport Schemes to be encompassed within the Concessionary Travel Scheme including Dial-a-Ride Service.
- (3) In respect of Neighbourhood Plans (including proposals for such plans):-
- (i) To determine all matters relevant to the publication, designation and amendment of the Neighbourhood Area pursuant to Part 2 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”);
 - (ii) In consultation with the Planning Portfolio Holder, to submit the Local Planning Authority’s pre-submission consultation response;
 - (iii) Upon receipt of the draft Neighbourhood Plan, to check the submitted Plan meets the legislative requirements, secure the publication of the Neighbourhood Plan proposal;
 - (iv) In consultation with the Planning Portfolio Holder, to submit the Local Planning Authority’s submission consultation response ;
 - (v) Appoint a person to carry out an examination of the Neighbourhood Plan and submit the Plan for examination pursuant to the Regulations;
 - (vi) In consultation with the Planning Portfolio Holder, to determine what action to take following receipt of the Examiners Report (including what modifications, if any, are to be made to the Plan and whether to allow the Plan to proceed to a referendum in accordance with the Regulations);
 - (vii) To publish the Examiner’s report and the Council’s decision statement in accordance with the Regulations;
 - (viii) Where appropriate, to arrange a referendum to consider the Neighbourhood Plan;

- (ix) If approved by the referendum, to make the Neighbourhood Plan , Issue the decision statement and publicise the Neighbourhood Plan in accordance with the Regulations.
- (4) To monitor and review the Council's commitments under the Climate Local Scheme.
- (5) In consultation with the Economic Development and Tourism Portfolio Holder and the Head of Finance, to have authority to issue Business Incentive Grants of £500 to each qualifying persons.
- (6) Day-to-day control and management of Council tourism facilities and associated activities an events provided by the Council.
- (7) In consultation with the Economic Development and Tourism Portfolio Holder, to award grants from the £500,000 Section 106 contribution obtained from the developer of Andover Business Park.

Head of Property and Asset Management Service

- (1) To enter into licences for the assignment of leases and for sub-letting or under letting.*
- (2) To grant consent for the change of use of Council premises where such consent is necessary under the provisions of the lease and appropriate.*
- (3) In consultation with the Head of Finance, to authorise the lettings of Council property where the rent does not exceed £150,000 per annum.*
- (4) To authorise rent reviews and renewals of leases.
- (5) To be responsible for all aspects of overall Estate Management in relation to Council-owned properties, including the authorisation of proceedings against Council tenants for rent arrears or any other breach of lease covenants including forfeiture.
- (6) To be responsible for conducting negotiations on the Council's behalf in relation to the sale or acquisition of any property.
- (7) To select tenants for the Walworth Enterprise Centre and to grant them licences to occupy and to terminate their occupations if they do not prove suitable and to manage the Centre including contract cleaning, repairs/maintenance/alteration up to a value laid down by the Council from time to time, and the collection of rent/rate and gas/electricity bills.
- (8) To grant consent for alterations and additions to premises to tenants of Council sites and buildings.*
- (9) To authorise variations to the terms of leases, licences, easements, wayleaves, covenants, acceptance of surrenders and any other legal arrangement where the consideration for the variation does not exceed £50,000.00 per annum or a premium payment of £150,000.00 and where the Council's economic or financial interest is not harmed or disadvantaged.*

- (10) To give approval to applications from firms on the industrial estates to sublet, for periods of 21 years or less, small parts of their sites to electricity suppliers for substation sites to serve the firm's premises.
 - (11) To agree the siting of electricity substations and gas governors with the appropriate authorities subject to the usual rent terms and, if necessary, contributions payable either in respect of screening and/or fencing, and to grant the relevant leases.
 - (12) To sell sites to electricity suppliers for use as electricity substation sites.
 - (13) To grant wayleaves to statutory undertakers and other third parties over and under land owned by the Council.*
 - (14) To invite and accept tenders and negotiate suitable terms for the temporary use of any suitable area of land for hay crops and arable land and grant suitable short term licences and Farm Business Tenancies.
 - (15) To review mowing, grazing licences, agricultural tenancies and farm business tenancies for further temporary periods.
 - (16) To grant easements in, over or through Council land on terms to be agreed by the officers subject to consultation with other departments where appropriate.*
 - (17) To let market pitches (save those administered by the Head of Community and Leisure) in accordance with the Council's policy, and the administration of markets, including the application process, setting of fees and granting of concessions, and the termination and determination of the conditions to be attached to lettings.
 - (18) To serve Notice to Quit on market stallholders if they are not conforming with the terms of their Agreement.
 - (19) To be the Authorised Market Officer for the purposes of the Food and Environment Act 1985 and any statutory enactment and to be responsible for all aspects of administering markets in Andover.
 - (20) In consultation with the Finance Portfolio Holder and the Head of Finance, to dispose of land where the consideration is £75,000.00 or less.*
 - (21) In consultation with the Finance Portfolio Holder and the Head of Finance, to authorise the acquisition or taking the letting of land and/or premises subject to the purchase price or annual rent per annum not exceeding £75,000.00.
 - (22) To grant licences for temporary/short-term works on Council-owned land.*
- * In the case of delegations (1), (2), (3), (8), (9), (13), (16), (20), and (23) above, any transaction involving the possible installation of one or more telecommunications masts and/or associated ancillary equipment on Council-owned land or buildings shall be referred to the Council's Cabinet for consideration and approval.
- (23) In consultation with the Head of Finance, to approve appropriations between relevant function areas and statutory holding powers, except where public notice of the proposed appropriation is required and objections are received.

- (24) To exercise the powers and duties of the Council under the Landlord and Tenant (Covenants) Act 1995.
- (25) In consultation with the Head of Legal and Democratic Services, to approve occupation of Council-owned premises by a third party in the absence of completed formal documentation in cases of emergency.
- (26) Subject to the Council's Financial Regulations and Contract Standing Orders, to be responsible for the appointment of external consultants to advise and/or act for the Council in negotiations and/or transactions relating to any of the above matters.
- (27) In consultation with the Head of Planning and Building Services, to give consent to advertise on Council-owned property on such terms as he/she considers appropriate provided there is no cost to the Council and that the Head of Planning and Building Services be consulted before any advertisement is displayed by the Council.
- (28) In consultation with the Head of Community and Leisure Services, to issue licences for temporary buildings.
- (29) To permit the display of banners on Council buildings.
- (30) To let the Crosfield Hall, Romsey; Rendezvous, Andover; Upper Guildhall, Andover; and meeting rooms at Beech Hurst, Andover in accordance with the Council's booking policy.
- (31) In conjunction with the Human Resources Manager, to employ Premises Management staff on appropriate contracts up to a maximum of 2600 hours per annum in the north and 3000 hours per annum in the south.
- (32) To approve monuments and statues on highway land, after appropriate consultations and subject to the approval of the Highway Authority.
- (33) To buy electric, gas and water from the most competitive provider for the sites we own and operate.
- (34) In consultation with a panel of Members (appointed by Council, consisting of 5 Members, with a quorum of 3 Members for each decision), to consider property investments and authorise expenditure from a pre-approved capital budget allocation.
- (35) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Property and Asset Management Services from time to time, be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto, as set out in the:

Planning (Listed Building and Conservation Areas) Act 1990
 Town and Country Planning Act 1990

50361073 Engineering and Transport Manager
 50361127 Senior Transport Engineer

50361129 Transport Engineer
50361130 Transport Engineer

- (36) To implement transport capital programmes.
- (37) General day-to-day operation of the Transport Services.
- (38) To install refuse or storage bins in streets under Section 185 of the Highways Act 1980.
- (39) To appoint consultants to undertake professional services on schemes included in approved capital or revenue estimates.
- (40) To select contractors for invitation to tender for approved schemes including those for principal authorities for which the Council acts as an agent in accordance with the Council's or the principal authority's procedures or Standing Orders as appropriate.
- (41) In consultation with the Head of Legal and Democratic Services, to enter into Agreements under Section 278 of the Highways Act 1980 with the Highway Authority to allow Test Valley Borough Council Capital Programme schemes on the Highway to be constructed.
- (42) To operate the Hampshire County Council/Test Valley Borough Council Agency Agreement for the enforcement of parking control.
- (43) To permit the use of car parks during charging hours for events of a charitable or non-profit making nature subject to consultation with the Finance and Planning Portfolio Holders.
- (44) To permit the use of the car parks outside the charging hours for events of a charitable or non-profit making nature.
- (45) To allow space within a car park to be used for the convenience of the public at large on such terms and conditions as he/she considers appropriate including the making of an appropriate charge and requiring suitable indemnity.
- (46) To negotiate agreements for advertising on car park tickets, ticket machine shelters and bus shelters on terms and conditions as he/she considers appropriate.
- (47) In consultation with the Head of Community and Leisure Services, to set an appropriate maximum duration of stay for non-permit holders using Leisure Centre Car Parks.
- (48) To authorise persons to act as Civil Enforcement Officers (Parking Attendants) under the Traffic Management Act 2004 and Section 63A of the Road Traffic Regulation Act 1984 and to undertake the functions of a Civil Enforcement Officer (Parking Attendant) under the provisions of those Acts together with the Road Traffic Act 1991 and any other enactment and any subordinate legislation made thereunder and amendments thereto.

- (49) To request information as to the identity of a driver of a vehicle where there is an alleged offence committed in relation to an Off Street Parking Places Order or Traffic Regulation Order pursuant to Section 112 of the Road Traffic Regulation Act 1984.
- (50) To instruct enforcement agents in connection with the recovery of unpaid parking debts.
- (51) To make changes to the Parking Enforcement Policy and Guidance in response to changes in legislation or operational procedures.
- (52) To determine Penalty Charge Notice appeals including appeal decisions, resetting of 14 day discount rates and/or removal of surcharges.
- (53) To determine if a penalty charge or parking permit debt is uncollectible and to write off such debts.
- (54) To discharge the functions given under the Traffic Management, Development Management and Capital Schemes Agency Agreement including the making and confirmation as appropriate of temporary and permanent Traffic Regulation Orders.
- (55) In consultation with the Planning Portfolio Holder, to make amendments to Off Street Parking Places orders by the making of a new order or the suspension of an old order in response to changes in legislation, guidance or operational reason other than changes to parking tariffs and maximum stay limits.
- (56) In consultation with the Planning Portfolio Holder, to consider objections to Traffic Regulation Orders and to decide whether the Order, as advertised or with amendments, be made/confirmed.
- (57) In consultation with the Head of Finance, to set the levels of charges for Traffic Regulation Orders with the objective of recovering the costs of making the Order.
- (58) To consider and implement the renumbering of houses and the naming and renaming of streets in accordance with the Council's policy.

Delegation to Head of Revenues

- (1) To deal with all matters connected with the administration of Council Tax, Business Rates, Housing and Council Tax Benefits, and Council Tax Support excepting such matters as are expressly reserved by legislation for the Council to determine.
- (2) In consultation with the Finance Portfolio Holder, to approve Discretionary Rate Relief.
- (3) To require a Valuation Officer to apportion the value of partly occupied non-domestic hereditaments under Section 44A, Local Government Finance Act 1988.
- (4) To take all actions he/she considers appropriate for recovery of Council debts.

- (5) To impose a civil penalty.
- (6) To reject an individual's appeal against liability and to pass the appeal to the Valuation Tribunal.
- (7) To recover an overpayment of Housing or Council Tax Benefit.
- (8) To back date an application for Housing Benefit or Council Tax Support.
- (9) To grant discretionary housing payments to customers in receipt of Housing Benefit or Universal Credit.
- (10) To grant hardship relief.
- (11) To authorise an Administrative Penalty in cases of an apparent fraudulent claim for Housing and/or Council Tax Benefit.
- (12) To insert advertising materials with Council Tax demands at his/her discretion.
- (13) To grant rate relief in accordance with the policy with a right of appeal to the Cabinet.
- (14) In consultation with the Head of Finance, to set the Council Tax Base for the Test Valley area.
- (15) That the following post holders be authorised to issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000.
50681547 Head of Revenues
- (16) That the following officers be authorised under Section 223 Local Government Act 1972 to appear on behalf of the Authority before a Magistrates Court in connection with Rating and Council Tax matters:
50361481 Revenues & Welfare Manager
50361484 Revenues & Welfare Compliance Officer
50361485 Revenues & Welfare Compliance Officer
50361550 Revenues & Welfare Compliance Officer
50361536 Revenues & Welfare Team Leader
50361539 Revenues & Welfare Team Leader
50361482 Revenues & Welfare Team Leader
- (17) In consultation with the Head of Finance and the Finance Portfolio Holder, to approve the annual National Non Domestic Rates returns to Central Government.
- (18) In consultation with the Head of Finance and the Finance Portfolio Holder, to make routine amendments to the Local Council Tax Support Scheme where necessary in light of legislative change to Council Tax Support, welfare benefits and other related legislation.
- (19) In consultation with the Finance Portfolio Holder, to add new Discretionary Rate Reliefs into the Discretionary Rate Relief Policy where (a) such new relief is fully funded by government (including any cost of implementation) and (b) there is clear guidance as to which businesses are eligible for the relief.

ITEM 17 Eastleigh Borough Council/Test Valley Borough Council Liaison Group

Report of the Corporate Portfolio Holder

Recommended:

That Councillors Bundy, A Dowden, Finlay and Hatley be appointed to the Eastleigh Borough Council/Test Valley Borough Council Liaison Group.

SUMMARY:

- The Borough Council has had a joint arrangement with Eastleigh Borough Council for many years to consider matters of mutual interest. It is necessary to appoint members to this Liaison Group.

1 Background

1.1 Councillors Bundy, A Dowden, Finlay and Hatley were appointed to serve on this Liaison Group in 2019/20.

2 Corporate Objectives and Priorities

2.1 The joint arrangements provide for the discharge of a Council function which contributes to the Council’s Corporate Objectives.

3 Conclusion

3.1 That four Members be appointed to the Liaison Group.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	0	File Ref:	N/A
(Portfolio: Corporate) Councillor T Tasker			
Officer:	Karen Dunn	Ext:	8401
Report to:	Cabinet	Date:	17 June 2019

ITEM 18 Partnership for Urban South Hampshire (PUSH)

Report of the Corporate Portfolio Holder

Recommended:

That the Planning Portfolio Holder be appointed to the Partnership for Urban South Hampshire Committee.

SUMMARY:

- The Borough Council has had a joint voluntary agreement with ten other local authorities across South Hampshire to deliver regeneration of the core urban areas in the south Hampshire sub-region.
- It is necessary to appoint a member to the Joint Committee.

1 Background

- 1.1 The Cabinet needs to address the appointment of a Councillor to serve on the Joint Committee.

2 Resource Implications

- 2.1 There are no resource implications other than travel costs.

3 Corporate Objectives and Priorities

- 3.1 The joint arrangements provide for the discharge of a Council function which contributes to the Council's Corporate Objectives.

4 Conclusion

- 4.1 It is recommended that the Planning Portfolio Holder be appointed to the Joint Committee in accordance with the agreement.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	0	File Ref:	N/A
(Portfolio: Corporate) Councillor T Tasker			
Officer:	Karen Dunn	Ext:	8401
Report to:	Cabinet	Date:	17 June 2019

ITEM 19 Scrap Metal Dealers Hearing Sub-Committee

Report of the Corporate Portfolio Holder

Recommended:

That the membership of the Scrap Metal Dealers Hearing Sub-Committee consist of three members drawn by the Head of Legal and Democratic Services from the membership of the Cabinet.

SUMMARY:

- To establish a Sub-Committee to deal with hearing representations regarding applications for Scrap Metal Dealers Licences.

1 Background

1.1 At its January 2014 meeting (Minute 238 of 15 January 2014 refers), Cabinet agreed to establish a Scrap Metal Dealers Hearing Sub-Committee. As a result it was also agreed:

- a) That a Committee of the Cabinet be established for the purposes of hearing representations regarding an application for a Scrap Metal Dealers Licence, and that such a Committee consist of three members drawn by the Head of Legal and Democratic Services from the membership of the Cabinet.
- b) That in the event of a member selected becoming unavailable, the Head of Legal and Democratic Services is authorised to select a replacement from the membership of the Cabinet.
- c) That the Committee undertake any hearing in accordance with the Procedure Rules attached as an Annex to the report to the Sub-Committee, subject to the Rules being amended to provide for the appointment of a Chairman by the Committee.

2 Conclusion

2.1 Cabinet is asked to re-confirm the membership of the Scrap Metal Dealers Hearing Sub-Committee on the basis set out above.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	0	File Ref:	N/A
(Portfolio: Corporate) Councillor T Tasker			
Officer:	Karen Dunn	Extension:	8401
Report to:	Cabinet	Date:	17 June 2020

ITEM 20 Release of developer contributions towards securing access to Home Wood

Report of the Planning Portfolio Holder

Recommended:

- 1. That existing Section 106 developer contributions secured for the delivery of the Forest Park be used to deliver and manage public access of Home Wood.**
- 2. That any future Section 106 developer contribution related to New Forest mitigation arising from planning permission granted for residential development at Park Farm, Stoneham (Policy COM5) be used to deliver and manage public access of Home Wood.**
- 3. That the developer contributions outlined in recommendations 1 and 2 are transferred to Eastleigh Borough Council as lead authority in the delivery of Home Wood.**

SUMMARY:

- This report sets out the proposed release of developer contributions to Eastleigh Borough Council to help deliver public access to Home Wood, part of the Forest Park allocation contained within the Revised Local Plan (2016).

1 Introduction

- 1.1 This paper proposes that the Council provides financial support, through the use of developer contributions, to Eastleigh Borough Council to enable the delivery of Home Wood, an area of the Forest Park allocation.

2 Background

- 2.1 As part of the Revised Local Plan (RLP) five areas of woodland were allocated for a Forest Park (Policy LHW3). This proposal was supported by the Council's Forest Park Implementation Plan (2014). The Forest Park is a long standing proposal of sub regional significance. Its value has been reaffirmed in the Partnership for South Hampshire's Green Infrastructure Strategy (2017) and the Green Infrastructure Implementation Plan (2019). The submitted Eastleigh Local Plan (2018) also identifies the principle and benefits of the Forest Park.
- 2.2 The primary justification for the Forest Park was to provide a location for the current and future population of southern Test Valley and adjoining areas to access a range of informal recreation activities. The RLP also recognised the potential to provide mitigation for the impact on European designated sites from new development in south Hampshire.

- 2.3 One of the areas allocated for the Forest Park is Home Wood. The wood is situated on the south eastern boundary of the Borough. The mixed woodland comprises an area of 35 hectares of mixed woodland, bordered by the M3 and M27 motorways to the north-west and south respectively. The wood is predominantly within Test Valley (see annex A – map of Home Wood).
- 2.4 Adjacent to Home Wood is an area of major residential development within the administrative boundary of Eastleigh Borough Council (EBC) for approx. 1,100 homes, which is under construction. Adjoining this development is a small allocation within Test Valley for 50 homes at Park Farm, Stoneham (Policy COM5). There is a current planning application for 55 units on this site (ref: 19/02630/FULLS).
- 2.5 As part of the delivery of the major residential scheme, EBC has worked with the landowner, developer and leaseholder (Forestry England) to secure, through a future management plan, the long term release of Home Wood for informal recreation and ecological mitigation. EBC has secured developer contributions towards delivering public access and the ongoing maintenance of Home Wood. However, there remains a shortfall in the forecasted costs. Whilst negotiations between EBC and the landowner and leaseholder of the wood are continuing, the scale of the shortfall can not be confirmed. What is apparent from discussions with EBC is that the release of the Council's developer contributions outlined in this report is unlikely to exceed any shortfall.

3 Corporate Objectives and Priorities

- 3.1 The Corporate Plan 2019-2023 includes 'local environment' as one of its priorities. The plan identifies the provision of high quality green infrastructure as one area which the Council will invest in. Linked to this is the 'communities' priority which highlights the importance of the delivery of leisure spaces to improve the wellbeing and quality of life of our residents. Securing Home Wood would help meet these priorities.
- 3.2 The Council's draft Climate Emergency Action Plan identifies the benefits of land acquisition to enhancing biodiversity. An element of any future management of Home Wood will be to balance greater public access with protecting and enhancing existing biodiversity. In addition, by securing such a facility in a location adjacent to a large community it provides an accessible alternative instead of the use of the private car to other areas of woodland and open space that may be more ecologically sensitive.

4 Consultations/Communications

- 4.1 Natural England and neighbouring planning authorities have supported the principle of the Forest Park and have been keen to see the proposal move towards implementation.
- 4.2 If the preferred option is approved it is proposed that a communication plan be established to highlight the use of Home Wood and to demonstrate the role that both the Council and EBC have had as part of enabling public access to this wood.

5 Options

- 5.1 There are two options to consider. The first option is whether or not developer contributions should be released to EBC to help deliver public access to Home Wood. The second option to consider is the scale of the contribution to be provided.

6 Option Appraisal

The principle of releasing the contribution

- 6.1 The five parcels of woodland identified as the Forest Park have always been promoted by the Council as a sub regional resource rather than an asset to serve only Test Valley residents. Those that would get the most benefit, save for the future residents of the Park Farm site and potentially Valley Park residents, would be residents of Eastleigh Borough. As such it is a 'boundary blind' Partnership for South Hampshire green infrastructure project. The scale of the Forest Park relies on joint working to help secure its funding and delivery.
- 6.2 EBC has secured considerable developer contributions from the South of Chestnut Avenue development and given the connection between landowner and developer has therefore led on the negotiations to unlock the woodland. EBC are currently working with both landowner and leaseholder in the drafting of a future management plan and funding agreement. The Council would be party to these documents which will also set out the authorities' joint responsibility of monitoring and, if necessary, enforcement.
- 6.3 Working with EBC to help bridge the shortfall and secure access to Home Wood is an opportunity to achieve a long term aspiration of the Council to bring forward the Forest Park. To retain the funding may prevent Home Wood from coming forward and its long term management.

The scale of the contribution

- 6.4 As a pre-requisite of granting planning permission appropriate benefits provided in association with new development are secured through the planning application process, by means of planning obligations under Section 106 of the Town and Country Planning Act 1990.
- 6.5 The Council has £87,814.05 in Section 106 contributions specifically required to help deliver the Forest Park. These contributions are time limited (repayment by 2025) and at this time there are no alternative elements of the Forest Park coming forward. Therefore there may be a risk that if the contributions are not spent the repayment clause could be triggered. It is therefore proposed that these contributions are used at Home Wood.
- 6.6 Subject to permission being granted, the developer of the Park Farm site would need to mitigate its impact on the New Forest ecological designation. The indication from the agent is that this will be via financial contribution. As part of the current planning application a contribution of £71,500 (55 units x £1,300) would be required based on the Council's approved tariff approach for New Forest mitigation.

- 6.7 The Council's approach includes the ability to pool such financial contributions in order to deliver land as Suitable Alternative Natural Green Space (SANG). Any SANG land must be considered deliverable in order for the mitigation to satisfy the Habitat Regulations.
- 6.8 In the case of Park Farm the use of the financial contribution to provide New Forest mitigation, in the adjacent Home Wood, is particularly beneficial to the new residents. As negotiations have proved that the wood is deliverable for the purposes of providing mitigation it is considered that the contribution should be used for this purpose and not pooled with other contributions.
- 6.9 There is also additional New Forest mitigation contributions from schemes within Chilworth parish, where Home Wood is located. As mentioned previously given the relative isolation of Home Wood it is unlikely that any resident of Chilworth would use the woodland. There are no Rights of Way serving the site from Chilworth and any trip would be via private car. No car parking is proposed for visitors to the woodland and the nearest parking (excluding on road parking) would be Lakeside County Park to the east. As there may be other opportunities to deliver SANG that better serve the population of Chilworth it is proposed that these contributions are not released.

7 Resource Implications

- 7.1 The funding will come from existing and anticipated developer contributions. Should Cabinet approve the proposal the existing contributions of £87,814.05 would be released to EBC as the lead authority. Subject to planning approval the contribution of £71,500 from the Park Farm application would also be released once it has been received by the Council, making a total capital contribution of £159,315 towards the cost of Home Wood. The Council will share responsibility for monitoring, and if necessary enforcement, of the future management plan with EBC.

8 Legal Implications

- 8.1 No legal implications. The developer contributions would be used for the purpose for which they were sought.

9 Equality Issues

- 9.1 An EQIA is not needed because the issues covered do not raise any equality concerns, therefore a full EQIA has not been carried out.

10 Other Issues

10.1 Sustainability and Addressing a Changing Climate

- 10.1.1 The delivery of Home Wood would help protect ecologically sensitive sites by providing an alternative recreation destination. Its location close to residential development would allow for it to be accessed by more sustainable modes of transport. There would also be opportunity for woodland management to improve biodiversity.

10.2 Wards/Communities Affected

10.2.1 Home Wood falls within Chilworth parish. However, because of the potential attraction of the wood; the geography and administrative boundary of the Borough; and the ability to access the wood those communities that will be positively affected are predominantly those residing within the administrative boundary of Eastleigh Borough.

11 Conclusion




11.1 The Forest Park is a long standing proposal of sub regional significance. There is an opportunity to work with Eastleigh Borough Council to deliver an element of the Forest Park at Home Wood. It is recommended that the Council release the developer contributions as outlined in the report to secure the long term access and management of the wood.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
Test Valley Borough Revised Local Plan (2016)			
PUSH Green Infrastructure Strategy			
PUSH Green infrastructure Implementation Plan			
Forest Park Implementation Framework (2014)			
New Forest SPA Mitigation - Interim Framework			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	1	File Ref	Pt4.1
(Portfolio: Planning) Councillor N Adams- King			
Officer	Graham Smith	Ext:	8540
Report to:	Cabinet	Date:	17 June 2020

Annex A: Location of Home Wood



Key:

-  Borough Boundary
-  Luzborough Plantation
-  Forest Park Boundary

Forest Park

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Not to Scale | Drawn by HG | August 2013



ITEM 21 Test Valley Borough Local Plan – Refined Issues and Options Consultation

Report of the Planning Portfolio Holder

Recommended:

- 1. That the Test Valley Borough Local Plan Refined Issues and Options document, attached as Annex 1 to the report, be published for public consultation.**
- 2. That a revision be made to the Statement of Community Involvement in Planning to add an addendum to reflect temporary revised consultation arrangements, to apply whilst coronavirus restrictions are in place, as set out in Annex 2 to the report.**
- 3. That the Head of Planning Policy and Economic Development, in consultation with the Planning Portfolio Holder, be authorised to make changes of a minor nature to improve the presentation of and correct typographical errors in Annex 1 and Annex 2 prior to publication.**

SUMMARY:

- The purpose of this report is to seek approval for public consultation the Council's proposed Local Plan Refined Issues and Options document.
- It also seeks approval of a proposed revision to the Statement of Community Involvement in Planning to add an addendum reflecting temporary revised consultation arrangements whilst coronavirus restrictions are in place.

1 Introduction

- 1.1** The Local Plan is a key policy document of the Council, setting out the planning framework for the Borough together with implementing the spatial aspects of the Council's priorities, as set out in the Corporate Plan. It also seeks to reflect the aspirations of our communities.
- 1.2** The current Local Plan was adopted in January 2016 and covers the period up to 2029. In June 2018, the Council approved for consultation an Issues and Options document, as the first stage in the next Local Plan's preparation. The consultation was undertaken between 6 July and 14 September 2018. The responses to this consultation have been published on the Council's website.
- 1.3** The Council approved an updated Local Development Scheme (LDS) in January 2020, setting out the future timetable for the preparing the next Local Plan. The Refined Issues and Options document is the latest stage in the plan preparation process.

- 1.4 The purpose of this report is to seek approval for the Refined Issues and Options document to be published for public consultation. It also seeks approval for an addendum to the Council's Statement of Community Involvement in Planning (SCI) to reflect temporary revised consultation arrangements whilst coronavirus restrictions are in place.

2 Background

- 2.1 The Borough Local Plan is the statutory document which provides the spatial vision for the future of Test Valley in land use and planning terms. It will set out the level of new homes, jobs and infrastructure to be provided to support the Borough's communities and meet their future needs, whilst also protecting the local environment. It will also set out planning policies which will be used as the starting point for determining planning applications. The Local Plan is therefore a key policy document for the Council, setting out the planning framework for the future of the Borough. It also helps implement the spatial aspects of the Council's priorities and delivery of infrastructure, as set out in the Corporate Plan.
- 2.2 Together with establishing the land use framework for the Borough the Local Plan acts as a delivery tool for meeting the Council's and our communities' aspirations. The Council is working collaboratively with our communities and wider stakeholder in preparing the next Local Plan and in informing its content and priorities alongside meeting the requirements of the Government policy as set out in national planning guidance.
- 2.3 As a non statutory 'stepping stone' stage the Refined Issues and Options document sets out:
- (a) What has happened recently and what is currently underway which is of relevance
 - (b) Headline feedback from the Issues and Options consultation
 - (c) The issues which we be focusing on in preparing the next Local Plan
- 2.4 The key issues include: meeting housing needs, supporting economic growth and a prosperous local economy including the future of our town centres, protecting the environment and ensuring a high quality of life, and delivering infrastructure and community facilities. Climate change is a theme which runs throughout the document.

3 Corporate Objectives and Priorities

- 3.1 The Local Plan is a key policy document for the Council in respect of delivering our corporate objective set out within the Corporate Plan 2019-2023 'Growing our Potential' approved in April 2019, setting our vision and four strategic priorities. The next Local Plan will set out the planning policy framework for protecting and enhancing the environment, and making provision for new housing, employment, community facilities and infrastructure, other land uses, to meet the development needs of our communities.

4 Consultations/Communications

- 4.1 In drafting the Refined Issues and Options document, officers have built upon the feedback received in the responses made to the previous Issues and Options consultation, with regard to the potential priorities and policy approaches to be considered at future stages. Account has also been taken of other major activities being undertaken by the Council and in association with our partners. This includes of particular significance our declaration of a climate emergency in September 2019 and subsequent preparation of a Climate Change Action Plan, and the masterplanning underway for both Andover town centre, and for Romsey south of town centre, through Romsey Future and involving the citizens' assembly.
- 4.2 The consultation document (Annex 1 to the report) has been drafted with the aim of engaging with a wide range of communities, third parties and interest levels. Wherever possible the technical language has been kept to a minimum. Inevitably, given the range of issues which the Borough faces and which the next Local Plan needs to cover, the document is lengthy.
- 4.3 The document uses similar chapter headings to those of the previous Issues and Options consultation and reflecting on the priorities of the Corporate Plan and other key projects. In particular, greater scope and detail has been added on climate change, town centres (including masterplanning underway) and infrastructure. Each chapter includes the key topics and policies which the next Local Plan needs to address as individual issues and as parts of its overall strategy and approach to responding to priorities.
- 4.4 Consultation was scheduled in the LDS for 2020 Quarter 1 and consultation on planning policy documents should take place in with the processes and methods as set out in the Council's Statement of Community Involvement in Planning 2017 (SCI). In section 5 of the SCI sets out the requirements for consulting on the local plan documents, including notifications and publishing details on websites/local media. However, there are elements that are impractical to be undertaken due to current coronavirus restrictions:
- Hard copies of document unable to be placed on deposit for public reference at receptions and libraries
 - Officers unable to attend face to face meetings with parish councils, stakeholders or hold exhibitions or workshops. This is at odds with our 'community focussed' approach to planning and other corporate documents.
- 4.5 On 13 May, the Government issued revised Planning Practice Guidance (PPG) on the review and update of SCI in light of coronavirus restrictions and the implications which these have for plan making and the ability to comply with SCI policies. The PPG advocates that *"The local planning authority should then make any temporary amendments that are necessary to allow plan-making to progress, and continue to promote effective community engagement by means that are reasonably practicable"*.

- 4.6 In order to address this issue and in taking account of our equality duty, additional or enhanced consultation methods can be undertaken through the greater use of social media and the use of digital and virtual tools where possible. We will also look to see how we can best engage with community and voluntary groups who are have contact with and are supporting vulnerable groups or those who are self isolating and shielding. Planning officers will work jointly with both the Council's Communication and Community teams, on how inclusive engagement with the consultation can most effectively be achieved.
- 4.7 Additionally, the consultation period would normally be six weeks. A longer consultation period is proposed in order to take account of the current exceptional circumstances. This will allow more time for the consultation to be publicised to raise awareness of the consultation and for community and organisations to be able to respond.
- 4.8 Approval is therefore also sought for a revision to the SCI to add an addendum (Annex 2 to the report) reflecting temporary revised consultation arrangements whilst coronavirus restrictions are in place. These would be strictly time limited and would cease to apply as soon as safe to do so.
- 4.9 The SCI does state that where fundamental changes take place that warrant a fresh SCI public consultation will be undertaken. As this would be a temporary change in light of the current exceptional circumstances it is not proposed to consult on the change. In any event, it would be impractical to consult on the SCI as the Council has done previously.

5 Options

- 5.1 The consideration is whether or not to publish the Refined Options document for public consultation in the light of the current circumstances.

6 Option Appraisal

- 6.1 The principle of a Refined Issues and Options stage was included within the LDS approved in January 2020. In light of the current exceptional circumstances caused by Coronavirus and the unknown length that these will continue, there is a need to consider what is now the most suitable way to proceed. A balance need to be struck between continuing to make progress, whilst mindful of how public consultation can be appropriately conducted without groups being at a disadvantage. MHCLG have published advice on progressing with plan making:

“We understand that local planning authorities may also be concerned about the implications of COVID-19 on their capacity to prepare and progress local plans and support neighbourhood planning. We encourage all local planning authorities to continue, as much as possible, to work proactively with their community and other stakeholders to progress plans, even if some adjustments to timetables are necessary”

- 6.2 The recommended approach is to proceed with public consultation on the next stage in order to demonstrate progress and maintain momentum, but doing so in a manner which in so far as is reasonably practical, adapted to take account of the unique circumstances at present.
- 6.3 The alternative is not to proceed with public consultation in the present circumstances. However, it is not known how long coronavirus restrictions may endure, as they begin to be revised and relaxed. In light of Government advice and the need to make progress in line with the LDS, it is considered that this can be undertaken appropriately. It should also be recognised that this is a non statutory stage in the process and does not include consultation on proposed specific policy wording or development allocations.

7 Risk Management

- 7.1 Failure to agree and implement up to date strategic and local planning documents is recorded as a risk in the Council's Corporate Risk Register. A factor affecting this risk is the time frame for consultation on the key documents informing the Local Plan and the establishment of milestones for the production of the draft Local Plan. Progressing with preparation of the plan and undertaking public consultation on the Refined Issues and Options, whilst doing so in a manner which reflects the implications of the current exceptional circumstances due to coronavirus, would minimise this risk.

8 Resource Implications

- 8.1 The principal resource in preparing the next Local Plan is significant time required from officers within the Planning Policy and Economic Development Service and the support required from other services. The cost of delivery, including the commissioning of specialist studies required to update the evidence base, will be met from existing resources.

9 Legal Implications

- 9.1 The Council is required to prepare a local plan and for this to be kept up to date, with its policies reviewed at least every five years post adoption. The Refined Issues and Options consultation is a non statutory stage in the local plan preparation process.

10 Equality Issues

- 10.1 An EQIA has been undertaken in light of coronavirus restrictions and the potential consequences these have for undertaking public consultation. Account has been taken of the temporary revised consultation arrangements set out in an addendum to the Statement of Community Involvement in Planning (SCI). This aims to minimise the impacts through the use of revised consultation methods and an extended consultation period.

11 Other Issues

- 11.1 Community Safety – N/A

- 11.2 Environmental Health Issues – N/A
- 11.3 Sustainability and Addressing a Changing Climate – Sustainability is a fundamental element of the planning system and is incorporated within any future planning decision. Both mitigation of the impact of development on climate change, and adaption to the impacts of climate change, will be key issues which the next local plan will seek to reflect throughout, and address as relevant to its planning policies and development proposals.
- 11.4 Property Issues – N/A
- 11.5 Wards/Communities Affected - All

12 Conclusion and reasons for recommendation

- 12.1 The report seeks the approval to publish the Local Plan Refined Issues and Options document for public consultation and a revision to the Statement of Community Involvement in Planning to add an addendum reflecting temporary revised consultation arrangements whilst coronavirus restrictions are in place.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
Test Valley Borough Local Plan 2016			
Test Valley Gypsy and Traveller DPD (Regulation 18 consultation draft) 2015			
Test Valley Issue and Options consultation for the next Local Plan 2018			
Test Valley Local Development Scheme 2020			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	2	File Ref:	pp1.2
(Portfolio: Planning) Councillor N Adams-King			
Officer:	Graham Smith/David Bibby	Ext:	8141/8105
Report to:	Cabinet	Date:	17 June 2020

TEST VALLEY BOROUGH COUNCIL

NEXT LOCAL PLAN

REFINED ISSUES AND OPTIONS CONSULTATION

Our future - How do we plan for it?

JUNE 2020

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FOREWORD

To be added

Councillor Nick Adams-King
Deputy Leader and Portfolio Holder for Planning

1 INTRODUCTION

- 1.1 The previous 'Issues and Options' consultation aimed to seek views on issues that the Borough, and those that live and work in Test Valley will face in the future, together with how best to deal with them. This has helped us to better understand what our communities see as the key planning issues going forward.
- 1.2 This 'Refined Issues and Options' document seeks to build upon the outcomes of the initial consultation and also takes account of recent key changes and trends. This aims to present further detail in regards to the progress made in preparation for the next Local Plan prior to the formal stages which include more detailed and specific policies and proposals.
- 1.3 At these stages more information will be provided, on the scale of development and the identification of potential sites to meet future development needs. We are not yet identifying possible sites to be allocated for future development, nor the wording of policies to be used to take decisions on planning applications.

What is this stage about?

- 1.4 In this document we are setting out for the stage in the process:
- What has happened recently and what is currently underway which is of relevance
 - Headline feedback from Issues and Options consultation
 - The issues which we will be focusing on in preparing the next Local Plan
- 1.5 The current Local Plan was adopted in January 2016. The Local Plan sets out policies to guide the future development of the area in a co-ordinated way. We need to ensure that its policies remain relevant and up to date.¹ The Council has therefore commenced preparation of the next Local Plan. The first stage consultation was undertaken on an 'Issues and Options' document in summer 2018.
- 1.6 Taking into account the responses to the 'Issues and Options' consultation, this consultation is now seeking your views on the Council's emerging approach. This concerns moving towards progressing how these could be addressed through the overall strategy and priorities of next Local Plan, and in its specific policies and proposals for inclusion in future stages. If you think there are other additional issues which should also be included, these can also be suggested, as was the case with the 'Issues and Options' consultation.

¹ The five year review of whether policies need updating required by national policy would be due in January 2021.

- 1.7 Some of the content of this document goes into a level of detail or uses phrases which planners need to cover in order to refer to the correct technical terminology. If you are uncertain about the meaning of any anything, or wish for further explanation of the meaning, please contact us.
- 1.8 Your comments will help us to develop and draft the more detailed policies and proposals for inclusion in the next stage. We will use the results of this consultation to prepare the next stage of a 'Preferred Options' (Regulation 18) draft version, which will be a full draft Local Plan document.
- 1.9 The next Local Plan will set out the level of new homes, jobs and infrastructure to be provided to support the Borough's communities and meet their future needs, whilst also protecting the local environment. It will also set out planning policies which will be used as the starting point for determining planning applications. The Local Plan is therefore a key policy document for the Council, setting out the planning framework for the future of the Borough. It also helps implement the spatial aspects of the Council's priorities and delivery of infrastructure, as set out in the Corporate Plan.

Corporate Plan

- 1.10 Our [Corporate Plan 2019-2023](#) 'Growing Our Potential' was approved in April 2019, setting our vision and strategic priorities for the next four years:
- Town centres – to adapt and be attractive, vibrant and prosperous places
 - Communities – to be empowered, connected and able to build upon their strengths
 - People – to be able to live well and fulfil their aspirations
 - Local Environment – working together to care for and maintain our outstanding natural and built assets in Test Valley.
- 1.11 The Corporate Plan is an important link in the Council's overall strategic planning framework. It describes the links between key planning documents, such as the Local Plan, which together will help us to deliver our priorities. The role of the Local Plan in delivering the Corporate Plan is highlighted through setting planning policy and creating the conditions for delivery of infrastructure and community priorities.
- 1.12 The Local Plan has a central role in the delivery of the spatial aspects of actions under each of the Corporate Plan's priorities including:

Town Centres

Provide a long-term strategic overview of what is needed in our town centres, within an ever changing environment, putting in place the mechanisms to enable delivery.

Communities

We will strengthen our community-led approach to spatial planning so that plan people can play an active part in shaping their communities. This will include our ongoing commitment to undertake a review of the Local Plan in an

inclusive way, and support communities who will benefit from developing a Neighbourhood Plan or Village Design Statement to do so. More specifically, we will work with communities to explore opportunities to deliver more new affordable homes in urban and rural areas.

People

We will support communities to ensure that the right infrastructure at the right scale is secured that delivers homes and employment growth, enabling people to access a job, live in a decent home and fulfil their aspirations.

Local Environment

Through the review of our Local Plan and our strategies for green spaces, we will continue to identify opportunities to increase access to the countryside and green spaces for Test Valley residents.

Community Involvement

- 1.13 Our approach to preparing the next Local Plan builds upon the Council’s commitment to greater engagement and partnership working with local communities. The timetable for the preparation of the next Local Plan allows for time to reflect their priorities and aspirations. The next Local Plan will sit alongside current and future Neighbourhood Plans, which are prepared by our parishes and their local communities. It will also take into account ongoing collaboration with Andover Vision and Romsey Future’s initiatives, as well as the current progress in masterplanning for the future of both Andover town centre and south of Romsey town centre.

Next Steps

- 1.14 The Council approved an updated Local Development Scheme (LDS) setting out the approach and timetable for preparing the future stages of the next Local Plan in January 2020. Following this ‘Refined Issues and Options’ consultation, there will be at least two further opportunities to have your say, as the next Local Plan’s preparation progresses and more detailed policies and proposals are considered. Following the conclusion of the consultation process, the final draft plan will be submitted to the Government for examination by an independent inspector.
- 1.15 Diagram of next preparation stages as per LDS

Consultation on Refined Options (2020 Q1)

Consultation on Preferred Options (2021 Q1)
(Regulation 18)

Potential Consultation on further draft document (2021 Q3)

Consultation on Pre-Submission Document (2022 Q3)
(Regulation 19)

Submission (2023 Q3)

Examination (2023 Q4)

Adoption (2024 Q3)

- 1.16 Consultation on Refined Options was identified in the LDS for 2020 Quarter 1. Whilst this has been delayed, the Council remains committed to progressing with the next Local Plan and will be considering reviewing the future timetable in light of the impacts of the Coronavirus pandemic.

Consultation Period

- 1.17 In continuing to make progress with the next Local Plan's preparation, the Council is mindful of the need to take account of the constraints that Coronavirus places on the manner in which public consultation can be undertaken and the potential impact on those groups who may be self isolating or shielding. In light of these, the consultation period has been extended and greater use is being made of social media.
- 1.18 Comments on this 'Refined Issues and Options' document are invited during an XX week period, which runs from **Friday XX XXXX 2020 to 4.30pm, Friday XX XXXX 2020**. Details on how to respond can be found in section 9.

2 CONTEXT

2.1 Since 2018, the context for preparing the next Local Plan has also evolved and there are a number of factors which are new or increased relevance to its future preparation. It is important that these are taken into account, and are appropriately reflected in its future scope and content.

2.2 Since we undertook the Issues & Options consultation there have been many changes - to how we live, work and what is important to our communities. At the time of drafting this document the Coronavirus pandemic is affecting us all. How this effects our economic and social future is unknown. What we do know is that we need to be able to adapt

Climate Change

2.3 Climate change is one of the greatest challenges which we face. Reflecting this, the Council declared a climate emergency in September 2019 and subsequently published a climate emergency action plan. This action plan identifies that the next Local Plan will be one of the mechanisms the Council can use to take action to move towards carbon neutrality and help promote more sustainable living. The Government has set a statutory target for the country to achieve net zero carbon emissions by 2050.

2.4 Climate change will be a key theme running throughout the whole Local Plan. The main roles of the next Local Plan in responding to the issues of climate change are a) minimising the impact of new development with regard to carbon emissions and b) adaption in order to manage the impacts of climate change over the local plan period and beyond. This needs to be done in the context of people and the wider environment.

2.5 Some of the matters that will be relevant to the next Local Plan include:

- Land use change, including resultant carbon emissions and implications for long term adaptation and resilience (e.g. availability of areas of shading, tree planting to offset carbon emissions, managing risk of and vulnerability to flooding).
- Design and layout of buildings, including their energy performance, use of water and whether they are designed for the future (e.g. to minimise risks of overheating and vulnerability to flooding).
- Sources of energy, including renewable and low carbon energy.
- How we travel, including trying to reduce the need to travel, facilitate greater use of sustainable modes of travel, and ensure infrastructure is in place to support new technologies / systems for travel.
- Supporting biodiversity, such as giving space for nature to adapt to changes in the climate and retaining wildlife corridors and networks.
- Aiding the transition to a low carbon economy.

2.6 At times it may appear that the decisions the Council has to make may be at odds with protecting the environment or other elements of protecting the climate. This will be the challenge the Council has to face.

Town Centres

- 2.7 The priority of our Corporate Plan for our town centres is for them to adapt and be attractive, vibrant and prosperous places. Its aim is to position them for the future as accessible places where people live, shop, work and spend their leisure time.
- 2.8 Masterplanning exercises are being undertaken for both Andover town centre by the Council and for the south of Romsey town centres through Romsey Future. These will provide a vision and strategy for the future focusing on their role and function as attractive places providing a wider range of facilities and services.

South of Town Centre, Romsey

- 2.9 Significant public consultation and stakeholder engagement has been undertaken, including a recent Citizens' Assembly being held for Romsey. The outcome of the masterplanning will feed into the strategy approach and specific policies for the town centre within the next Local Plan.
- 2.10 The Romsey Future² partnership is currently working through the public's feedback after the second phase of the consultation with residents on the creation of a Masterplan for the area south of the town centre. One of the ways to achieve this is to consider how we could redevelop land south of the town centre, including the bus station and Crosfield Hall site.

Andover Town Centre

- 2.11 HemingwayDesign and NEW masterplanning are working with Test Valley Borough Council to prepare a Vision and Spatial Framework for Andover town centre.³ Since July, meetings and workshops have been held with a range of businesses, residents' groups, students and other stakeholders. A public survey received nearly 3,000 responses and we held events at Andover Carnival and Fun Fridays. The proposals include redeveloping the Chantry Centre and the wellbeing quarter which includes The Lights theatre, Andover College, the new leisure centre, Andover Magistrate's Court and one of the Simply Health Offices.

Andover Vision and Romsey FutureAndover Vision

² <https://www.romseyfuture.org.uk/romsey-sotc>

³ <https://www.thinkandovertowncentre.co.uk/emerging-vision>

- 2.12 Andover Vision is a partnership of Andover's residents, community groups, businesses and public bodies. The partnership is working on projects through its action plan. The document will also be used as a basis on which to attract funding and new opportunities to the town, as well as encouraging partners to use it to guide their future policies and strategies relating to Andover.

Romsey Future

- 2.13 Romsey Future sets out a long term vision for Romsey. It is an active partnership of many groups and organisations working together to build consensus and deliver on shared ambitions. They work together to deliver projects, to attract funding, and to guide future policies and strategies.
- 2.14 Work through these partnerships has highlighted issues which the next Local Plan can help to achieve and the wider context for the future planning and setting of priorities for action for the two market towns.

Community Planning and Neighbourhood Plans

- 2.15 A Neighbourhood Plan is a document that sets out planning policies for the neighbourhood area, which is usually the Parish boundary. The planning policies in the Neighbourhood Plan are used to decide whether to approve or refuse planning applications in the neighbourhood area. The plan is written by the local community, the people who know and love the area, rather than the Borough Council. It is a powerful tool to ensure the community gets the right types of development, in the right place.
- 2.16 The Test Valley Community planning toolkit⁴ is a guide to the different types of community planning options available. This includes Neighbourhood Plans, Village Design Statements and Community Land Trusts. The Council will continue to work with town and parish councils on all forms of community planning, including involvement in the production of the next Local Plan.
- 2.17 The next Local Plan will take account of the emerging Neighbourhood Plans in the Borough as well as providing the strategic policy framework for future Neighbourhood Plans. The Goodworth Clatford Neighbourhood Plan 2018-2029 is currently the only finished Neighbourhood Plan in the Borough and was approved following a community referendum in March 2019. The Thruxton Neighbourhood Plan and the Chilbolton Neighbourhood Plan have both been through an independent examination, and are ready to go to a community referendum. The Charlton Neighbourhood Plan is also at the independent examination stage. There are a further 11 plans that are underway in the Borough.

Issues and Options Consultation

4

<https://testvalley.gov.uk/communityandleisure/workingwithcommunities/communityledplans/community-planning-toolkit>

- 2.18 The 'Issues and Options' consultation in 2018, sought your views on the issues which the Borough will face in the future, and how best we should deal with these. You have told us what you see as the key planning issue going forward in preparing the next Local Plan. The consultation raised a number of detailed individual questions on specific issues, and helped indicate what should be the next Local Plan's aspirations. A number of key priorities and recurring themes and issues were raised.
- 2.19 Protecting the high quality of life, including access to the Borough's countryside, open spaces and historic environment was of high value, together with a prosperous local economy and Test Valley's geographical position, providing proximity to opportunities in the wider area, both economic and recreational.
- 2.20 The key issues which could be improved focused on: accessibility by public transport and cycle routes, our town centres, a need for more affordable housing and housing for an ageing population, and infrastructure including broadband and community facilities and services. The environment was also a key theme, including climate change, renewable energy, open spaces for healthy lifestyles, the natural environment and biodiversity, and the protection of natural resources and assets.
- 2.21 For the future, the emphasis was on meeting needs in an appropriate and balanced way which does not have an adverse effect on the Borough's environmental assets or high quality of life. New development should be in sustainable locations, with public transport access and designed to respect the character of the place. This should also be designed to minimise carbon emissions and mitigate against climate change. The mix of new housing should also greater reflect local needs.

Working with others

- 2.22 Within the Localism Act 2011 there is a requirement for local planning authorities to engage constructively, actively and on an ongoing basis on certain cross boundary matters with other Councils and organisations through Statements of Common Ground. The Council has existing relationships with our neighbouring authorities and this helps us to agree cross boundary issues such as housing numbers and infrastructure provision.
- 2.23 The preparation of a joint Statement of Common Ground (SOCG) by the Partnership for South Hampshire (PfSH) together with an associated evidence base, is currently underway. This will update the Planning Position Statement 2016 and provide a framework for the future planning of the sub-region. Collective work is also been undertaken on the need to address the impact of excess nutrient levels in water causing harm to the Solent's international nature conservation designations.
- 2.24 We will also engage with stakeholders, statutory consultees, including environment bodies, the local nature partnership and local economic partnerships and infrastructure and utility providers.

National Planning Policy Framework

- 2.25 The National Planning Policy Framework (NPPF) sets out the Government's national policy guidance on planning. The next Local Plan must be prepared to be consistent with the NPPF and also take account of supporting Planning Practice Guidance (PPG). The adopted Local Plan was prepared in the light of the NPPF 2012 and was found to be in conformity to it. More recently Government have updated the NPPF with a new version published in 2018 and further amendments made in 2019. The next Local Plan will therefore need to reflect the latest NPPF national planning guidance. We are aware that further additional amendments to the NPPF may follow later in 2020, including following the outcome of consultations on proposed changes to policy on affordable housing and design matters. Any such changes will be considered as part of the preparation of the next Local Plan.

Planning Reform

- 2.26 In March 2020 the Government published a policy paper 'Planning for the Future', announcing future planning reforms. This included the publication of a Planning White Paper in spring 2020 to speed up and reform the planning system, and to make it easier for communities to understand and play a role in decisions that affect them. It also announced the setting of deadline of December 2023 for all local authorities to have up to date local plans.

Withdrawal from the European Union

- 2.27 The United Kingdom withdrew from its membership of the European Union on 31 January 2020. A transition (or implementation) period now operates, under which there are no changes to established rules until the end of 2020. Negotiations on a new relationship between the UK and the EU to operate from 1 January 2021 are being undertaken. In future the UK will have its own separate and independent policies in areas such as the environment. The Government has however committed to a policy of non-regression maintaining broad equivalence to current environmental standards. It is not yet clear what specific implications there might be for the next Local Plan, or the wider planning system and the framework in which it operates in future from 2021 onwards. A number of bills are currently before Parliament to set the legislative framework for future environmental and land use regulation, including the Environment Bill and Agriculture Bill.
- 2.28 EU regional funding will also be replaced by the UK Shared Prosperity Fund, but the details of any potential replacement for the EU LEADER funding scheme for rural businesses is not yet known.

Coronavirus

- 2.29 At present, it is not known for how long Government coronavirus restrictions and guidance on social distancing will be remain in place, nor what will be the

extent of both the short and longer term consequences that these may have on the economy and society. There may be changes for example to working patterns, travel and consumer behaviour which may endure for some time, or accelerate existing trends. Given the uncertainty, the next Local Plan will seek to take these into account, as we move forward and the situation becomes clearer,

WHAT ELSE WE'RE DOING

Review of Evidence Base

- 2.30 The Council is updating the evidence base for the next Local Plan and this work will continue during 2020. This will help us to understand some of the issues which we may face as well as highlighting possible options. Where appropriate, evidence base studies are being prepared jointly with neighbouring authorities, including through the Partnership for South Hampshire (PfSH).
- 2.31 The evidence base will be used to help to understand the background of any issues which the next Local Plan needs to address. This will also provide information which we will use to inform decisions and plans on the approach and scale of future development to meet local needs. The evidence base is an important element of the justification for the councils' policies and proposals.

Sustainability Appraisal

- 2.32 Sustainability appraisals are prepared alongside planning documents, such as the Local Plan, to show the options that have been considered. They set out the main impacts that are expected to result from each of these options, including the environment, communities and the economy. This helps to identify the preferred options that are then incorporated into the Local Plan.
- 2.33 The first stage of the sustainability appraisal process is to gather background information about the area, so that key issues can be identified. From this, sustainability objectives are prepared, that provide the basis to assess different options. These are different to the objectives for the Local Plan itself. The Council published a Scoping Report⁵ in 2017 to collate information for this first stage of the process. This document will be reviewed to ensure it includes the most up to date information.
- 2.34 The Council will also prepare a Habitats Regulations Assessment / Appropriate Assessment.

⁵ <https://testvalley.gov.uk/planning-and-building/planningpolicy/evidence-base/sustainability-appraisal>

3 VISION AND OBJECTIVES

- 3.1 Our current Local Plan reflects our vision *“to create a Test Valley community where everyone has the opportunity to fulfil their potential and enjoy a good quality of life”*. This was developed in partnership with local organisations and service providers.
- 3.2 Since this vision was agreed, the Council has been reviewing the way we work in partnership with our communities and key partners. This includes seeking more input at an early stage and recognising that different communities within the Borough have different needs and aspirations. As a result, the Council has been working more locally than ever before and supporting major community planning exercises in our main towns, such as Romsey Future and Andover Vision, and working with parishes to develop their capacity to undertake community planning and neighbourhood planning initiatives.
- 3.3 Through this approach, the Council and its partners now have a more complete and co-ordinated evidence base informed by community engagement to update next Local Plan.
- 3.4 In developing a new vision for the next Local Plan, is an opportunity to build upon the excellent partnerships developed through place-based initiatives such as Romsey Future, Andover Vision and our work with parishes. Our vision will need to balance the ambition of the Council and the communities of Test Valley as well as preserving those elements of our communities and environment that make Test Valley the place it is.
- 3.5 The current Local Plan also identifies 15 objectives relating to a range of topics including local communities, the economy, environment, and facilities and services within the Borough. These were used to help establish a series of spatial statements, which then helped establish the policy direction. The objectives and each of these statements will be reviewed, taking in account the Council’s Corporate Plan 2019-2023 ‘Growing our Potential’ as well as comments made in the Issues and Options document and the response to this Refined Issues and Options consultation. Particularly these will focus on what could be improved about living and working in Test Valley and what the aspirations for the next Local Plan should be over the next 20 years.

4 PLAN PERIOD

- 4.1 We cannot start the timeframe for the next local plan at the end of the plan period of the current local plan, as we need to make sure there is an overlap in timescales, otherwise there will be a gap in the planning framework.
- 4.2 The plan period is the timescale that the local plan policies cover, particularly in terms of the amount of development needed. Local plans are normally reviewed before the end of the plan period.
- 4.3 The current Local Plan (adopted January 2016) covers a plan period of 2011-2029. The plan period for the next Local Plan needs to be established, although an end date of 2036 has previously been suggested.
- 4.4 The NPPF (paragraph.22) states that strategic policies should look ahead over a minimum 15 year period (from the date of adoption of the plan) to anticipate and respond to long-term requirements and opportunities, including infrastructure improvements.
- 4.5 The decision over the plan period for the next Local Plan will be dependent upon a number of factors. The joint Statement of Common Ground (SOCG) in preparation by the Partnership for South Hampshire (PfSH) may potentially look forward to 2040, and with a possible long term vision to 2050. This will replace the PUSH Spatial Position Statement (SPS) for the sub-region for the period to 2034, with some of its evidence covering the period to 2036.
- 4.6 The time period for the evidence base studies is dependent upon available data both in regards to the start base date and reliability of future forecasts. Ideally a consistent base date will be used for evidence base studies, which may likely be in the recent past, as current real time data is often unavailable.
- 4.7 In determining the plan period a balance needs to be struck. This is between having a sufficient length of plan period to provide for a Borough's future planning strategy, and the level of certainty which can be assumed over future circumstances and development needs the further ahead the time horizon, consistent with a robust evidence base. The next stage of a 'Preferred Options' (Regulation 18) full draft Local Plan document, will set out the plan period.

5 LIVING IN TEST VALLEY (HOUSING AND COMMUNITIES)

- 5.1 Meeting future housing needs appropriately is one of the greatest challenges for the next Local Plan. The plan should provide for the right number of homes, of the right type and in the right locations. There is also a need to ensure that as part of the overall scale of provision, that the needs of different household groups who may have specialist needs are also met.

Housing Requirement

- 5.2 Over the last four years the Council has delivered just under 3,500 homes, of which over 1,000 were affordable. Housing delivery allows us to meet the housing needs of the community and also delivery associated infrastructure. In 2019 Test Valley was ranked 31 out of 326 local authorities in England for housing delivery.
- 5.3 The current Local Plan (adopted January 2016) has a housing requirement for the Borough of 588 dwellings per annum. This was based upon meeting the needs of the changing demographic of the Borough and providing for an increase in the working age population to meet expected growth the local jobs.
- 5.4 Since then the Government has published a standard methodology⁶ for the calculation of the Local Plan housing requirement. This provides the minimum number of homes as a starting point to provide for. The methodology uses local population forecasts and how affordable houses are. This means that in areas of high house prices relative to incomes, more homes need to be built. Based upon the use of current data the starting point for the requirement would be 550 dwellings per annum. The data used within the standard methodology will change as it is updated. The Government has indicated that it intends to update the standard methodology. This is expected to be published later in 2020. This means the housing figure will also be subject to change.
- 5.5 The Council has had recent success in our total housing completions exceeding the adopted Local Plan requirement and the requirement figure using Government's standard methodology.
- 5.6 There was general support expressed through the 'Issues and Options' consultation for the use of the proposed standard methodology for the next local Plan, in the absence of exceptional circumstances to justify a different approach. However, there was also support for taking account of the need to support economic growth.
- 5.7 National guidance requires us to take account of any unmet housing need of neighbouring authorities. At present there is no evidence of any unmet

⁶ This uses national projections on the number of households in each local authority and data on how affordable housing is

housing need in neighbouring local authority areas which would potentially need to be considered as to how it might be addressed.

- 5.8 The current expectation is that the Council will use the Government's standard methodology for the next Local Plan and seek to meet this in full, unless there is compelling evidence that an alternative requirement figure is justified or that the standard methodology figure cannot be accommodated. The next stage of a 'Preferred Options' (Regulation 18) full draft Local Plan document, will set out the housing requirement. In preparing the evidence base, the Council will consider whether alternative methodologies for calculating the housing requirement should be evaluated.
- 5.9 The amount of additional housing for the next Local Plan to accommodate through new allocations will be calculated after taking into account the existing housing supply from sites which already have planning permission. Account will also be made for provision to be delivered through neighbourhood plans (and other community led development), and what could be delivered within the town centres (as informed by the masterplanning exercises) and an allowance for future windfalls.
- 5.10 We need to make sure we provide for a supply of homes to meet our communities' needs. If we don't homes could be built on sites not preferred by the Council and our residents. The Council will continue to monitor the housing land supply position, which is robust at present. A future update will consider how to appropriately reflect the potential impacts of both the nutrient neutrality issue and the Coronavirus pandemic on future delivery, as relevant. The adopted Local Plan includes a contingency strategy of potential measures which could be a trigger to address a shortfall should one arise.

Housing Distribution and Housing Market Areas

Housing Market Areas

- 5.11 The next Local Plan will need to set out the overall approach to meeting future housing need. The current Local Plan (adopted January 2016) housing requirement of 588 dwellings per annum (dpa) is sub-divided between two housing market areas (HMA): Southern Test Valley (STV) and Northern Test Valley (NTV). A Housing Market Area (HMA) is a broad geographical area in which generally most people both live and work.
- 5.12 The majority of responses to the 'Issues and Options' consultation supported separate HMAs being maintained, but they should be reviewed, including the details of their boundaries. The Council as part of the evidence base, will undertake further research into the issue of HMAs covering the Borough to inform the approach within the next Local Plan, including how rural areas are addressed.
- 5.13 One of the key decisions regarding the strategy of the next Local Plan will be how the provision of new housing is distributed. This includes broadly across HMAs, together with how it is then identified across settlements and individual

sites. This also concerns the balance between the scale of development in Andover, Romsey and the other settlements within STV, and the rural area.

- 5.14 There are a number of potential options to consider for future HMAs to use for the housing requirement.

Question 1- Should (a) we maintain the two existing HMAs, but perhaps with a revised boundary between them, such as enlarging the area within STV HMA. If so, what additional area(s) of the Borough should be included within STV HMA?

Alternatively, (b) should a single HMA for the whole of Test Valley be used?

Or (c) should additional HMAs be created, increasing the number to 3 or 4, with the additional HMA(s) applying to the rural area?

Question 2 – In determining HMAs how should wider relationships with settlements beyond the Borough’s boundaries, be taken into account, including with Southampton, Salisbury and Winchester?

- 5.15 At present the geography of our HMAs is based upon parish boundaries.

Question 3 - Should an alternative approach to using parish boundaries be used for HMAs? If so, would this be easily be identifiable and practical for monitoring purposes?

Housing Distribution

- 5.16 The ‘Issues and Options’ document suggested a number of options for how housing could be distributed. The strategy of a wider distribution of housing to a larger number of settlements was supported. This included provision for housing sites across the rural areas to a number of villages, together with a wider range of smaller site allocations. The NPPF (paragraph 68) also requires that the contribution from small sites towards the Local Plan’s provision should be for a minimum of 10% from sites of 1 hectare or less.

Andover

- 5.17 As the largest settlement in the Borough, with the widest range and number of facilities, Andover has been the major focus of recent development and of existing planned growth under construction or with planning permission. The future scale of further growth will be considered, and we will look at a range of sites to meet future needs. This will include the potential for housing to be delivered as part of the redevelopment of town centre through the masterplan.

Romsey and Southern Test Valley

- 5.18 These communities have been a significant focus of development in the current adopted Local Plan. Significant levels of housing have been completed or are under construction in both Romsey and Nursling and Rownhams. Allocations remain outstanding at Whitenap, Romsey (1,300

homes), Hoe Lane, North Baddesley (300 homes) and North Stoneham (50 homes). The future scale of further growth will be considered, also taking into account the work being undertaken to prepare a joint Statement of Common Ground (SOCG) by the Partnership for South Hampshire (PfSH). We will look at the role of Romsey Future in helping us to consider potential sites for the town.

Rural Area

- 5.19 The current adopted Local Plan does not make any specific allocations to the rural area of the Borough although a figure of 36 dwellings per year is included as part of the requirement for Northern Test Valley. This was to come forward from sources including: infill within settlements, conversions, community led development and rural exception sites. The next Local Plan will consider the future scale of growth for the rural area and the strategy options for housing development, taking account of availability for facilities and consider the opportunities for decisions regarding this to be local community led.

Community Planning including Neighbourhood Plans

- 5.20 The potential role of Neighbourhood Plans in making provision for new housing is also relevant. Whilst strategic sites would be allocated through the next Local Plan, Neighbourhood Plans could play a significant role in providing housing to meet local needs and sustain rural communities. Some current neighbourhood plans in preparation are assessing local housing need and are considering potential housing allocation(s) to meet this.
- 5.21 The NPPF (paragraph 65) requires that as well as establishing a housing figure for the area as whole, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the scale of development and any relevant allocations. Planning Practice Guidance (PPG) provides further detail on how housing requirement for a neighbourhood area should be set. This includes the wider spatial strategy (of the next Local Plan), the characteristics of the area, and planning constraints. The next Local Plan will consider how this should appropriately be undertaken. Such housing figures could be made on the basis of a minimum number which could be increased in local evidence, a range or a specific target figure to be provided.
- 5.22 Provision from neighbourhood plans would likely be focused on the latter part of the plan period (10-15 years) in order to allow time for delivery. Other community led development could also contribute towards meeting such provision. If however, this did not come forward, alternative options could be considered at a later date, such as a further Development Allocations Development Plan Document (DPD).
- 5.23 The change in Government policy in the NPPF, requiring all designated neighbourhood areas to be given a housing figure, will inform the review of how the housing figures are distributed across the Borough overall. For the rural area, this would also include the related consideration of both the overall

settlement hierarchy and of individual settlements and/or groups of settlements.

Settlement Hierarchy and Settlement Boundaries

Settlement Hierarchy

- 5.24 The next Local Plan will review the current settlement hierarchy together with the approach of defining settlement boundaries. The review of the settlement hierarchy will include a review services and facilities within each settlement, which have been used to inform the current hierarchy, together with the classification of different categories within the hierarchy and the assumptions taken to defining these.

Question 4 - Should the number steps in the settlement hierarchy be increased, for example by sub-dividing the 'rural villages' into two separate tiers?

Question 5 - How should we decide which settlements to include within each step of the settlement hierarchy?

Question 6 - Should we consider groups of rural settlements together, where these are closely related to each other and/or share facilities and services?

Question 7 - How should we treat rural settlements which are close to other larger settlements and can therefore also easily access their facilities and services?

Settlement Boundaries

- 5.25 Settlement boundaries currently follow physical boundaries and differentiate between development within them being acceptable in principle, whereas outside of the boundary in the countryside, there is a policy of restriction unless development is provided for under specific policies or there is a specific need for it to be located outside the settlements.
- 5.26 Responses to the 'Issues and Options' consultation were generally supportive of the current approach, but comments also mentioned that settlement boundaries were potentially restrictive and that a more flexible approach could be considered. Any future approach needs to be consistent across the Borough. This will be a difficult task to achieve.
- 5.27 In reviewing the approach to settlement boundaries there are a number of potential options to consider:

Question 8 - In updating the settlement boundaries to reflect recent development which has built and development with planning permission, should we also include new allocations?

- 5.28 Existing boundaries are based upon identifiable boundaries and physical features.

Question 9 - How should we define settlement boundaries? What types of land uses should be included, such as public open space?

- 5.29 At present whole curtilages (the extent of residential gardens and other land directed associated with a house and within the same unit for planning) are used to determine settlement boundaries.

Question 10 - Should the approach to using whole curtilages for defining settlement boundaries be retained, or should we take account of physical boundaries which extend beyond curtilages, or limit settlement boundaries to only parts of curtilages?

Question 11 - Should settlement boundaries be draw more tightly or more loosely, and perhaps reflecting which tier settlement is within the settlement hierarchy?

Question 12 - Should settlement boundaries provide further opportunities for further limited growth beyond infill and redevelopment?

Housing Mix and Affordable Housing

- 5.30 Proving affordable housing to meet local needs is a key priority. The delivery of affordable housing has, in recent years, exceeded the Council's target of 200 per year. There is support for the current approach in the adopted Local Plan seeking up to 40% affordable housing from larger market development (15 homes or more). The Council has recently consulted upon a new Affordable Housing Supplementary Planning Document (SPD) to provide further guidance on how the adopted Local Plan policy will be interpreted.
- 5.31 As part of the evidence base for the next Local Plan, the Council will commission a new Strategic Housing Market Assessment (SHMA). This will assess the need for affordable housing and for housing to meet the particular needs of different specific household groups, as set out in national guidance. This will also cover housing to meet the needs of older people and for specialist housing.
- 5.32 The SHMA will also assess the size, type and mix of housing to meet local needs within different areas of the Borough. It is important to seek a mix of housing which reflects future housing needs, and to take account of the composition of existing housing stock. The Council will also consider how this should be reflected within the next Local Plan.
- 5.33 For rural areas, national policy provides for Rural Exception Sites for development for affordable housing where this would not otherwise be permitted. The adopted Local Plan provides a framework for how such proposals will be considered. At present, only 100% affordable housing is

permitted, although the Government invites Councils to consider whether an element of market housing should be included. There was a mixed response to this idea from the 'Issues and Options' consultation, and the Council will consider the issue further for the next Local Plan, together with the additional recent further category of Entry Level Exception Sites (NPPF paragraph 71) for affordable housing suitable for first time buyers and those looking to rent their first home.

- 5.34 The Council will update its evidence base on affordable housing viability. A study will be commissioned to review this, including the future of the Community Infrastructure Levy (CIL) and whole plan viability. This will be linked to work on future infrastructure provision and other policy requirements which apply to new development.
- 5.35 The Council will also consider whether the next Local Plan should include a policy on internal space standards (higher national described space standards) and accessibility standards for new housing.

Self Build and Custom Build Housing

- 5.36 The Government has tasked local authorities with maintaining a self-build register to determine the number of people interested in building their own home. While being on the register does not guarantee a plot of land, it does give authorities an idea of is the level of demand. There are a number of options which could be considered to accommodate the demand for self-build; for example:

Question 13 - Should we have a specific policy for self-build homes?

Question 14 - Should be we have a policy for large housing sites to include a proportion of serviced plots to be made available for sale to those seeking to build their own homes?

- 5.37 For the second option, the majority of developers who responded to the Issues and Options; claimed it could delay some sites coming forward. As part of a recent Call for Sites for the Strategic Housing and Economic Land Availability Assessment (SHELAA), the submission form enquired whether the land owner would consider providing self-build plots on their sites.
- 5.38 One point made in the Issues and Options consultation was that the need for serviced plots was adequately addressed through NPPF paragraph 79e. Many respondents did not consider that self-build housing be treated differently to the general approach of restricting development in the countryside, and should be considered on a case by case basis.

Question 15 - Should self-build housing to be delivered as part of community led development?

- 5.39 One of the points often made in favour of self-build schemes is that those seeking to carry out such projects are often driven by an ambition to build environmentally friendly dwellings which surpass current building standards.

Question 16 - Could the introduction of a self-build housing policy also be an opportunity for the Council to tackle the issue of climate change?

- 5.40 The Council is currently reviewing all available options surrounding self-build housing including plans to introduce a fee to join the self-build register as well as introducing a local connections test to ensure that the interests of those with a close relationship to the Borough are taken into account.

Gypsies, Travellers and Travelling Showpeople

- 5.41 The Council needs to make appropriate and sufficient provision for the housing needs of the gypsy, traveller and travelling showpeople communities as part of its planning policies. The Council previously intended to prepare a specific Gypsy and Traveller DPD, to be produced separately to the next Local Plan.
- 5.42 The evidence on accommodation needs for gypsies, travellers and travelling showpeople is being reviewed and considered in the light of case law. Depending upon the outcome of this review, a decision will be made in due course as to whether to prepare a separate Gypsy and Traveller DPD, or to include provision for these communities within the next Local Plan.

6 WORKING IN TEST VALLEY (TOWN CENTRES AND LOCAL ECONOMY)

Town Centres and Retail

- 6.1 Town Centres and their ability to adapt and be attractive, vibrant, and prosperous places is one of Council's Corporate Plan priorities. The way we use our town centres has changed considerably in the past decade. With the increased popularity and dominance of online shopping, bricks and mortar retailers as well as town centres have struggled to adapt to the changing habits of customers.
- 6.2 A recent retail study by Carter Jonas commissioned by the Council, found that existing floor space in town centres faces a myriad of challenges which will continue to grow over the short, medium and long term. Centres within the Borough have the opportunity to come up with new approaches in order to adapt to future changes, including introducing more evening economy uses and uses that appeal more to a younger population profile as well as better marketing of the town centres. There is still a role for existing floor space and physical 'store based' retailing in town centres. However, within the Borough, there will be a need to build in resilience to the changes in shopping habits - town centres are likely to move away from being solely retail led locations to those which offer a wider range of retail, leisure, cultural and other amenities.
- 6.3 Most responses to the Issues and Options consultation recognised the change in shopping habits and that impact on the High Street and encouraged a more flexible approach by allowing a variety of different uses. This would help ensure full occupation within the primary shopping frontage in order to increase footfall and guarantee the survival of town centres. Comments were also made that the primary shopping frontages should be retained for traditional town centre uses, whilst the secondary shopping frontages could be further diversified, to include residential and leisure uses.
- 6.4 Town centres can suffer from poor quality public spaces, which can detract from the shopping experience and discourage visitors from lingering; the Riverside Park by Town Mills in Andover is currently underway and the Market Place in Romsey has been completed to help address this. Master planning exercises are being undertaken for both Andover and Romsey in order to ensure they are futureproofed, focusing on development which could potentially attract people back into the town centres for extended periods of time; this would still include an element of retail space. Both town centres are seeking to develop their evening economy; any future masterplans could take an approach which would see Andover and Romsey both have activity throughout the day and into the night.
- 6.5 Another approach could be to increase the number of homes in the centre of our towns; with urban living becoming more popular building homes close to where services are provided could also be a more sustainable option. Both masterplan exercises will likely introduce some new homes to both Romsey and Andover town centres.

- 6.6 Digital innovation and technology will likely also play a pivotal role in the future of how people interact with their town centres and could make a real difference to our towns and communities by creating high streets which are fit for the future.

Tourism

- 6.7 For Test Valley, the beautiful countryside, small historic market towns and picturesque villages are among the Borough's main unique selling points. These are interspersed with numerous attractions including Broadlands, Mottisfont and Sir Harold Hillier Gardens to the south and Danebury Hill Fort, the Army Flying Museum, the Hawk Conservancy and the Museum of the Iron Age to the north. The Test Way which follows the path of the former Sprat and Winkle Line is a popular walking route from the Southampton Water up the Borough to Berkshire, allowing locals and visitors the opportunity to appreciate the Borough. Test Valley also benefits from its location in central southern England and between The New Forest and Winchester and close to Salisbury and Stonehenge.
- 6.8 The visitor economy brings many benefits to an area both because it has a strong local supply chain; including local producers, and because it extols the attractiveness of an area which can support inward investment. Tourism contributes towards economic activities and generates employment, revenues and plays a significant role in development of an area. It generally comprises the three sub-sectors of visitor attractions, visitor accommodation (hotels, B&Bs etc.) and hospitality.
- 6.9 There are currently 464 Airbnb premises within the Borough and the key thing for businesses; such as rural pubs, is to attract staying guests. A new local plan tourism policy could support proposals to attract guests who stay longer, spend more and thereby protect the viability of the host business as well as the local supply chain.
- 6.10 Feedback from the Issues and Options consultation focussed predominantly on ensuring that the infrastructure supporting existing attractions is maintained, including access and parking for cars and coaches; and providing enough visitor accommodation.

Question 17 - Should a revised tourism policy be more flexible for potential new tourist attractions?

- 6.11 Food and drink tourism are also growing in popularity with the taste of a place also granting people a sense of a place. Eco-tourism can also support farming or different types of rural business.

Question 18 - Should a revised tourism policy be more supportive of innovative proposals?

Local Economy and Employment

- 6.12 A strong and robust local economy is key to delivering prosperity and quality of life. The next Local Plan will aim to be positive in supporting future economic growth and productivity, alongside quality of life and protecting the Borough's environmental assets which are also important in making the area an attractive business location.
- 6.13 The location of the Borough makes it easily accessible by road and rail to: London, the west country, the midlands and the south coast. It is also surrounded by larger economic centres: Basingstoke, Eastleigh, Newbury, Salisbury, Southampton and Winchester. It does not form a single functional economic area, but is made up several distinct parts: Andover, Romsey and southern Test Valley and rural Test Valley, each with different characteristics which need to be reflected in the next Local Plan's strategy.
- 6.14 The Borough has experienced significant employment and business growth in recent years. The next Local Plan will build upon the current strengths of the local economy and aim to facilitate it being well placed for the future, taking account of expected economic change, such as an increasingly knowledge based economy.
- 6.15 There will also be a need to take account of the growing trends for flexible working, including working from home. The number of self employed and small businesses is also increasing leading to a need for smaller and more flexible accommodation.
- 6.16 The next Local Plan will need to make provision for the employment land and premises needs of the Borough. This will take account of the changes in the structure of the local economy and the requirements for sites and buildings which are appropriate to meet current and future commercial market requirements, as economic needs change. As part of the evidence base, the Council will work with its neighbouring authorities through Partnership for South Hampshire (PfSH) on a study to assess the future needs of the local economy, including for land allocations in suitable locations to provide for development requirements for the different types of employment required.
- 6.17 The next Local Plan will also take account of the Enterprise M3 Local Economic Partnership's (LEP) Local Industrial Strategy (LIS) as relevant to spatial planning, together with the LIS of the Solent LEP as relevant to the southern part of the Borough, given its close interrelationship with South Hampshire and our membership of the PfSH.
- 6.18 The Council has already undertaken a study of its existing Strategic Employment Sites (SES), working with a number of neighbouring local authorities. We will review the list of SES for the next Local Plan together with the framework for protecting existing employment sites.
- 6.19 In considering the allocation of sites for employment development, we will also consider opportunities to integrate this with housing, through both mixed

use development and location in close proximity. This was supported at the Issues and Options stage and is in line with NPPF paragraph 92.

- 6.20 The adopted Local Plan seeks to maintain the current proportion of net out-commuting from the Borough, recognising that as a rural area with larger settlements outside, a degree of out commuting is the position. It was considered important that there was a sufficient local workforce to provide for the additional jobs expected to be generated and therefore the housing requirement was set to provide for an increase in the working age population, sufficient to meet expected growth in local employment.

Rural Economy

- 6.21 The rural economy is a significant component of Test Valley's economic prosperity. Businesses located in the rural area of the Borough provide a significant contribution towards the economic success of Test Valley and the area is home to a large number of companies and jobs. These businesses and local job opportunities also aid the sustainability of rural communities. Broadband also enables businesses to operate and residents to work from home in the rural area.
- 6.22 To provide for an appropriate framework for the rural economy to continue to prosper we will review the approach in the next Local Plan to the re-use of buildings in the countryside and to employment sites in the countryside.
- 6.23 Agriculture and land based industries have a key impact on the character of the areas and how the Borough's landscapes are managed. The Environmental Land Management (ELM) scheme (to replace the Common Agricultural Policy) will have a significant impact on how the farming industry is supported financially in the future. We will also consider how best to respond to these changes.
- 6.24 Rural workers (NPPF paragraph 79) with an essential need to live permanently at or near their place of work, beyond those working within agriculture, horticulture and forestry, have not been defined. The Issue and Options consultation sought views on a definition, and there was support for more flexibility. This issue will be considered further for the next Local Plan.

Skills and Training

- 6.25 Sufficient job opportunities should be available to local residents at a range of skill levels. In order to support the future of the local economy and maximise the benefits to local residents from development, it is important that the Borough's workforce has the appropriate qualifications and skills necessary to respond to changes in the structure of the economy and the need for increased productivity. These also need to be kept up to date, and over time the aim should be to raise the overall level of qualifications.
- 6.26 The Issues and Option's consultation asked you about how we should best continue seeking apprenticeships. There were views about what is the

appropriate role of the planning system and in continuing to provide opportunities, there was a need to work with local businesses and education providers, including on promoting its benefits and identifying those opportunities.

- 6.27 Since 2016, the Council has sought an Employment and Skills Plan (ESP) from residential development of over 50 dwellings and from commercial development of 1,000sqm or more. Applicants need to provide an ESP prior to commencement that reflects the Construction Industry Training Board (CITB) Client Based Approach. In July 2019, we achieved accreditation under CITB of National Skills Academy for Construction status. Working with the construction industry and training providers, this scheme provides for job placements, training and apprenticeships.
- 6.28 The Council has also sought financial contributions towards skill training from major commercial development which due to their scale, have a significant impact on the labour market. The Andover Business Park has funded the Andover Skills Training Fund and developments at Nursling are providing support for a similar scheme for Chilworth, Nursling and Rownhams. Further monies are expected in the future as developments takes place, including from the extension to Walworth Business Park, Andover.
- 6.29 For the next Local Plan, the Council will need to consider how alongside new development, it should best address the issue of providing for skills and training in the future, building upon the existing approach.

7 ENJOYING TEST VALLEY (ENVIRONMENT AND QUALITY OF LIFE)

- 7.1 In thinking about the local environment, people highlighted the value placed on the countryside, landscape, biodiversity and wildlife. Connections within the landscape and habitats were also raised, including the chalk streams such as the River Test, which link the chalk downlands in the north of the Borough to the heathland and pasture land in the south of the Borough. Parts of Test Valley are of international wildlife importance and national landscape importance. We also have many assets that are of importance for their heritage value, including listed buildings and scheduled monuments.
- 7.2 The countryside provides many functions that we are dependent on. In addition to supporting wildlife, the countryside supports rural communities and the rural economy which includes agriculture and forestry. While policies in the next Local Plan will need to take account of all these roles, this section focuses on the environment aspect.

Landscape

- 7.3 There is a wide range of landscape types within the Borough. In 2018 the Council updated the [Landscape Character Assessment](#), which identifies those features that contribute to the character of specific areas within the Borough.
- 7.4 National guidance advises that local policies should protect and enhance valued landscapes, recognise the character and beauty of the countryside and take account of the character of different areas. Particular importance is given to conserving and enhancing National Parks and Areas of Outstanding Natural Beauty (AONBs). To the north of Andover, a large part of the Borough falls within the North Wessex Downs AONB. The New Forest National Park is located to the south west. It is situated outside the area covered by the next Local Plan but will need to be taken into account.
- 7.5 In preparing policies about the landscape, including designated areas, we will need to think about our approach to the design of new development more generally and other policy areas. The existing local plan sets out criteria based policies on these matters. The next Local Plan is likely to take a similar approach.

Design

- 7.6 Design goes beyond the look of an area, affecting the way it functions and how we feel about it. We have been undertaking a review of new neighbourhoods, with input from those who live and work in these areas, to help inform our approach going forward. The Government commissioned a review of design considerations in planning and is now considering its response. The Government has indicated there will be resultant changes to national policy.
- 7.7 National policy currently advises that local policies should set out the quality of development that will be expected. While local distinctiveness and

character should be promoted, policies should not prevent innovation or change.

- 7.8 The adopted Local Plan includes criteria based policies on design matters that apply to all new development. In addition, there are some parts of the Borough that have specific policies, and additional supplementary information, on design. This includes town and village design statements that have been prepared by local communities for parts of the Borough.
- 7.9 Through the Issues and Options consultation, you indicated ways that we could improve design quality. A range of comments were received, including options on strong policies but that they should not be too prescriptive; taking account of local distinctiveness and the guidance within town and village design statements; considering using design codes; and learning from experience (both within Test Valley and elsewhere).
- 7.10 There were differing views about the approach to density of housing. The adopted Local Plan does not include any density standards. Some suggested that this approach should remain, instead relying on the design policies, with the importance of efficient use of land being highlighted. Others suggested that flexible density standards should be set out, or that specific standards should be provided for substantial new development or certain areas, such as the main town centres.
- 7.11 The majority of respondents wanted the next Local Plan to establish housing density standards. However, there were different drivers for this, with some concentrating on creating a density standard in order to keep housing affordable, and others seeking to create a low density standard in order to retain and promote a quality of life that incorporates space for gardens, adequate parking and green space provision. There was a recognition that whatever the approach to density, care would need to be taken to take account of the differences across the Borough, from the towns to rural villages and hamlets.

Local Gaps

- 7.12 Local gaps are a tool to help conserve the identity and character of communities by retaining space between settlements. They have been used for many years in Test Valley and are supported by local communities.
- 7.13 As part of the Issues and Options consultation, we highlighted that national guidance does not contain a specific reference to local gaps. We asked about whether we should continue to use local gaps, and if so, the approach we should take to avoid the coalescence of settlements.
- 7.14 The responses received showed that there remains strong support for local gaps from those living in the Borough. There were some suggestions of where local gaps should be identified. However, other comments indicated that local gaps are unnecessary, or that more evidence would be needed to justify them. There were differing views about whether it would be appropriate to

define boundaries for local gaps or to set out criteria for all development to adhere to instead.

- 7.15 In progressing with the next Local Plan, we will need to ensure that if local gaps are identified, there is justification for this and we are clear on the reasons for using this approach. We will need to look at both criteria based policy options to avoid coalescence, as well defining specific areas as local gaps. It was suggested that a combination of both approaches may be appropriate. In the adopted Local Plan we defined specific local gaps, this helps to provide greater certainty on where the coalescence issues will be most relevant. If this approach is continued, there would need to be a review of where local gaps are needed, as well as the specific boundaries to be used.

Local Green Space

- 7.16 National policy gives local and neighbourhood plans the opportunity to designate areas as Local Green Space⁷, which are intended to protect areas of particular importance to communities. Such areas can only be designated in certain circumstances, including that they hold a particular local significance and not relate to large tracts of land.
- 7.17 Through the Issues and Options consultation we asked about whether the next Local Plan should look to designate such spaces, or whether it should be done through neighbourhood plans.
- 7.18 There were mixed views about whether the local plan or neighbourhood plans should be used to designate Local Green Spaces. There were some suggestions that the local plan should make such designations when it was not done through neighbourhood plans, or that the local plan could provide a framework for this matter. We will investigate further how best to approach this in the local plan.
- 7.19 Since the consultation was undertaken, a number of communities have been looking at making such designations through their neighbourhood plans. This includes Goodworth Clatford, the first neighbourhood plan to be finalised in the Borough.

Historic Environment

- 7.20 The historic environment includes assets of differing scales and importance – from historic landscapes to specific buildings and structures. Some of these assets are designated, including conservation areas, listed buildings, registered parks and gardens and scheduled monuments. However, we also need to consider non-designated assets. Legislation and national policy provide the framework as to how we consider the historic environment, with a focus on providing a positive strategy for its conservation and enjoyment. This

⁷ See paragraphs 99 to 101 of the NPPF.

is the starting point for how we prepare policies on this matter, and take account of the historic environment in looking at site specific proposals.

- 7.21 As part of the Issues and Options consultation, comments received included reference to the importance of having an appropriate evidence base and policies that cover the characteristics of each type of heritage asset. A number of comments also highlighted the need to take account of local heritage.
- 7.22 As part of updating evidence in relation to the historic environment, the Council has commissioned a review of the conservation areas for Romsey and Andover. The outcomes of this will help to ensure we have up to date and robust information to help conserve the heritage assets of these market towns. This will also be available to inform decision making in these areas. There will be separate opportunities to comment on this project at a later date.
- 7.23 The heritage of the Borough has important links with the local economy, including through tourism and encouraging visits to Test Valley. Therefore we need to take account of the links between these matters in preparing policies in the next Local Plan.
- 7.24 The decline in use of a number of particular types of buildings (for example pubs, post offices and banks) and changing shopping habits has contributed to reduced footfall and increased vacancy rates. In some areas this can lead to under-investment and deterioration in the quality of the local historic character of the urban fabric.
- 7.25 We will need to think about whether action should be taken to ensure our important, historic town centres, their high streets and other heritage assets reinforce or redefine their role and function at the centre of community activities in response to economic and social shifts.

Sustainable Construction and Renewable Energy

- 7.26 Climate change is one of the biggest challenges we face, both in terms of reducing emissions to limit the extent of impact and ensuring we adapt and are resilient to future conditions. Therefore, climate change needs to be embedded in all policy areas in the next Local Plan.
- 7.27 The way buildings are designed and powered is part of the picture. We asked for your views on how the next Local Plan should encourage energy efficiency for new development. There was general support for the next Local Plan covering this matter, but with different views on how this should be achieved. While some responses suggested that policies should not include prescriptive requirements, others referred to policies to require zero carbon homes, views about ways to achieve improved energy performance, and ensuring layouts of schemes maximised opportunities for solar gain. There were also comments around the scale and type of development that any requirements should apply to.

- 7.28 If the next Local Plan includes policies on this matter, options to consider include increasing the energy performance of new development, as well as the source of energy to serve the new development (e.g. a set percentage of energy from renewable sources for new development). Any policy approach would need to avoid negative consequences, such as resulting in new development that is more likely to be affected by overheating.
- 7.29 The Government has however recently undertaken a consultation about increasing the energy performance standards for new homes through Building Regulations. This is a first step working towards a 'Future Homes Standard', which is to be introduced in 2025. As part of this consultation there was a proposal to limit the ability for local plans to include policies on energy performance. If this is implemented, then Building Regulations would likely provide the appropriate mechanism to address this issue.
- 7.30 In broader terms, there were mixed views on the approach we should take on renewable and low carbon energy sources. Responses included considering schemes on their own merits, including a criteria based policy on these energy sources, and designated areas that would be suitable for specific technologies. To help inform our approach to this, we have commissioned consultants to look at the opportunities for renewable and low carbon energy within the Borough and provide advice on the ways the next Local Plan could support their delivery. The outputs of this work should be available in this summer.

Biodiversity

- 7.31 Test Valley includes areas of international and national importance for their wildlife value, which receive particular protection through legislation and national policy. However, the next Local Plan will also need to account for biodiversity more widely. As we set out in the Issues and Options consultation, habitats function best where they are well connected to each other. This will become increasingly important in ensuring nature has space to adapt to a changing climate. Therefore it is important to conserve ecological networks, as well as the designated sites. National policy sets out that local plans should identify and safeguard components of ecological networks.
- 7.32 Since the Issues and Options consultation, a local ecological network has been published for Hampshire.⁸ This takes account of designated sites, certain priority habitats, and opportunities to enhance the network. This forms part of the evidence for the next Local Plan.
- 7.33 The Government has published proposals to require new development to achieve a net gain in biodiversity. Draft legislation to implement this measure is currently being considered by Parliament (through the Environment Bill),

⁸ More information is available at:

<https://www.hants.gov.uk/landplanningandenvironment/environment/biodiversity/informationcentre/information#step-7>

with more detail to follow on how it will be implemented. This will be taken into account through the preparation of the next Local Plan.

- 7.34 The next Local Plan will need to set out policies for the approach to internationally, nationally and locally designated wildlife sites. This will be in line with legal requirements and national policy. In some cases, this will be based on joint work with other local authorities and organisations. We are already working with others to look at options to address excess nutrient inputs from new development into the Solent and in relation to pressures on the New Forest and Solent from recreational use of these internationally important areas. .

Public Open Space and Green Infrastructure

- 7.35 There is access to a range of leisure provisions and open spaces within the Borough, including indoor and outdoor sports facilities, informal recreation areas, children's play spaces and allotments. These are supplemented by the Rights of Way network, which includes long distance paths that run through the area. Some of these provisions provide multiple benefits, for example enhancing biodiversity, managing the movement of water and supporting the health and wellbeing of local communities.
- 7.36 Since the Issues and Options consultation we have commenced a review of the provisions of sports pitches and other sports facilities. This looks at current supply (indoor and outdoor) and how the needs for these sports may change in the future. This will help inform our approach to such facilities in the next Local Plan, although this will not be the only route for supporting sports and recreation activities within the Borough.
- 7.37 The adopted Local Plan includes a policy for the provision of new open spaces in conjunction with additional housing. It also sets out how we would consider schemes that propose the loss of open space and recreation facilities – this reflects the approach in national policy. As part of the next Local Plan we will need to consider whether the approach to securing new open spaces is changed. Through the Issues and Options consultation you suggested that we may need to look at different approaches for different types of open space, as well as for different housing sites. For example, for sports pitches we may need to make specific allocations, rather than continue to seek a set area requirement for each new resident. It was also highlighted that the access to proposed open spaces should consider both new and existing residents.
- 7.38 Green infrastructure is a term to describe a network of multi-functional green space that can deliver a range of benefits to local communities and the environment. Public open space forms part of it, as can the local ecological network. As part of the preparation of the next Local Plan, we will need to consider the best ways to conserve and where possible enhance green infrastructure.

- 7.39 Some local authorities are looking at opportunities to use planning policies to go beyond maintaining existing levels of tree cover to ideally secure increased tree coverage within their local area. Increasing tree coverage can have multiple benefits, including for biodiversity, providing areas of shading, carbon sequestration, and improving wellbeing. One way of doing this is to specify a certain proportion of a site that should be covered by tree canopy, including through retaining existing trees and/or by planting additional trees. Where this is not achievable other types of green infrastructure or off site planting can be used. The Council is exploring whether such a policy would be appropriate for Test Valley.

Water Supply and Quality

- 7.40 Water is a valuable resource for our environment, economy and health. The water environment is also under pressure, with lots of competing demands on this resource. This pressure has the potential to increase over time, with changes to the climate, population and lifestyles.
- 7.41 Most of our drinking water comes from local groundwater or surface water sources (e.g. rivers and lakes). A more efficient use of water will be essential to help balance the needs of the environment, communities and the economy. In the local area, there have recently been reductions in the amount of water that can be abstracted at certain times in order to ensure there is enough water available to avoid negative effects on the environment.
- 7.42 The adopted Local Plan already includes policy requirements for new development to be more water efficient. Through responses to the Issues and Options consultation, there was general support for continuing this approach as long as it does not affect public health.
- 7.43 As well as thinking about the amount of water available, we also need to be aware of water quality and ways to conserve and enhance it. There are a number of ways the planning system can influence this, including managing sources of water pollution associated with new development and working with water companies to ensure that sufficient waste water treatment capacity is available. It should be noted that parts of the Borough are not connected to the sewerage network, so rely on local solutions, such as septic tanks.
- 7.44 We also need to ensure that the next Local Plan takes account of flood risk and how this may change in the future. A number of communities in the Borough have been affected by flooding in recent years. Different parts of Test Valley are affected by different types of flood risk including from groundwater, rivers, surface water and sewage flooding. We will update our evidence in relation to all types of flood risk to inform how we prepare policies on this matter and the allocation of land for new development.

Air Quality

- 7.45 Air quality affects public health as well as the environment around us. There are no Air Quality Management Areas within the Borough, which are

designated where air quality objectives are exceeded. However, there are areas designated in this way in neighbouring local authorities, generally associated with major road junctions and corridors.

- 7.46 There are a number of mechanisms for considering air quality. The next Local Plan's role will be to consider this matter in relation to new development, including schemes that could potentially generate pollution as well as thinking about emissions associated with transport. More information on transport and travel is provided in section 8.
- 7.47 We will also need to address other types of pollution that could arise from development, including land and water, as well as noise and light pollution (which may overlap with landscape and biodiversity considerations). This will need to take account of national policy and not duplicate controls through other mechanisms. The adopted Local Plan includes a criteria based policy relating to all types of pollution. It may be appropriate to take a similar approach in the next Local Plan.

8 INFRASTRUCTURE AND COMMUNITY FACILITIES

- 8.1 The delivery of sustainable physical, social and green infrastructure, in line with national policy, will be a key objective of the new local plan. Policies will reflect the evidence base and your feedback. The towns of Romsey and Andover are home to some of the Borough's main cultural, sports, recreational, community and transport infrastructure and we anticipate that these towns will experience exciting changes during the plan period. The Masterplan is progressing for the centre of Andover (and the potential redevelopment of the Lights Theatre). Plans are also evolving for the area to the south of Romsey town centre and Crosfield Hall. The infrastructure and community facilities serving the Borough's towns, villages and rural communities must evolve to meet the needs of communities and businesses and to enhance the lives of residents.
- 8.2 Planners need to find sites that are in sustainable locations well served by infrastructure i.e. those locations that are close to existing services and community facilities. We also want to explore how the next local plan can help support existing facilities in villages. Current Local Plan policies have sought the delivery of transport, community, educational, sports, green, leisure and healthcare infrastructure within the larger new developments, or have sought off site enhancements in the wider area. It is important that this supporting infrastructure continues to be delivered in a timely and phased manner, to support sustainable development and the growth of all communities, businesses and our town centres.
- 8.3 The Council will prepare an Infrastructure Delivery Plan (IDP) to accompany the next Local Plan and is working towards the publication of the annual Infrastructure Funding Statement. This will set out the Council's infrastructure investment priorities, report on investment, and help guide future investment in the Borough's infrastructure, in partnership with all key stakeholders. The Council will also support the development of a wide range of infrastructure and community services and facilities, to help deliver the Council's health, wellbeing, economic and community cohesion aspirations.
- 8.4 The Community Infrastructure Levy (CIL) is an integral part of the delivery of local infrastructure provisions and the Council will review and maintain its CIL priorities and spend.

Transport, Communications and Movement

- 8.5 It is anticipated that our transportation, communication and movement, both regionally and nationally, will evolve considerably over the next local plan period, particularly to respond to the challenges of climate change. In the UK, transport is the biggest contributor to greenhouse gas emissions. The emerging Draft Transport Strategy for the South East (TfSE) aims to achieve net-zero carbon emissions by 2050 and proposes that fully integrated transport, digital and energy networks will lead to a step change in

connectivity and environmental quality.⁹ A strong, efficient and integrated transport network is needed to help deliver this vision and to support sustainable economic growth.

- 8.6 Test Valley is well served by the strategic road network, with sections of the M27, M3 and other key routes, including the A303, A34 and A36 crossing the Borough. Two main rail lines pass through the Borough: London to Exeter, with stations at Andover and Grateley, and Bristol to Southampton, with stations at Romsey, Mottisfont and Dunbridge, and West Dean. A local rail service also operates between Salisbury and Southampton via Romsey and Chandler's Ford. The Airport at Southampton is also readily accessible. Your responses indicate that you value the Borough's good transport links and communications.
- 8.7 The Council will continue to work with partners and other agencies to maintain and improve the safety and function of the Borough's strategic transport network and local transport infrastructure, including with Highways England, Hampshire County Council Highways, Network Rail, Stagecoach, Transport for South Hampshire (TfSH), Transport for the South East, and others.

Sustainable Transport

- 8.8 The Council is committed to promoting a range of sustainable transport options, working closely with partners, including Hampshire County Council (the highway authority), to continue improving and integrating public transport for the residents of the Borough, with continued improvements to cycling and walking networks and by seeking more accessible community infrastructure in both new and existing communities, including those in the rural areas of the Borough.

Cycling and Walking

- 8.9 Encouraging opportunities for cycling and walking in the Borough, particularly for shorter journeys and as an alternative to car journeys is a key objective in helping to maintain healthy lifestyles, improving air quality and in reducing carbon emissions. Responses to the 'Issues and Options' consultation show that cycling and walking are very popular in the Borough and a priority for residents, particularly for leisure purposes. The responses indicate support for integrated transport measures and investment, including improvements to cycling and walking infrastructure and a range of public transport options, to help reduce reliance upon the private car. The Borough benefits from a range of attractive walking and cycling routes and rights of way and there are two National Cycling Network Routes crossing the Borough (NCN24 and NCN246). While improvements and enhancements have been made to improve access to cycling and walking in the Borough, it is recognised that further improvements to cycling and walking infrastructure can be made. This remains a priority for the Council. The cycle and public right of way network is

⁹ <https://transportforthesoutheast.org.uk/transport-strategy/>

important and the Council will consider in the context of potential allocations for development, how any gaps and enhancements to the network could be addressed

- 8.10 The Council will continue to promote and encourage active modes of transport (walking and cycling), for sustainability, wellbeing and health reasons, working in partnership with Romsey Future, Hampshire County Council, Andover Vision, Sustrans and other agencies. The emerging Local Cycling and Walking Infrastructure Plans (LCWIP) for Southern Test Valley and Andover will support this. The emerging Masterplans for the south of Romsey town centre and Andover, and the delivery of new neighbourhoods will incorporate the provision of attractive and safe cycling and walking environments and opportunities. The Council is also engaged in the Transforming Cities Fund (TCF) bid, which proposes active travel and transport infrastructure improvements in the Southampton Travel to Work Area, including cycling routes to Romsey, Chilworth, North Baddesley, Adanac Park, Chandlers Ford and Nursling and Rownhams.¹⁰
- 8.11 Through Community Infrastructure Levy (CIL) bids and section 106 contributions and the development of strategic sites, the Council can further support the delivery of the Council's cycling and walking infrastructure.

Public Transport

- 8.12 Bus and train use within the Borough is popular, but the proportion of residents travelling to work by private car remains high. The Council will encourage the provision and use of public transport and seek to improve and enhance public transport accessibility and more sustainable transport options. The emerging Masterplan for Andover will seek to better integrate the rail and bus stations within the town and enhance the pedestrian links and spaces around them. The future of Romsey Bus Station will be considered as part of the Romsey south of town centre Masterplan. The Council will work with Hampshire County Council to improve bus stops facilities and shelters within the Borough to improve safety, information and comfort for passengers in new developments and in existing communities. The Council will also work with Network Rail and other key stakeholders to continue enhancements at and around the railways stations at Andover and Romsey.

Car Parking

- 8.13 The consultation responses indicate a perception that adequate off road parking is important within new developments and also in our town centres, although some comments specifically do not favour parking courts. Some respondents indicate that parking for 2 cars should be a requirement for each new dwelling and there are concerns that car parking should not dominate local streets and developments.

¹⁰ More information available at: <https://transport.southampton.gov.uk/transforming-cities/>

- 8.14 Responses suggest that securing sufficient off road vehicle and cycle parking, that is well designed and overlooked, should remain a priority for new developments. The Council recognises that providing sufficient car parking can help to prevent on street parking and maintain safe and pleasant walking, cycling and living environments.
- 8.15 The next Local Plan will include a review of current parking standards for different types of development and at different locations in the Borough. This will also include consideration of reduced (or zero) parking standards at more sustainable locations, to help to discourage private car use and to respond to changing lifestyles.

Electric Vehicle Charging

- 8.16 The Government has announced plans to end the sale of new petrol and diesel cars / vans in 2035, with the potential for this ban to also include hybrid vehicles. Therefore, the next Local Plan will need to ensure it provides flexibility to support alternative technologies and the infrastructure needed to support them, recognising that we are likely to still be dependent on personal vehicles for travel.
- 8.17 At the moment, the main alternative is electric vehicles, which require a network of charging points to be available, with a particular emphasis on provision being available at home. The Council has provided a number of charging points in its public car parks in Romsey and Andover, with other points also being made available by others within the Borough.
- 8.18 As part of the Issues and Options consultation, many responses indicated that there will need to be the provision of charging points for electric vehicles in conjunction with new development. However there were also responses suggesting this should not be required through planning policy. National guidance indicates that local parking standards should take account of the need to for an adequate provision of spaces for charging plug-in and ultra-low emissions vehicles.
- 8.19 The Government has undertaken a consultation proposing that Building Regulations are amended to secure the necessary charging infrastructure. The outcome of this consultation is not yet available. We will need to keep this position under review as the next Local Plan is prepared, as well as trying to provide enough flexibility to support any newly emerging technologies.

Health

- 8.20 Health and wellbeing of the Borough's residents is a priority and is integral to the development of sustainable healthy and inclusive communities. Access to a range of community services, social care, green open spaces, sports, leisure, recreational and other provisions are important to maintain healthy lifestyles. It is important that the range of healthcare provisions evolves to support the changing population and its needs. You have mentioned the provision of doctors and dentists as a key aspect of Test Valley that could be

improved and the feedback showed there is a desire for enhanced open space and community facilities to support healthy lifestyles. The Council will support the provision and enhancement of health infrastructure in partnership with key stakeholders, including West Hampshire Clinical Commissioning Group (CCG), the Healthcare Trusts, GP practices and Primary Care Networks, Hampshire County Council and Public Health England. The Hampshire and Isle of Wight Sustainability and Transformation Partnership (STP)¹¹ is proposing new models of care that offer different levels of integrated healthcare across the region through a range of area and local health care hubs, hospitals and GP Practices. This may have implications for the future of healthcare provisions in Test Valley. The future Infrastructure Delivery Plan (IDP) will set out the Council's role in supporting healthcare provisions in the Borough via a range of partnerships.

Education

- 8.21 The Council recognises the importance of educational infrastructure to the wellbeing of the residents of the Borough, to its businesses, the local economy and its communities. The Council will continue to play a role in supporting the provision of a range of high quality educational and childcare provisions, including early years childcare, primary and secondary schools, further education facilities, special needs provision and adult education, in partnership with Hampshire County Council and other key stakeholders within the Borough's new neighbourhoods and existing communities.

Utilities

- 8.22 The Council will work with utility providers and infrastructure stakeholders to seek to ensure that the infrastructure needs of existing and new communities are provided for, with regard to local circumstances. Ensuring that critical infrastructure is protected with key stakeholders and partners, including river/flood defences, drainage, railway lines, power grid, water supplies and treatment will be important, in order to seek to ensure that our communities are resilient to climate change.

Telecommunications

- 8.23 Ensuring access to internet, broadband and 4G (and potential future 5G) coverage across the Borough, including more rural areas, is important for businesses, people working from home, education and community cohesion and resilience. The Council will consider how it can support enhancements to broadband provision in rural and urban areas and for new development through the next Local Plan's policies. Hampshire Superfast Broadband Programme aims to extend coverage to enable the Borough's residents to readily access online services.

¹¹ <https://hiowhealthandcare.org/>

- 8.24 Nationally, the number of fibre-to-the-cabinet connections overtook standard broadband copper connections for the first time this year, and the number of superfast broadband lines increased. Telecommunications infrastructure in the Borough is important to its communities, town centres, businesses and the local economy. Consumers are upgrading to faster broadband and seek greater connectivity.
- 8.25 The provision of free WiFi in Andover town centre is proposed in partnership with Andover Vision and Andover Business Improvement District (BID) and will contribute to the enhancement of the Borough's telecommunications infrastructure, for the benefit of residents, visitors to the town and local businesses.

Local Resilience

- 8.26 The Council has a record of working with parish and town councils and other organisations in putting plans in place to deal with major incidents. The origins of this work links to the 2014 floods which affected some of our villages and towns. Extreme weather events may become more frequent making local resilience more important. The planning system has a limited role in this but the next Local Plan will look to see what support it can provide.

Community Infrastructure Levy (CIL)

- 8.27 The Council will review its CIL and will continue to support investment in the provision, enhancement and maintenance of a wide range of community facilities and services, both in rural communities and in the Borough's settlements. The yearly CIL bidding process enables members of the public to get involved and to submit bids for schemes in their area. It also provides a mechanism for supporting the development of a range of infrastructure such as health infrastructure, community facilities and flood mitigation measures. Since we started the CIL bidding process in 2016, we've approved the release of £1,083,336 to 14 approved projects. In 2019, 8 projects were funded including the Plaza Theatre in Romsey, Over Wallop War Memorial and access improvements at Charlton Lakes. Bids are supported by the CIL Officer, the Council's Community and Leisure Team, and in partnership with parish and town council and a range of stakeholders and partners. New developments will support the provision of on site community facilities and/or through off site contributions, will mitigate the pressures of the new development and/or to contribute towards the enhancement of existing community centres, services and facilities, including arts and cultural provisions. The funding which is released to schemes comes from financial contributions from new development in the borough and CIL continues to be a useful source of investment in new infrastructure in Test Valley.

9 NEXT STEPS AND HOW TO GET INVOLVED

- 9.1 This Refined Issues and Options document has set out the key matters that we are considering as part of preparing the next Local Plan. Your input would be welcome in helping to frame the next stage of the process, in which we will draft the more detailed policies and proposals which will be set out as preferred options in a full draft Local Plan.
- 9.2 We will need to ensure the next Local Plan accounts national planning guidance, as well as locally collected evidence and input from the local community.
- 9.3 Comments are invited on this document. Whilst we are particularly interested in your thoughts on the issues and questions we have raised, if you have any comments on other planning policy matters that will help shape the next Local Plan then please provide them as well.
- 9.4 Comments should be submitted to the Planning Policy and Economic Development Service so they are received by **4.30pm on Friday XX XXXXX 2020**. They need to be made in writing and directed to:
- Email: planningpolicy@testvalley.gov.uk
- Post: Planning Policy and Economic Development Service
Test Valley Borough Council
Beech Hurst
Weyhill Road
ANDOVER
SP10 3AJ
- 9.5 If you have any queries on the content of this document, please contact the Planning Policy and Economic Development Service using the above email address or via 01264 368000
- 9.6 In your response please provide your name, and postal or email address. If you are responding on behalf of someone else, please also provide the name of the individual or organisation.
- 9.7 If you respond to this consultation, we will keep you informed of future consultation stages unless you advise us that you want to opt out of such communications.

10 GLOSSARY

AFFORDABLE HOUSING:

Housing for sale or rent for those whose needs are not met by the market. It needs to be provided in line with the specific types of affordable housing set out within the National Planning Policy Framework.

AREA OF OUTSTANDING NATURAL BEAUTY (AONB):

An area designated of national importance for its distinctive character and natural beauty. They are designated by Natural England. The North Wessex Downs AONB covers part of Test Valley.

COMMUNITY INFRASTRUCTURE LEVY (CIL):

A levy that local authorities can choose to charge on new development. The charges are related to the size and type of the new development. The money collected can be spent on funding infrastructure that the Council has identified as being required.

CORPORATE PLAN:

A plan that sets out the Council's vision and priorities. It provides the Council's direction and focus for activities and services. The current Corporate Plan 2019-2023 'Growing our Potential' was approved in April 2019.

CUSTOM BUILD HOME:

Refers to when an individual or an association of individuals commissions a specialist developer to deliver a new home.

DEVELOPMENT PLAN:

The Development Plan is made up of the Development Plan Documents for Test Valley and the Minerals and Waste Plans produced jointly by Hampshire County Council, Portsmouth and Southampton City Councils and the New Forest and South Downs National Park Authorities.

DEVELOPMENT PLAN DOCUMENTS (DPD):

Spatial planning documents that are subject to independent examination and will collectively make up the Development Plan for a local authority area. Individual Development Plan Documents or parts of a DPD can be reviewed independently of other Development Plan Documents.

DUTY TO CO-OPERATE (DTC):

The Duty to Co-operate was created in the Localism Act 2011. It is a legal duty on local planning authorities, county councils and public bodies to engage constructively, actively and on an ongoing basis on strategic cross boundary matters in relation to local plans.

EVIDENCE BASE:

The evidence and information used to inform Development Plan Documents. It should be as up to date as possible.

GREEN INFRASTRUCTURE:

This is a network of multi-functional green space that can deliver a range of benefits to local communities and the environment.

HOUSING MARKET AREA (HMA):

A HMA is a broad geographical area in which generally most people will both live and work.

LOCAL ENTERPRISE PARTNERSHIP (LEP):

LEPs are partnerships between local authorities and businesses. They play a key role in establishing local economic priorities to create jobs and support local businesses. All of Test Valley is within the Enterprise M3 LEP.

LOCAL GREEN SPACES:

Areas designated through plans that are identified of particular importance to local communities for example for beauty, historic significance or recreational value.

LOCAL DEVELOPMENT SCHEME (LDS):

The Local Development Scheme sets out the approach and timetable the Council will follow in the preparation and adoption of planning policy documents. The Council is required to keep the LDS up to date. The LDS was approved in January 2020 and is available on the Planning pages of the Council's website.

LOCAL PLAN:

This sets out the long-term spatial vision for the local planning authority area and the spatial objectives and strategic priorities to deliver that vision through development management policies and strategic site allocations. Local Plans have the status of a Development Plan Document.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF):

The NPPF set out national planning policy for plan making and decision taking. The NPPF was first published in 2012, with a revised version published in 2018 and further amendments also made in 2019.

NEIGHBOURHOOD PLAN:

A plan prepared by a Parish Council that sets out planning policies. There is a specific process set out in legislation setting out how such plans are produced.

PARTNERSHIP FOR SOUTH HAMPSHIRE (PfSH):

This is an organisation comprising East Hampshire, Eastleigh, Fareham, Gosport, Hampshire County, Havant, New Forest, Portsmouth, Southampton, Test Valley and Winchester Councils, and New Forest National Park. The organisations have come together through PfSH to improve the economic performance of South Hampshire and enhance it as a place to live and work.

PLANNING PRACTICE GUIDANCE (PPG):

An online resource published by Government which provides detailed national guidance on how to apply the NPPF.

SELF BUILD HOME:

Refers to when an individual or an association of individuals directly organises the design and construction of a new home.

STATEMENT OF COMMON GROUND (SOCG):

A written record of matters that are agreed or not agreed by the organisations that have prepared the statement. In the context of the Duty to Co-operate they are used to document agreement on cross boundary strategic issues with other local planning authorities or public bodies.

STATEMENT OF COMMUNITY INVOLVEMENT (SCI):

This sets out the standards which authorities will achieve with regard to involving local communities in the preparation of planning documents and decisions on planning applications. The Test Valley SCI can be viewed on the Planning pages of the Council's website.

STRATEGIC HOUSING AND ECONOMIC LAND AVAILABILITY ASSESSMENT (SHELAA):

This is a technical document that provides information on potential housing and/or economic development sites promoted by landowners/developers. It provides details on whether the promoted sites are available, suitable and achievable.

STRATEGIC HOUSING MARKET ASSESSMENT (SHMA):

This assessment considers the need and demand for specific types of housing (including affordable housing), as well as the mix of housing, within the Borough. It forms part of the evidence base.

SUPPLEMENTARY PLANNING DOCUMENT (SPD):

These provided supplementary information on the policies in Development Plan Documents. They do not form part of the Development Plan. The Council has produced a number of SPDs; they can be found on the Planning pages of the Council's website.

SUSTAINABILITY APPRAISAL (SA):

This is a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic considerations). There is a legal requirement that sustainability appraisals are undertaken for all Development Plan Documents.

VILLAGE DESIGN STATEMENT (VDS):

A document that describes the distinctive characteristics of the locality, and provides design guidance to influence future development and improve the physical qualities of the area. These are often adopted as Supplementary Planning Documents.

ANNEX 2

ADDENDUM TO STATEMENT OF COMMUNITY INVOLVEMENT IN PLANNING (DECEMBER 2017)

Paragraph 1.3A

Whilst coronavirus restrictions are in place and in order to abide by Government legislation and guidance on social distancing, the Council will temporarily undertake revised consultation methods, with regard to statutory requirements and the consultation principles and approaches as set out in this document for planning policy documents.

Unable to be undertaken:

- Provide hard copies for reference purposes at council offices and local libraries
- Attend face to face meetings
- Hold exhibitions and workshops

Additional or enhanced consultation methods to be undertaken:

- Use of social media
- Use of digital and virtual tools (where possible)
- Contact with community and voluntary groups supporting the vulnerable or those self isolating and shielding

The period of public consultation will also be extended beyond the minimum periods set out in this document.

These revised consultation methods are strictly temporary to reflect the exceptional circumstances resulting from the coronavirus restrictions and changes in working practices which these necessitate. These revised consultation methods will cease to apply, as soon as it is safe to do so.

June 2020

ITEM 22

Member Champions

Report of the Leader of the Council

Recommended:

That the Councillors as set out below be appointed to the following Member Champions roles for 2020/21:-

Councillor Matthews	Armed Forces
Councillor P Lashbrook	Community Safety and Resilience
Councillor Baverstock	Culture and Heritage
Councillor Hamilton	Equality and Diversity
Councillor Donnelly	Member Development/Community Councillor Role
Councillor Andersen	Voluntary and Third Sector

SUMMARY:

- This report proposes the appointment of Member Champions for 2020/21.

1 Introduction

- 1.1 In 2017 Cabinet approved the introduction of a Member Champions scheme in order that it could benefit from the experience, knowledge and interests of non-Cabinet members, in particular thematic areas.

2 The Role of TVBC Member Champions

- 2.1 The role of a Member Champion is to act in an advisory capacity to Cabinet in respect of specific areas of responsibility and, in particular, in the development of ideas that will help deliver the aims of the Council's Corporate Plan and Corporate Action Plan. It was agreed that Cabinet will commission Member Champions within their particular area of responsibility to:

- Research good practice in other Councils and organisations
- Liaise with external bodies such as the Local Government Association (LGA) to identify relevant research and ideas that could help further the Council's corporate aims.
- Consider what impact any proposed changes to Council policy and or, services might have on their specific area of responsibility. This might involve liaising with relevant groups within the Borough.

3 How the role works in practice

- 3.1 Cabinet members, in consultation with their Cabinet colleagues, have the ability to request that a Member Champion undertakes work, as described in paragraph 2 above, on behalf of Cabinet.
- 3.2 If a Member Champion wishes to instigate a piece of work, the matter will be first discussed with the Leader and the relevant Portfolio Holder. If they are in support of the proposal, the Portfolio Holder will discuss the merits of the proposal with the Head of Service (or Corporate Director where there is no Head of Service lead) and then present the idea to Cabinet members for consideration and discussion.
- 3.2 If endorsed by Cabinet members the Member Champion, Portfolio Holder and relevant Head of Service will meet to discuss a way forward.
- 3.3 The Member Champions' roles were established specifically to support Cabinet although the champions themselves need not necessarily come from the ruling group. The roles should not encroach on the independent scrutiny role of OSCOM or indeed into the role of Cabinet members. Member Champions do not have the authority to commit resources on behalf of the Council or to instruct officers to undertake work on their behalf.

4 Member Champion Thematic Areas 2020/21

- 4.1 It is suggested that the following appointments be made for 2020/21:-
 - Armed Forces
 - Community Safety and Resilience
 - Culture and Heritage
 - Equality and Diversity
 - Member Development/Community Councillor Role

5 Voluntary and Third Sector Appointment Process

- 5.1 The Member Champions are appointed by Cabinet on an annual basis at its June meeting. The role does not attract a Special Responsibility Allowance.

6 Resource Implications

- 6.1 There are no resourcing implications arising from this report.

7 Legal Implications

- 7.1 There are no legal implications arising from this report.

8 Equality Issues

- 8.1 No equality issues have been identified in adopting the recommendations arising from

9 Other Issues

- 9.1 Community Safety – None
 9.2 Environmental Health Issues – None
 9.3 Property Issues – None
 9.4 Wards/Communities Affected – All

10 Conclusion

- 10.1 The introduction of Member Champions has involved more members in the process of policy development and at the same time has allowed Cabinet to benefit from the experience, knowledge and interests of non-Cabinet members.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	0	File Ref:	N/A
(Portfolio: Leader) Councillor P North			
Officer:	Karen Dunn	Ext:	8401
Report to:	Cabinet	Date:	17 June 2020

ITEM 23

Exclusion of the Public

Recommended:

That, pursuant to Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting for the consideration of the following Report and annex on the following matters on the grounds that they involve the likely disclosure of exempt information as defined in the following Paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, indicated below. The public interest in maintaining the exemption outweighs the public interest in disclosing the information for the reason given below:

Project Enterprise Annex

Paragraph 3

It is considered that this report contains exempt information within the meaning of paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended. It is further considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information relates to the financial or business affairs of the Council and third parties who are necessarily identified, which information is commercially sensitive and which by its disclosure would have an adverse effect upon the interests of those third parties and the Council as they seek to settle agreed terms of business.

Valley Housing Outturn

Paragraph 3

It is considered that this report contains exempt information within the meaning of paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended. It is further considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information relates to the financial or business affairs of the Council and third parties who are necessarily identified, which information is commercially sensitive and which by its disclosure would have an adverse effect upon the interests of those third parties and the Council as they seek to settle agreed terms of business.

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