

Telephone: 023 9247 4174
Fax: 023 9248 0263
Website: www.havant.gov.uk

CABINET AGENDA

Membership: Councillor Wilson (Chairman)

Councillors Inkster, Bains, Bowerman, Rennie, Turner, Hughes and Thain-Smith

Meeting: Cabinet

Date: Wednesday 10 February 2021

Time: 2.00 pm

Venue: Skype for Business - Skype for Business

The business to be transacted is set out below:

Gill Kneller
Chief Executive

2 February 2021

Contact Officer: James Harris 01730 234098
Email: DemocraticServices@havant.gov.uk

Page

PART 1 (Items open for public attendance)

1 Apologies for Absence

To receive and record any apologies for absence.

2 Minutes

1 - 12

To confirm the minutes of the last meeting held on 28 October 2020 and the extraordinary meetings held on 18 November 2020 and 13 January 2021.

3 Declarations of Interests

To receive and record any declarations of interest.

4 Leader's Report

5 Cabinet Lead Delegated Decisions, Minutes from Meetings etc. 13 - 24

RECOMMENDED that the following minutes be noted:

- (1) Minutes of the meeting of the Portchester Crematorium Joint Management Committee held on 14 December 2020

RECOMMENDED that the following Delegated Decisions be noted:

- (1) 23.10.20 – Havant Borough Local Plan: Changes to the Pre-Submission Local Plan (Further Changes Subsequent to Full Council Decision) -
<https://havant.moderngov.co.uk/ieDecisionDetails.aspx?ID=431>
-

- (2) 23.11.20 – Test & Trace Support Payments

<https://havant.moderngov.co.uk/mglIssueHistoryHome.aspx?IId=26077&Opt=0>

- (3) 24.11.20 – Charges for the Collection of Garden Waste

<https://havant.moderngov.co.uk/ieDecisionDetails.aspx?ID=438>

- (4) 26.11.20 – Additional Restrictions Grant Scheme

<https://havant.moderngov.co.uk/mglIssueHistoryHome.aspx?IId=26086&Opt=0>

Cabinet Lead for Finance

6 2021-22 Revenue Budget, Capital Budget, Reserves and Balances, Capital Strategy, Treasury Management Strategy and Medium-Term Financial Strategy (MTFS)

Report to follow under separate cover.

Cabinet Lead for Coastal Communities

- | | | |
|----------|--|----------------|
| 7 | Community Infrastructure Levy (CIL): Proposed Spending of Neighbourhood Portion | 25 - 40 |
|----------|--|----------------|

Leader of the Council

- | | | |
|----------|--|----------------|
| 8 | Closure of Civic Plaza Car Park Redevelopment Project | 41 - 52 |
|----------|--|----------------|

- | | | |
|----------|--|--|
| 9 | Appointments to the Shareholder Sub-Committee | |
|----------|--|--|

In accordance with Part Two, Section D1 of the Council's new Constitution, Cabinet is requested to confirm the membership of the Shareholder Sub-Committee.

Please note that the Shareholders Sub-Committee may only comprise of members of the Cabinet and must include the Leader and the Cabinet Member with portfolio responsibility for finance.

The appointments to be effective from 1 March 2021, to coincide with the effective date of the Council's new Constitution.

GENERAL INFORMATION

IF YOU WOULD LIKE A VERSION OF THIS AGENDA, OR ANY OF ITS REPORTS, IN LARGE PRINT, BRAILLE, AUDIO OR IN ANOTHER LANGUAGE PLEASE CONTACT DEMOCRATIC SERVICES ON 023 9244 6231

Internet This agenda and its accompanying reports can also be found on the Havant Borough Council website: www.havant.gov.uk

Public Attendance and Participation

Members of the public are welcome to follow proceedings via the link on the Council's website. Many of the Council's meetings allow the public to make deputations on matters included in the agenda. Rules govern this procedure and for further information please get in touch with the contact officer for this agenda.



Havant

BOROUGH COUNCIL

PROTOCOL AT MEETINGS – RULES OF DEBATE

Rules of Debate

- Councillors must always address each other as “Councillor ...” and must always address the meeting through the Chairman;
- A motion must relate to the business included on the agenda or accepted by the meeting as urgent business
- A motion must be proposed and seconded before it is debated until it is either accepted or rejected by a vote;
- An amendment can be proposed to the original motion and this must be seconded before it is debated;
- An amendment cannot be considered if it is inconsistent with an amendment previously adopted or repeats an amendment previously rejected;
- The mover of an original motion may, with the consent of the mover of an amendment, incorporate an amendment into the motion;
- Only one amendment may be moved at a time. No further amendments can be moved until the previous amendment has been dealt with;
- Each amendment must be voted on separately;
- If an amendment is carried, the amended motion becomes the substantive motion to which further amendments may be moved;
- If an amendment is lost, other amendments may be moved to the original motion.
- The mover may withdraw an amendment at any time
- After an amendment has been carried, the Chairman will read out the amended (substantive) motion, before accepting any further amendment, or if there are none, put it to the vote.

Voting

- Voting may be by a show of hands or by a ballot at the discretion of the Chairman;
- Councillors may not vote unless they are present for the full duration of the item;
- Where there is an equality of votes, the Chairman may exercise a second (casting) vote;
- Two Councillors may request, before a vote is taken, that the names of those voting be recorded in the minutes
- A recorded vote will always be taken in respect of approval of the Annual Budget
- Councillors may not vote unless they are in the meeting for the full debate on any particular item
- A Councillor may request that his/her vote be recorded in the minutes

This page is intentionally left blank

HAVANT BOROUGH COUNCIL

At a meeting of the Cabinet held on 28 October 2020

Present

Councillor Wilson (Chairman)

Councillors Inkster, Bains, Bowerman, Rennie, Turner, Hughes and Thain-Smith

9 Apologies for Absence

There were no apologies for absence.

10 Minutes

The minutes of the previous meeting held on 2 September 2020 were confirmed as an accurate record.

11 Declarations of Interests

There were no declarations of interest.

The Leader explained that whilst his mother in law lived in an area that would be affected by the Langstone Flood and Coastal Erosion Risk Management Plan, he have conferred with the Acting Monitoring Officer who had confirmed that this did not form a Disclosable Pecuniary Interest. He could therefore remain in the room, participate and vote on this item.

12 Chairman's Report

The Leader updated Cabinet on recent meetings that he had attended on behalf of the authority, including the Solent Leaders' Forum and the Partnership for South Hampshire. At the latter, the discussion had included the Planning White Paper and he advised that the Deputy Leader had produced a robust reply to Government on behalf of the authority.

The Leader explained that Cabinet meetings would be held fully remotely for the foreseeable future and that the council had plans in place should the area be subject to further restrictions in response to Covid-19. He was pleased to note that the Leader of Hampshire County Council had announced a funding package to support local food banks and voluntary organisations to provide meals for those children not having school meals over the half term and vulnerable adults.

13 Cabinet Lead Delegated Decisions, Minutes from Meetings etc

Cabinet RESOLVED that the following delegated Decisions be NOTED:

(1) Traffic Regulation Order – Fir Copse Road

- (2) Traffic Regulation Order – Heather Road
- (3) Traffic Regulation Order – Highfield Avenue
- (4) Traffic Regulation Order – Hooks Farm Way
- (5) Traffic Regulation Order – St Johns Road
- (6) Traffic Regulation Order – Scratchface Lane

14 Langstone Flood and Coastal Erosion Risk Management

Cllr Turner introduced the item as the relevant Cabinet Lead and explained the importance of the proposal to enable the delivery of the Local Plan and to protect the A3023 from flooding. She believed that the recommendation contained within the report represented the most appropriate solution and explained that a scheme which solely protected the road would be unattractive, technically inferior and not offer the additional benefits afforded by the scheme proposed.

In response to questions around the visual impact to the harbour front, Cabinet was advised that the detail design had yet to be confirmed and would be subject to consultation with the community, regulators and the Council's Conservation Officer. The visual impact would however be kept to a minimum.

Following questions regarding funding, it was explained that the project would not proceed until all funding had been secured. The cost of the detail design phase would be met from CIL funds. Residents and local business would also be encouraged to contribute to the wider costs of the scheme and a number had indicated that they would be willing.

The Coastal Policy, Strategy & Environment Team Manager explained that all potential solutions had been investigated at the outset of the project and been subject to flood modelling. Protecting at source, as per the recommendation, would be the most effective solution to protect the road and unlocked additional funding to protect properties, businesses, the heritage assets and Rights of Way.

Cabinet members had mixed views, with some expressing concerns about the amount of money that was proposed to be spent on protecting private properties and seeking assurance that any shortfall for funding this would not be met by CIL funds. Reservations about the visual impact were also highlighted, along with the overall value for money of the scheme.

On balance however, the majority of Cabinet members felt able to support the proposal.

Proposed by the Leader and seconded by Cllr Turner it was RESOLVED that Cabinet:

- a) Noted the positive progress of the outline design study and the notable success relating to securing or identifying funding to take it forwards into detailed design;
- b) Noted the Community Infrastructure Levy contribution from Havant Borough Council to protect the main road access onto Hayling Island from flooding. This is critical for delivery of the Local Plan however, the funding also forms an important part of the solution to reduce flood risk to the Langstone community;
- c) Approved the outline design and recommended route alignment options, the detailed design will be bought back to Cabinet for approval, noting the polarised community views on some stretches of the frontage; and
- d) Delegates authority to the head of coastal partnership, acting in consultation with the portfolio holder, S151 officer and monitoring officer, to appoint professional services and approve Change Events to the NEC Professional Services Contract, given that the total contract value (estimated to be £250k - ~£400k) exceeds individual sign off limits in this case. All in compliance with procurement requirements.

15 Disposal of Former Landfill Site known as Brockhampton West

This item had been withdrawn from the agenda.

16 Exclusion of the Press and Public

Proposed by Cllr Wilson and seconded by Cllr Hughes it was RESOLVED that that the press and public be excluded from the remainder of the meeting because:

(a) it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during the item there would be disclosure to them of exempt information of the descriptions specified in paragraph 3 of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972; and

(b) in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

17 Capita Contract Negotiations

Resolved as set out in the exempt minute.

The meeting commenced at 2.00 pm and concluded at 3.28 pm

..... Chairman

This page is intentionally left blank

HAVANT BOROUGH COUNCIL

At a meeting of the Cabinet held on 18 November 2020

Present

Councillor Wilson (Chairman)

Councillors Inkster, Bains, Rennie, Turner, Hughes and Thain-Smith

18 Apologies for Absence

There were no apologies for absence.

19 Declarations of Interests

There were no declarations of interest.

20 Disposal of former landfill site known as Brockhampton West

The Leader introduced the item and gave some background to the site which had been unused since 1994. In March 2020 the sale of the land had been approved in principle and both internal and external advice had been sought in respect of assessing the offers received in terms of achieving best value.

He drew particular attention to Appendix 7 of the report which detailed the criteria for best value and supported the recommendation contained within the report.

Ms Brooks was in attendance to deliver a deputation on behalf of Havant Friends of the Earth and the Havant Climate Alliance which had been published and circulated in advance of the meeting.

Cllr Pike was in attendance to deliver a deputation as the former Cabinet Lead. He stressed the need for Cabinet to ensure that best value was achieved and urged that the decision be deferred to allow further work to achieve this and for the matter to be considered by scrutiny.

In respect of the urgency of the decision, he explained that this project had initially been brought forward to fund the implementation of the Regeneration Strategy. He did not believe that this was currently the case but recommended that the capital receipt be earmarked for regeneration.

He believed that there was scope for further work to close the bids received in order to achieve a higher sale figure whilst also delivering the same benefits.

He understood that the Council's Medium Term Financial Strategy had a strong need for revenue funding and he didn't believe that the report sufficiently explored the options for how this site could be used as a revenue stream for the Council in order to help meet the future funding gap.

In respect of environmental improvements, he believed that a solar farm could be achieved, whilst also delivering a much needed employment site for the borough.

In order to discuss the exempt appendices to the report it was RESOLVED that the press and public be excluded from part of the meeting because:

- (a) it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information of the descriptions specified in paragraph 3 of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 shown against the heading in question; and
- (b) in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Cabinet entered exempt session at 1:23pm

The public session recommenced at 2.19pm

Cabinet, having learnt that all options for the site had been explored and that the market conditions for disposal were favourable, was supportive of the disposal of the site as detailed in the officer recommendation.

Whilst it appreciated that the capital receipt could not be ringfenced for regeneration, Cabinet requested that it instead be earmarked for regeneration. To this end, Cllr Turner proposed a motion that the following additional recommendation be added:

‘Cabinet recommends that the capital receipt raised is earmarked for future regeneration in the Borough.’

This motion was duly seconded by Cllr Inkster and following a vote was declared carried.

During the debate, Cabinet highlighted the amount of work and time that had been put into the project to date and the rigorous testing by Cabinet Leads of the advice given. Cabinet noted that the decision to dispose of the site had been made by Cabinet in March 2019 and that the decision being taken related solely to the method of disposal.

Cabinet acknowledged the benefits and opportunities of the recommendation, which included not just the capital receipt, but also the site being brought back to use for employment.

Concerns were however raised that the capital receipt could only be recommended to be earmarked for regeneration rather than ringfenced and that the proposals had not been considered by the relevant scrutiny board.

Cllr Wilson proposed the recommendation as set out in the officer report, with the additional recommendation proposed by Cllr Turner and agreed by Cabinet following a vote.

This motion was duly seconded by Cllr Turner.

Following a vote it was RESOLVED that Cabinet agreed:

- 1) the disposal of the land for best value in line with the outcome of the options appraisal carried out subsequent to the 20 March 2019 Cabinet Resolution and;
- 2) where 1 is agreed, the evaluation criteria (set out in Appendix 3 of this report) as the mechanism for selecting a preferred bidder and;
- 3) where 1 and 2 are agreed, the outcome of the evaluation process and the selection of the preferred bidder (set out in Appendix 4 of this report) as overseen by the Director of Regeneration and Place in line with the 20th March 2019 Cabinet Resolution and;
- 4) where 1, 2 and 3 are agreed, the instruction of the Director of Regeneration and Place, in consultation with the Section 151 Officer, to exchange contracts and complete the sale of the land to the preferred bidder in line with the terms set out in this report. (confidential Annex 1 and Appendix 2);
- 5) where 1, 2 and 3 are agreed, are agreed, the instruction of the Director of Regeneration and Place, in consultation with the Section 151 Officer, to procure suitable environmental insurance at the appropriate time to reduce future liability relating to contamination, in line with the Council's procurement rules; and
- 6) Cabinet recommends that the capital receipt raised be earmarked for future regeneration in the Borough.

The meeting commenced at 1.00 pm and concluded at 2.41 pm

.....
Chairman

This page is intentionally left blank

HAVANT BOROUGH COUNCIL

At a meeting of the Cabinet held on 13 January 2021

Present

Councillor Wilson (Chairman)

Councillors Bains, Bowerman, Rennie, Turner, Hughes, Thain-Smith and Inkster

21 Apologies for Absence

There were no apologies for absence.

22 Declarations of Interests

Cllr Inkster declared that he had a site promoted in the Borough, but he did not believe it to be impacted by The Housing Delivery Action Plan.

23 Council Tax Support Scheme 2021/22

Cllr Inkster introduced the report and proposed that it be recommended to Council that the 2020/2021 Council Tax Support Scheme be retained for 2021/2022, albeit with the amendments as detailed in the report.

Cabinet discussed other Council Tax Support Schemes that were available, the Hardship Fund and the expected increase in caseload due to the current pandemic.

Cabinet was supportive of the recommendation and thanked officers for the work they undertook to ensure that members of the community and businesses had the support they required.

Proposed by Cllr Inkster and seconded by Cllr Bowerman it was RESOLVED that Cabinet recommended to Council:

- 1) that the 2020/21 Council Tax Support Scheme is retained for 2021/22 but with the following amendments:
 - (i) the Allowances and Premiums used in determining entitlement for working age claims are changed as set out in paragraph 5.3 of this report
 - (ii) the Non-Dependant deductions used in determining entitlement for working age claims are changed as set out in paragraph 5.4 of this report.
- 2) that the necessary amendments are made to the Council Tax Support Scheme document and that it is then published in accordance with Local Government Finance Act 1992 Section 13A(2)

24 Housing Delivery Action Plan

Cllr Hughes introduced the report as the relevant Cabinet Lead and explained that a Housing Delivery Action Plan was required as the Housing Delivery Test will indicate that delivery had fallen below 95% of the Council's housing requirement over the previous three years. This was due to factors outside of the council's control, including the need for nutrient neutral development and the Covid-19 pandemic.

Cllr Pike delivered a deputation, highlighting the importance of the subject. He believed that the Council had a duty to speed up the delivery of housing in the Borough and that these be built as sustainably as possible on brownfield and allocated housing sites.

He suggested a number of improvements to the document, including accelerating plans for council owned sites contained within the Regeneration Strategy, the need to work more closely with developers to remove any delays in the process for the delivery of housing, the need to progress the site at Southleigh and the need for clear dates for the completion of sites and when the five year land supply would be restored.

Cabinet discussed the plan and in response to questions was advised that the five-year land supply was based upon predicted completions during that period in line with the National Planning Policy Framework test and published Government guidance on which sites can be included.

Cabinet noted the significant external factors that had delayed housebuilding within the Borough, however dwellings were continuing to be built and planning permissions were continuing to be granted.

Cabinet believed that the plan represented a good starting point to put the authority on the right course to achieving its housing targets and encouraged pro-active engagement with developers to facilitate the delivery of approved sites.

Proposed by Cllr Hughes and seconded by the Leader it was RESOLVED that Cabinet:

- a. noted the need to publish an action plan as a result of the anticipated 2020 Housing Delivery Test results for Havant Borough, together with the December 2020 Five Year Housing Land Supply Update and the implications of both of these for determining planning applications for housing;
- b. approved the publication of a Housing Delivery Action Plan which is attached at Appendix 1;
- c. delegated authority to the Planning Policy Manager in consultation with the Cabinet Lead for Planning, Hayling Seafront Strategy and Commercial Services to make any necessary amendments to the action plan; and
- d. noted the inclusion of the action plan as a submission document with the Havant Borough Local Plan for independent examination.

The meeting commenced at 2.00 pm and concluded at 2.58 pm

.....

Chairman

This page is intentionally left blank

PORTCHESTER CREMATORIUM JOINT COMMITTEE

MINUTES OF A VIRTUAL REMOTE MEETING of the Joint Committee held on Monday 14 December 2020 at 2.00 pm.

Present

Fareham Borough Council

Apologies submitted

Gosport Borough Council

Councillor June Cully (Chairman)
Councillor Kathleen Jones

Havant Borough Council

Councillor Leah Turner

Portsmouth City Council

Councillor Dave Ashmore

Introduction

The Clerk to the Joint Committee explained the arrangements for the holding of this virtual remote meeting. This was taking place in accordance with the regulations issued by government to allow local authority meetings to take place remotely using video or telephone conferencing technology.

Apologies for Absence (AI 1)

Apologies were submitted on behalf of Councillors Keith Evans and Simon Martin (Fareham BC); Councillor Michael Wilson (Havant BC – engaged on other council business); Councillor Lee Hunt (Portsmouth CC), and Ashley Humphrey (Horticultural Consultant)

870 Declarations of Members' Interests (AI 2) – None

871 Minutes of the Meeting held on 28 September 2020 (AI 3)

RESOLVED that the minutes of the meeting held on the 28 September 2020 be signed as a correct record.

872 Matters Arising from the Minutes not specifically referred to on the Agenda (AI 4) –

(a) Minute 864 – Carbon Emissions

The Manager and Registrar explained that having spoken to Fareham's Environmental Health Officer no comparisons were made between crematoria as each crematorium reported on carbon emissions to its own environmental health department.

The Manager also referred to a recently published article in PHAROS magazine about the impact of carbon emissions on the green agenda, which would be circulated to members for their information.

(b) Minute 865 – Cultivation of plants

Following the question raised at the previous meeting, members were advised that peat was not used at all in the cultivation of plants used at the Crematorium.

873 Clerk's Items (AI 5)

(a) The late Brian Kidd, former Horticultural Consultant

The Clerk reported sadly that Brian Kidd, the former Horticultural Consultant for some 23 years from 1980 to 2003, passed away on the 29th November. He mentioned that in Brian's memory it might be appropriate next year to carry out an enhancement of the Brian Kidd summerhouse located in the grounds.

(b) Portchester Crematorium – Lease extension

Work was taking place on preparation of a new lease and in the meantime until this was concluded the Joint Committee would be holding over on the existing terms and conditions.

874 Finance Strategy and Budget for 2021/22 (AI 6)

(TAKE IN REPORT OF THE TREASURER)

RESOLVED (1) that the Finance Strategy 2021/22, attached as Appendix A to the report, be approved;

(2) that the Finance Strategy 2021/22 be sent to the four constituent authorities to note for their information.

875 Revenue Budget Report - 2021/22 (AI 7)

(TAKE IN REPORT OF THE TREASURER)

The Deputy Treasurer amplified the content of this report and in doing so drew particular attention to the recommendation to retain and not increase the present cremation fee for the year from 1 April 2021.

RESOLVED (a) That the capital works programme as detailed in Appendix D to the report be approved;

(b) That the Joint Committee approves the proposed cremation fees and other charges as set out in Appendices B & C to the report from 1 April 2021;

(c) That the proposed revenue account estimates as set out in Appendix A to the report be approved;

(d) That the Joint Committee writes to the Leader of each constituent authority to advise them of the annual payment to be received from the Portchester Crematorium Joint Committee in 2020/21 and 2021/22.

876 Portchester Crematorium Coronavirus Covid-19 Response – Autumn Update (AI 8)

(TAKE IN REPORT OF THE CLERK AND THE MANAGER AND REGISTRAR)

In submitting the report, the Manager and Registrar mentioned in particular –

- In respect of Obitus, the very good feedback from service users on the quality of the new multi-media system];
- that unclaimed items cleared from the garden during March and August had now been disposed of;
- the complimentary feedback received from an individual on the new open air garden clearance storage facility;
- consideration of arrangements to seek to avoid in the lead up to Christmas the crossover of garden visitors with those attending funerals.

Members complimented the appearance of the grounds and the action being taken by staff during pandemic.

RESOLVED that the further action taken in continuing to respond to the Coronavirus Pandemic be noted.

877 Portchester Crematorium Risk Management (AI 9)

(TAKE IN REPORT OF THE TREASURER)

RESOLVED (1) that the Risk Management Strategic Framework and Policy as set out in Appendices A & B to the report be approved;

(2) That the Risk Management progress report set out in Appendix C to the report be noted.

878 Building Repairs and Renewal Programme (AI 10)

(TAKE IN REPORT OF THE PROPERTY MANAGER)

RESOLVED that the contents of the report be noted.

879 Manager and Registrar's Report (AI 11)

(a) General Statistical Reports for September - November 2020

(TAKE IN REPORT OF THE MANAGER AND REGISTRAR)

In submitting the report, the Manager and Registrar advised that the 3,232 cremations carried out to the end of November now exceeded the total number undertaken during 2019.

Although a large number of ashes had been removed from the crematorium many were now being returned for scattering. The crematorium was now up-to-date with appointments.

(b) Metals Recycling Charitable Scheme

The Institute of Cemetery and Cremation Management (ICCM) had recently advised that following the Joint Committee's nomination, the Rowan's Hospice would be the recipient of a £10,000 donation under the metals recycling scheme.

In accordance with long established practice, members would be consulted when the ICCM next sought nominations.

RESOLVED that the reports be received and noted.

880 Horticultural Consultant's Report (AI 12)

(TAKE IN REPORT OF THE HORTICULTURAL CONSULTANT)

In the absence of the Horticultural Consultant, Dave Stribling presented the general update on the Crematorium grounds.

Members expressed their thanks to Dave and Brighstone (the contractor) for the excellent appearance of the grounds.

RESOLVED that the report be received and approved.

881 Date of Next Meeting (AI 13)

RESOLVED that the next meeting be held on Monday 22 March 2021 at 2pm

The meeting concluded at 2.45 pm.

Chairman

JH/me
15 December 2020
106141220m.doc

**Havant Borough Council
Record of Decision**

Key Decision

1. **TITLE:** HAVANT BOROUGH LOCAL PLAN: CHANGES TO THE PRE-SUBMISSION LOCAL PLAN (FURTHER CHANGES SUBSEQUENT TO FULL COUNCIL DECISION)

2. **PURPOSE OF DECISION**

This paper is submitted to the Cabinet Lead Cabinet for a policy decision to approved further changes to the Havant Borough Local Plan, in addition to those agreed by the Full Council on 9 September 2020. These are required to reflect changes made to the Use Class Order made by Government.

3. **DECISION MADE BY:** Cabinet Lead for Planning, Hayling Seafront Strategy and Commercial Services

4. **DECISION:**

The Cabinet Lead has

- a) Approved the publication of the changes to the Havant Borough Local Plan which are proposed in addition to those agreed by the Full Council on 9 September (Appendix A);
- b) Agreed that recommendations ii, iii, v, vii, ix, x and xi of the decision made by Full Council on 9 September 2020 apply to the changes proposed by a) above; and
- c) Noted the publication of the addendum to the Sustainability Appraisal specific to the changes proposed by a) above.

5. **DOCUMENT CONSIDERED:** Delegated report
2020 Reg19 changes SA Addendum Sept 2020
Proposed Changes to the Pre-Submission Plan_Post
Council amends_consultation document

Decision Status	Date of Decision Made	Call In Expiry Date
Recommendations Approved (subject to call-in)	23 October 2020	4pm, 30 October 2020

This page is intentionally left blank

**Havant Borough Council
Record of Decision**

Non Key Decision

1. **TITLE:** TEST AND TRACE SUPPORT PAYMENTS

2. **PURPOSE OF DECISION**

Approve that the administration of the Test and Trace support payments is carried out by East Hampshire District Council.

3. **DECISION MADE BY:** Leader of the Council

4. **DECISION:**

Approve that the administration of the Test and Trace support payments is carried out by East Hampshire District Council.

5. **DOCUMENT CONSIDERED:** HBC Delegated decision - test and trace payments
HBC - Test and Trace Support Payment -
Discretionary Scheme Policy v2

Decision Status	Date of Decision Made	Urgent Matter
Recommendations Approved	23.11.20	

This page is intentionally left blank

**Havant Borough Council
Record of Decision**

Non Key Decision

1. **TITLE:** CHARGES FOR THE COLLECTION OF GARDEN WASTE

2. **PURPOSE OF DECISION**

To set the service charges for the collection of garden waste for 2021/22.

3. **DECISION MADE BY:** Deputy Leader of the Council and Cabinet Lead for Planning, Hayling Seafront Strategy and Commercial Services

4. **DECISION:**

To agree the changes as per Appendix 1 to the current charges for the collection of garden waste, including the early bird discount, the increase is calculated on the Consumer Price Index increase by NSE as per the Service Agreement.

5. **DOCUMENT CONSIDERED:** Garden Waste 202122

Decision Status	Date of Decision Made	Call In Expiry Date
Recommendations Approved (subject to call-in)	24 November 2020	1 December 2020

This page is intentionally left blank

**Havant Borough Council
Record of Decision**

Non Key Decision

1. **TITLE:** ADDITIONAL RESTRICTIONS GRANT SCHEME

2. **PURPOSE OF DECISION**

The report is to approve the Additional Restrictions Grant Scheme

3. **DECISION MADE BY:** Leader of the Council

4. **DECISION:**

To approve the Additional Restrictions Grant Scheme

5. **DOCUMENT CONSIDERED:** HBC Delegated decision - Additional Restrictions Grant Scheme
HBC - ARG Scheme - Draft - Nov 20

Decision Status	Date of Decision Made	Call In Expiry Date
Recommendations Approved	26.11.20	N/A

This page is intentionally left blank

NON-EXEMPT

HAVANT BOROUGH COUNCIL

Cabinet

10 February 2021

Community Infrastructure Levy (CIL): Proposed Spending of Neighbourhood Portion FOR DECISION

Portfolio Holder: Councillor Leah Turner – Cabinet Lead for Coastal Communities

Key Decision: No

Report Number: HBC/029/2020

1. Purpose

- 1.1. This paper is submitted for a decision on the allocation of funds from the Community Infrastructure Levy (CIL) fund towards the delivery of Community Infrastructure projects.

2. Recommendation

- 2.1. The Cabinet is asked to recommend to Council that they approve the allocation of Neighbourhood CIL funds to the projects and the amounts as set out at Appendix 1 of this report.

3. Executive Summary

- 3.1. This report provides details of the 23 bids received during the Community Infrastructure Levy (CIL) Neighbourhood Portion bidding process held in the summer of 2020, and asks the Cabinet to recommend to the Council the release of £419,329 to fund 12 of those projects. The detailed breakdown of the proposed funding is set out at Appendix 3.
- 3.2. Bids have been discussed in detail with the Cabinet Lead for Coastal Communities, whose portfolio covers CIL. The proposed funding breakdown has also been presented at a session open to all members on 3 December 2020.

- 3.3. CIL is a levy on development to fund infrastructure, with 15% allocated to the neighbourhood portion. As at 31 March 2020 there is a total of £599,535 available in that fund, once outstanding commitments have been taken into account. It is considered in three Neighbourhood Areas: 'Coastal Communities', 'Wider Havant' and 'West of the A3(M)'. The proposed spend can be met in full from the available CIL Neighbourhood fund in each of the areas.
- 3.4. A summary of all the bids received, including unsuccessful ones, is shown at Appendix 1. Appendix 2 shows how bids have been considered to arrive at the recommended spending proposal.

4. Additional Budgetary Implications

- 4.1. None

5. Background and relationship to Corporate Strategy and/or Business Plans

- 5.1. The proposed decision on the funding breakdown is based on the Council's CIL Spending Protocol. This sets out that an annual bidding round will take place for Community Groups to apply for funding from the CIL Neighbourhood Portion, with a decision being made in February. It also sets out criteria to be considered in that decision making process.
- 5.2. The schemes proposed to be funded are in line with the goals of the Corporate Strategy 2020-2024, most notably Theme 1: An environmentally aware and cleaner Borough; Theme 2: A safe environment, healthier and more active residents and Theme 4: A revitalized borough with infrastructure that meets our ambitions.

6. Options considered

- 6.1. In making the recommendation for the Funding breakdown, all 23 bids made in this funding round have been considered in detail. A summary of all the bids received is set out at Appendix 1. All were assessed in a two stage process, first considering their eligibility for funding against national and local criteria, followed by a further prioritisation assessment against a further set of local criteria

- 6.2. According to previously established protocol, CIL Neighbourhood Spending is considered in three sub-areas of the Borough: 'Coastal Communities', 'Wider Havant' and 'West of the A3(M)'. Funding available in the Coastal Communities and West of the A3(M) areas is sufficient in this spending round to cover all CIL bids received. Bids received for the Wider Havant area exceed the amount of funding available.
- 6.3. It is open to the Council to decide how to distribute the available funding to eligible bidders. The Council has established a CIL Protocol for this purpose. In past funding cycles, the criteria from the protocol have largely been used to confirm eligibility for funding. In this funding round, with funds exceeded available funding in the Wider Havant area, it is therefore been necessary to apply criteria to determine which projects should be funded. Tables showing how all the bids were assessed is found at Appendix 2.
- 6.4. The criteria based assessment of identifying priority projects is considered to be the most equitable way of deciding which projects to fund, albeit it results in some eligible projects not receiving any funding.
- 6.5. Funds could have been distributed in other ways, for example by funding all eligible bids to a reduced amount. This option was rejected on the basis that this way all projects would receive much reduced amounts, potentially making the CIL contribution to the project ineffective. Nevertheless, this report recommends that the funding allocated to two high value bids is reduced, in order to fund all the priority projects identified through the consideration process within the amount available in the Wider Havant fund. The CIL contribution to these projects remains substantial.

7. Resource Implications

7.1. Financial Implications

As at 31 March 2020 there is a total of £599,535 available in the CIL Neighbourhood Portion fund. This figure reflects outstanding commitments through previous spending decisions which have not yet left the account. Availability of funds for spend is broken down into three distinct Neighbourhood

Portion areas. The table below shows the available funds in each of the Neighbourhood Portion Areas, the proposed spend, and funds remaining for allocation in future years. The spend proposed in this report can be met in full from the available CIL for each area.

Funding by area from CIL Neighbourhood Portion (rounded to nearest £10)			
Neighbourhood Area	Funds available as at 31 March 2020	Allocation of funds proposed through this report	Funds remaining for spend in future years
Coastal Communities	£322,480	£226,200	£96,280
West of the A3(M)	£151,370	£99,830	£51,540
Wider Havant	£125,680	£112,280	£13,400

The cost of the administration of CIL, including all the processes involved in collection and spend, is covered by an administration allowance of 5% of the CIL collected. This work is delivered within the limits of the Developer Contributions budget by the Planning Service, and includes all activities related to the allocation and spend of Neighbourhood Portion funds covered in this report.

Funds allocated to projects as a result of this decision will be retained by the Council until evidence of successful delivery of the project has been provided to the Community Infrastructure Officer by the Community Group or organisation.

Section 151 Officer comments

Date: 10 December 2020

Full financial details are included in the report. All spend is within moneys received by the Council.

7.2. Human Resources Implications

The administration of CIL is covered by staff within the Planning Service. CIL funding includes an allowance of 5% of the total income taken to be spent on CIL administration, which funds these posts.

7.3. Information Governance Implications

This proposal does not involve the use of personal identifiable information/data and/or personal sensitive or confidential information/data.

7.4. Other resource implications

Some of the projects propose alterations to properties or land within the Council's estate. Where lease terms require landlord consent for the proposed works, allocation of funds will be made conditional upon that consent being in place. It is not anticipated that any of the proposed allocations will have additional resource implications for the management of the Council's estate.

8. Legal Implications

- 8.1. The collection and spend of CIL is governed by The Community Infrastructure Levy Regulations 2010 as amended. Regulation 59(C) requires the neighbourhood portion to be used to support the development of the area by funding a) the provision, improvement, replacement, operation or maintenance of infrastructure; or b) anything else that is concerned with addressing the demands that development places on an area. The proposed spending allocation meets these requirements.

Monitoring Officer comments

Date: 15 December 2020

No further comments to the Legal Implications comments above

9. Risks

- 9.1. Risks to the Council as a result of this decision are minimal.
- 9.2. Funds have been collected and are being allocated in line with the Community Infrastructure Regulations.
- 9.3. The decision within this report will not result in the transfer of funds to Community Groups or Organisations until evidence of delivery of the project is provided. This approach mitigates against the risk that funds are provided to projects which are subsequently not delivered.

10. Consultation

- 10.1. Bids have been discussed in detail with the Cabinet Lead for Coastal Communities, whose portfolio covers CIL. The proposed funding breakdown has also been presented at a session open to all members on 3 December 2020.
- 10.2. The Estates Officer has been consulted on the projects affecting the HBC Estate, and provided that the necessary landlord / landowner consent is sought under the terms of the bidding organisation's/tenant's lease and granted as appropriate, raises no objection to the proposals. The Communities Team have also been consulted, and are supportive of bids to be funded.
- 10.3. There is no statutory requirement for public consultation on the proposed spend.

11. Communication

- 11.1. The Community Infrastructure Officer will inform bidding organisations and groups of the outcome of their bids. They will continue to liaise with project delivery leads at these groups to stay abreast of the process of the project and ensure timely transfer of the allocated funds upon completion of the project. The Community Infrastructure Officer will liaise with the Communications Team as appropriate regarding opportunities to promote CIL funding support for successfully delivered projects.

12. Appendices

- 12.1. Appendix 1: Summary of all Neighbourhood Portion Bids Received
- 12.2. Appendix 2: Bid Evaluation
- 12.3. Appendix 3: Proposed Funding Breakdown from CIL Neighbourhood Portion, February 2021

13. Background papers

- 13.1. None

Agreed and signed off by:

Portfolio Holder: 8 December 2020

Director: 20 November 2020

Monitoring Officer: 8 January 2021

Section 151 Officer: 21 December 2020

Contact Officer:

Name: Jacqueline Boulter

Job Title: Principal Planning Officer

Telephone: n/a

E-Mail: Jacqueline.Boulter@havant.gov.uk

Appendix 1: Summary of Neighbourhood Portion Bids Received

ID	Project	Summary of Project	Estimated Project Cost	CIL Requested
A	Acorn Community Centre extension - Wecock Community Association	The community centre has reached capacity which is limiting plans for the future. Project is a single storey multi use extension to the offices adjacent to the former youth wing to house a multi-use workshop area whilst still retaining the office space	£198,880	£87,880
B	Age Concern Hayling Island Building Renovations	Renovate and modernise to maintain existing services and to appeal to new members: Replace conservatory roof; Replace and relocate boiler; Renovate toilet facilities, including heating and hot water, and upgrade of disabled toilet	£12,000	£6,000
C	Artificial cricket pitch at Bidbury Mead, Bedhampton Mariners Cricket Club	Purchase and installation of non-turf, artificial cricket track (30 metres in length, 2.74 metres in width) on the western strip of the cricket square at Bidbury Mead	£10,910	£5,460
D	Citizens Advice Centre and Help Hub	Refurbishment work of unit in Meridian Centre to bring into use as Citizens Advice Centre and Help Hub: Servicing and refurbishment of the air handling unit; Servicing of fire and security systems; Power and wiring compliance work; Upgrade to ceiling lighting; Extension of air handling into small offices and interview rooms; Replacement kitchenette; Refurbishment of toilets	£135,000	£55,000
E	Heart of the Park Signage and Refurbishment Communities First Wessex	New signage to reflect renaming of Centre to 'Heart of the Park'; Further improvement of newly decorated entrance hall better quality, comfortable & inviting furniture, some 'hot desk' space and improved wi-fi access; Refurbishment of at least two of our smaller rooms, to create a vibrant, light and welcoming space to offer a hot desking facility. This will require the improvement of our Wi-fi, and the redecorating of the rooms, with new furniture and power points included.	£12,600	£6,300
F	Emsworth in Bloom	To provide attractive flower displays throughout Emsworth that create greener and cleaner spaces for the enjoyment of all visitors & residents and to create and foster a spirit of	£3,000	£1,500

		community pride and co-operation among residents. Funding requested for 2021 spring planting.		
G	Surgery Fit Out Upgrade Emsworth Surgery Patient Participation Group	Elements of the fit-out of the new surgery on the Cottage Hospital site: items for patient comfort over and above basic provision by surgery, to make the new surgery a welcoming place to visit for all patients and visitors who attend, to make it not just a medical space but one for wellness and wellbeing	£34,000	£17,000
H	Family Church Empower Centre Car Park	Resurfacing of car park to remove pot holes to address safety concerns	£5,000	£2,500
I	Emsworth Youth Eco Council Tree planting & Recycling Bins	As part of a wider Youth Eco Project with the long term aim of reducing waste overall and combat climate change in Emsworth: Funding sought to purchase trees to plant in the area for long term growth and to purchase and install recycling bins for the town.	£13,400	£6,700
J	HAMESH Men's Shed relocation and expansion	Relocation of the Shed from the Meridian Centre to outbuildings at Havant Fire Station. The project includes: Converting the current disused outbuildings at the Fire Station to provide suitable accommodation for the shed; Installing the required electrics, drainage and plumbing for the shed equipment and accessible toilet.	£30,000	£15,000
K	Havant Cricket Club Cricket for the Community	Provide accessible, quality and safe cricket facilities, incl. level and concrete 205m2 of disused and abandoned land to the side and back of Havant Sports Club; replace trees, fencing and gates; widen access path; provision of a KeySafe to enable secure and easy access to the facilities for the whole community; storage container for cricket equipment currently stored in changing room 4 making the room unusable; purchase of two caged cricket nets; outdoor electricity access for the cricket bowling machines.	£26,300	£13,150
L	Havant RFC Hooks Lane Playing Field Restoration (Phase 1)	Improve the quality of the grass rugby pitches at Hooks Lane, Havant: Install new main drainage and irrigation system required to improve the quality of all the playing pitches; strip, install pitch drainage, level, and re-turf Pitch 2; establish the rootzone and turf.	£380,000	£190,000
M	Elstead Gardens to Ladybridge Road path (PAWARA)	Rebuilding the path linking Elstead Gardens and Ladybridge Road wider to allow shared use by pedestrians and cyclists, and to a higher elevation to avoid flooding in the wet season and making it available all year round.	£16,950	£11,950

N	Havant REMADE Community Cycle Project	CIL funding is being sought for a scoping and feasibility study to repair and bring the Grade 2 listed Havant Signal Box (at the far end of the station car park by New Lane / School Lane) back into use as a community building to deliver projects under Havant REMADE. Amongst other community uses the location would provide a home for a cycle project. The scoping report would include a full day survey of the building, an electrical report, a detailed report and costings for future work, in order to be able to bid for other sources of funding	£5,690	£1,500
O	Energy Efficiency Improvements at The Spring Arts Centre	Environmental Improvements Project to improve the environmental sustainability of The Spring, by procuring energy saving equipment. CIL sought for installation of new theatre lighting using energy saving LEDs, while the wider project also addresses the energy efficiency of sound and computer equipment	£65,150	£32,050
P	Accessible Toilet at St Faith's Church	Provision of a wheelchair-accessible toilet, available to all building users, local shoppers and visitors.	£73,370	£36,690
Q	Paths at Sir George Staunton Country Park	To restore and replace certain pathways and fishing pegs in the Sir George Staunton Country Park, that have been affected by natural erosion. The surface material will consist of a self-binding gravel which will give a long lasting, firm and level surface fit for purpose	£57,600	£28,800
R	Refurbishment of Conservatory and Lounge at Domestic Abuse Refuge	Refurbishment of the children's lounge and play area and the conservatory annexe to create a homely environment.	£5,430	£2,720
S	The Avenue Tennis Courts	Improvement programme covering club facilities and courts. CIL funding is requested for the conversion of 2 unlit grass tennis courts to floodlit all-weather surface thus providing increasing capacity and providing better balance (Currently 10 grass / 7 all-weather) of courts at the club	£335,000	£50,000
T	Enhanced Access for People with Disabilities at 3rd Hayling Scout Group	To redesign and repurpose the forecourt at the HQ to allow for a drive in and drive out facility with a dedicated drop off point by the ramp for disabled access at the front door.	£16,000	£8,000
U	Waterlooville Bowling Club - Club House Extension	To extend and upgrade the clubhouse. Project has commenced; additional funding required to address inflation costs and Health & safety concerns raised during implementation	£15,000	£7,500

V	Widbrook Utd - Bartons Green Store Room	Replace the store room doors at Bartons Green Pavilion and install a remote access fire security system.	£4,110	£2,050
W	YMCA Emsworth, Redlands Grange	Construction of a new early years, youth and community centre in North Emsworth, known as YMCA Emsworth. Located in Redlands Grange, the building would occupy designated community land, and will serve all the wider North Emsworth area, offering youth facilities, a childcare nursery and community programmes	£1,500,000	£200,000

A	Acorn Community Centre extension - Wecock Community Association	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
M	Elstead Gardens to Ladybridge Road path (PAWARA)	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
U	Waterlooville Bowling Club - Club House Extension	yes	yes	yes	yes	yes	yes	no	yes	yes	yes	no
Wider Havant												
C	Artificial cricket pitch at Bidbury Mead, Bedhampton Mariners Cricket Club	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
D	Citizens Advice Centre and Help Hub	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
E	Heart of the Park Signage and Refurbishment Communities First Wessex	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
H	Family Church Empower Centre Car Park	yes	yes	yes	no	yes	no	yes	yes	yes	yes	no
J	HAMESH Men's Shed relocation and expansion	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
K	Havant Cricket Club Cricket for the Community	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
L	Havant RFC Hooks Lane Playing Field Restoration (Phase 1)	yes	yes	yes	yes	yes	yes	no	no	yes	yes	no
N	Havant REMADE Community Cycle Project	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
O	Energy Efficiency Improvements at The Spring Arts Centre	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
P	Accessible Toilet at St Faith's Church	yes	yes	yes	yes	yes	no	no	yes	yes	yes	no
Q	Paths at Sir George Staunton Country Park	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
R	Refurbishment of Conservatory and Lounge at Domestic Abuse Refuge	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
S	The Avenue Tennis Courts	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
V	Widbrook Utd - Bartons Green Store Room	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes

Stage 2: Assessment of Bids in Areas with Sufficient Funds (Coastal Communities; West of A3(M))

In the CIL areas where there are sufficient funds to cover the CIL requests, the bids remaining after the eligibility check were assessed as shown below. Criteria cover the funding reach, the community reach and the community benefit of the proposal. The top score is 12. Bids much reach at least 7 points to be eligible for funding.

Projects		Is the bid for the project deliverable stage?	50% match funding (cash or other)?	Group or facility has not had CIL funding last 2 years (excluding feasibility)	Open to all/ community based club (vs largely benefits private members)	Does the bid address identified priorities in Havant? *	First time the group or the project is receiving CIL funding	Would CIL funding lever in other funds?	Match funding is in cash (not volunteer hours)	Combined Priority Score
		Key criteria: Double weighted				Additional Criteria: Single weighted				
Coastal Communities										
B	Age Concern Hayling Island Building Renovations	yes	yes	no	yes	yes	no	no	yes	8
G	Surgery Fit Out Upgrade Emsworth Surgery Patient Participation Group	yes	yes	yes	yes	yes	yes	no	yes	11
T	Enhanced Access for People with Disabilities at 3rd Hayling Scout Group	yes	yes	yes	yes	yes	yes	no	yes	11
W	YMCA Emsworth, Redlands Grange	yes	yes	yes	yes	yes	no	no	yes	10
West of A3(M)										
A	Acorn Community Centre extension - Wecock Community Association	yes	yes	yes	yes	yes	no	yes	yes	11
M	Elstead Gardens to Ladybridge Road path (PAWARA)	yes	no	yes	yes	yes	yes	no	yes	9

* based on the Corporate Strategy, the Local Plan, or the Regeneration Strategy

Stage 2: Assessment of Bids in Areas Where Bids exceed available Funds (Wider Havant)

In the CIL areas where there are insufficient funds to cover the CIL requests, the bids remaining after the eligibility check were assessed as shown below. Criteria cover the funding reach, the community reach and the community benefit of the proposal.

In this area, the key criteria were used to sift the bids further. Much as in the first sift, any bids answering 'no' to any of these criteria were not considered further. The additional criteria were then used to confirm whether any remaining bids should be funded. The top score is 4. Bids must reach at least 2 points to be eligible for funding.

Projects (Wider havant)		Is the bid for the project delivery stage?	50% match funding (cash or other)?	Group or facility has not had CIL funding last 2 years (excluding feasibility)	Open to all/ community based club (vs largely benefits private members)	Does the bid address identified priorities in Havant? *	First time the group or the project is receiving CIL funding?	Would CIL funding lever in other funds?	Match funding is in cash (not volunteer hours)	Combined Priority Score
		Key criteria: Any 'no' removes bid from further consideration				Additional Criteria				
C	Artificial cricket pitch at Bidbury Mead, Bedhampton Mariners Cricket Club	yes	yes	yes	yes	yes	yes	no	yes	3
D	Citizens Advice Centre and Help Hub	yes	yes	yes	yes	yes	yes	no	yes	3
E	Heart of the Park Signage and Refurbishment Communities First Wessex	yes	yes	no	yes	n/a	n/a	n/a	n/a	0
J	HAMESH Men's Shed relocation and expansion	yes	yes	yes	yes	yes	yes	no	yes	3
K	Havant Cricket Club Cricket for the Community	yes	yes	no	yes	n/a	n/a	n/a	n/a	0
N	Havant REMADE Community Cycle Project	no	yes	yes	yes	n/a	n/a	n/a	n/a	0
O	Energy Efficiency Improvements at The Spring Arts Centre	yes	yes	yes	yes	yes	yes	no	yes	3
Q	Paths at Sir George Staunton Country Park	yes	yes	no	yes	n/a	n/a	n/a	n/a	0
R	Refurbishment of Conservatory and Lounge at Domestic Abuse Refuge	yes	yes	yes	yes	yes	yes	no	yes	3
S	The Avenue Tennis Courts	yes	yes	yes	no	n/a	n/a	n/a	n/a	0
V	Widbrook Utd - Bartons Green Store Room	yes	yes	yes	yes	yes	yes	no	yes	3

* based on the Corporate Strategy, the Local Plan, or the Regeneration Strategy

Stage 3: Confirmation of Projects to be funded

The projects proposed to be funded as a result of this process are set out at Appendix 3

Appendix 3:

Proposed Funding Breakdown from CIL Neighbourhood Portion February 2021

Coastal Communities

Bid No	Project	CIL Allocation
B	Age Concern Hayling Island Building Renovations	£6,000
G	Surgery Fit Out Upgrade Emsworth Surgery Patient Participation Group	*£12,200
T	Enhanced Access for People with Disabilities at 3rd Hayling Scout Group	£8,000
W	YMCA Emsworth, Redlands Grange	£200,000
	Total Proposed Spend from 'Coastal Communities' Neighbourhood Fund	£226,200
*funding to cover medical infrastructure only		

West of the A3(M)

Bid No	Project	CIL Allocation
A	Acorn Community Centre extension - Wecock Community Association	£87,880
M	Elstead Gardens to Ladybridge Road path (PAWARA)	£11,950
	Total Proposed Spend from 'West of the A3(M)' Neighbourhood Fund	£99,830

Wider Havant

Bid No	Project	CIL Allocation
C	Artificial cricket pitch at Bidbury Mead, Bedhampton Mariners Cricket Club	£5,460
D	Citizens Advice Centre and Help Hub	£55,000
J	HAMESH Men's Shed relocation and expansion	£15,000
O	Energy Efficiency Improvements at The Spring Arts Centre	£32,050
R	Refurbishment of Conservatory and Lounge at Domestic Abuse Refuge	£2,720
V	Widbrook Utd - Bartons Green Store Room	£2,050
	Total Proposed Spend from 'Wider Havant' Neighbourhood Fund	£112,280

NON EXEMPT

HAVANT BOROUGH COUNCIL

CABINET

10 February 2021

Closure of Civic Plaza Car Park Redevelopment project

FOR DECISION

Portfolio Holder: Cllr Michael Wilson

Key Decision: *No*

Report Number: HBC/028/2020

1 Purpose

- 1.1. This paper is submitted to Cabinet for decision to formally close the Civic Plaza car park redevelopment project (as set out in the Cabinet report of 20 March 2019) and to develop an outline business case for an enhanced and comprehensive scheme, to be known as the Civic Plaza Plus (working title).
- 1.2. This report sets out:
 - a. The history of the project and approvals to date, including;
 - details of the Homes England Funding Agreement and the implications of terminating it
 - the procurement process that has been undertaken to date
 - issues relating to the viability of the development.
 - b. Recommendations for the way forward in relation to the site in the context of the wider development of Havant Town Centre.

2 Recommendation

- 2.1 Members are required to approve and delegate to the Director of Regeneration and Place:
 - (i) Formal closure of the project in its current form.
 - (ii) Formal notification to the remaining two bidders that the project will not be proceeding, in line with specialist external advice.

- (iii) Termination of the signed Funding Agreement with Homes England dated 25 January 2019.
- (iv) Development of an outline business case, for consideration at a future Cabinet meeting, for the comprehensive development of the wider Civic Plaza site (working title to be known as Civic Plaza Plus).

3 Executive Summary

- 3.1. The Civic Plaza Car Park Redevelopment project was approved by Cabinet as the first project in phase 1 of the Council's Regeneration Programme on 24 October 2018. The detailed business case was subsequently approved by Cabinet on 20 March 2019. The site was recognised not only as a key site for the regeneration of Havant Town Centre, but also as important site in the delivery of houses, in line with the Local Plan.
- 3.2. In 2018, the project was awarded a grant of £3.36M from the Homes England Accelerated Construction Fund. This funding was secured to enable the scheme to become financially viable and to support the delivery of housing. It included a capital contribution towards infrastructure as well as development funding, to enable the Council to undertake site investigations and procure a development partner.
- 3.3. An OJEU compliant Competitive Dialogue procurement process was subsequently undertaken in 2019. However, this process demonstrated that even with the £3.36M contribution, the scheme was not viable without additional public sector funding.
- 3.4. Additional funding support (up to an additional £3.6M) was subsequently offered by Homes England, on the basis that the level of housing delivered under a revised scheme with that additional funding would be higher than that set out in the original Funding Agreement.
- 3.5. The last stage of the procurement (invitation to submit final tenders) was re-run with the benefit of the additional funding in January 2020 and this process was successfully concluded in May 2020. The intention was to bring a recommendation to Cabinet in summer 2020, to select a preferred development partner and enter into a development agreement.
- 3.6. In June 2020 however, Homes England confirmed that they had to withdraw the offer of additional funding support due to national pressures to support the Covid recovery effort. As such, the scheme

as procured is no longer financially deliverable in its current form. However, discussions with Homes England have continued and they have indicated a willingness to continue to support the project.

- 3.7. Around £185k of the Homes England grant has been spent to date on professional fees relating to the procurement and site investigations. Homes England has confirmed that the funding agreement can be terminated without any clawback implications.
- 3.8. It is now recommended that the project is closed in its current form. Closing the project means formally informing bidders that the project is not proceeding and terminating the funding agreement with Homes England, if required.
- 3.9. Approval is also sought to develop an outline business case for a more comprehensive scheme, which includes sites immediately adjacent to the car park. This could include the wider public estate to the south and the Leisure Centre site to the north.

4 Additional Budgetary Implications

- 4.1. None. Any budget to develop the outline business case will be found within the existing budgetary framework. Budgetary implications for the comprehensive scheme will form part of the new business case, to be brought back to Cabinet for approval in due course. Officers will also investigate and seek to secure any grant funding to support the development and implementation of the outline business case.

5 Background and relationship to Corporate Strategy and/or Business Plans

- 5.1. The redevelopment of the Civic Campus has been identified in the Local Plan (Core Strategy) since 2011 as an opportunity for the rationalisation of public services, provision of improved facilities, better access to new and existing facilities and the provision of much needed residential accommodation. Phase 1 of the Local Plan allocation, the Plaza refurbishment, is complete. The Civic Plaza Car Park Redevelopment Project was identified as the next phase for delivery.
- 5.2. The Council owned public car park at the centre of the Civic Campus (plot A1 in appendix 1) was identified as a stand-alone element of the development, having potential for the early delivery of over 100 housing units. It was established that this could be achieved without compromising the development of the wider

campus, which is in multiple ownerships and was considered to be a much more complex project and likely to take significantly longer to deliver.

- 5.3. In August 2018 the Council was awarded a grant of £3.36M from Homes England (HE) under the Accelerated Construction Fund to deliver housing on the Civic Campus car park. This was made up of a contribution towards infrastructure costs and also an element relating to development costs, to progress the procurement of a development partner and undertaking of site investigations and development options. The legal agreement securing the grant was signed on 25 January 2019.
- 5.4. The disposal of the site for commercial development was first approved by Cabinet along with the adoption of the Opportunity Havant Regeneration Strategy on 24 October 2018. The detailed project and business case was subsequently approved by Cabinet on 20 March 2019.
- 5.5. In December 2018 external lawyers, Womble Bond Dickinson (WBD) were appointed to assist and advise the Council in relation to the procurement of a development partner. An OJEU compliant Competitive Dialogue Procurement process took place between February 2019 and December 2019.
- 5.6. The tenders submitted through this process showed that the site was not commercially viable under the terms set out, other than by means of an income strip model, which was considered unacceptable to the Council.
- 5.7. In November 2019, Homes England agreed to review their funding support so that the grant could potentially double to over £7M. This was calculated using a benefit/cost ratio (BCR) analysis, based on the number of residential units delivered.
- 5.8. Following consultation with the Director of Regeneration and Place and Executive Board in January 2020, it was agreed to re-run the final stage of procurement (invitation to final tenders), in line with advice from Womble Bond Dickinson, to both incorporate the additional funding and remove any unnecessary barriers to viability (number of residential units and requirements for car parking). It was agreed with Homes England that the outcome of this process would inform the precise funding contribution required and that would then be formalised through a revised Funding Agreement.
- 5.9. A further round of competitive dialogue was undertaken with the final two bidders between December 2019 and June 2020, incorporating

the additional Homes England funding. Revised bids were received on Friday 15 May 2020 and both bids set out viable and deliverable schemes. The intention at that point was to make a recommendation to Cabinet to select a preferred development partner in summer 2020.

- 5.10. In June 2020 Homes England informed the Council that due to internal restructuring of project funding and financial pressures to support the national Covid recovery effort, they were withdrawing the offer of the additional funding. Homes England advised that the original funding award of £3.36M, which was already contracted through the Funding Agreement with Homes England and signed in February 2019 would not be withdrawn.
- 5.11. In order to secure alternative funding, in the summer of 2020, regeneration officers submitted an application for £3.9M to the Solent Local Enterprise Partnership (SLEP) for the Government's Get Britain Building economic stimulus fund. This fund was targeted to unlock stalled shovel-ready schemes. This fund was significantly oversubscribed and unfortunately in September 2020 SLEP informed the Council that this application was unsuccessful.
- 5.12. Discussions with Homes England continued over the following few months and they have indicated they are very keen to continue to support the project and work closely with the Council. However, it was not possible for them to re-establish the offer for additional funding at that time.
- 5.13. In October 2020 advice was sought from Womble Bond Dickinson on the most prudent way to close the project in line with the OJEU procurement guidelines.
- 5.14. To date, just under £200,000 of the Homes England grant has been spent on site investigation, feasibility and procurement work. Homes England were also asked to provide assurance that they would not seek to claw back any of the spend to date from the grant relating to the procurement process and site investigations. This has now been confirmed and formal written confirmation has been obtained.
- 5.15. In parallel, officers have informally begun to consider options for an alternative comprehensive scheme, which could incorporate the public estate to the south and the Leisure Centre site to the north.

- 5.16. To support this work, a bid was submitted to the Government's One Public Estate (OPE) programme in November 2020 with a view to exploring the development options and bringing together a stakeholder group for the wider Civic Plaza estate. This could potentially include the Police, Ministry of Justice and Department of Work & Pensions. Approval is sought to develop an outline business case, to be brought back to Cabinet in due course.
- 5.17. The closure of the Civic Plaza Car Park redevelopment project and creation of Civic Plaza Plus project meets the following **Corporate objectives**:
- a. **An environmentally aware and cleaner borough** – provision for environmentally sustainable development was built into the procurement process through the Invitation to Participate in Dialogue and Invitation to Submit Final Tender documentation.
 - b. **A thriving local economy** – redevelopment of the land to act as a stimulus for wider economic development opportunities and to enhance and improve the economy of the wider town centre.
 - c. **A revitalised borough with infrastructure that meets our ambitions** – a new exciting town centre development scheme that provides for a range of new infrastructure and facilities as well as contributing to the wider regeneration aspirations for the borough.
 - d. **A sustainable council** – The development of this site forms part of the Council's wider Civic Plaza Masterplan. This aims to enable the the Council to rationalise its estate and make best operational and economic use of its property assets.
- 5.18. In addition, the proposal supports the Council's Regeneration Strategy 2018 and associated Delivery & Business Plan in facilitating the development of the Civic Plaza car park site for housing and in acting as a catalyst to bring forward other key development sites in the Town Centre.

6 Options Considered

- 6.1. Based upon the expert procurement advice from Womble Bond Dickinson, a range of options have been considered for taking the site forward in light of Homes England's decision to withdraw the additional funding. The options considered are:
- i. *Go back to the remaining bidders and ask them to re-evaluate their bids to see if they can be made to be viable without the additional Homes England funding support.*

Without the benefit of the additional £3.6M Homes England grant, it is felt that any scheme would not be financially viable. As such, this option is not recommended.

- ii. *Restart the procurement for the Civic Plaza car park site on the basis of the original £3.36m funding only.*

Without the benefit of the additional £3.6M Homes England grant, it is felt that any scheme would not be financially viable. There would also be significant further cost in running a new procurement exercise (circa £200k) and it is not likely to lead to delivery of a viable scheme. As such, this option is not recommended.

- iii. Close the current project and widen the scope to include the whole Civic Plaza Plus site, working with adjoining landowners to consider a more comprehensive scheme.

A wider project would need to be evaluated from a viability point of view, but it is felt most likely to deliver a positive outcome. Funding would need to be identified to take forward the project and this will form part of the outline business case. It is recommended this option is taken forward.

7 Resource Implications

Financial Implications

- 7.1. To date around £185,000 of the Homes England grant has been spent on site investigations, legal advice and management of the procurement process. This has been claimed back on a quarterly basis under the terms of the grant agreement. While the funding agreement with Homes England made provision for potential clawback in the event the Council did not meet specific project milestones or in the event the Council chose to terminate the agreement, Homes England has confirmed they will not seek any clawback.
- 7.2. At the time of writing, around £20,000 of the monies spent to date has not yet been recovered from Homes England, although this is expected to be forthcoming. In the event that this is not recovered, it will be found within our existing budgetary framework. Any future costs associated with closing the project will either be borne by Homes England or found within existing budgets. These costs are expected to be fairly minimal.
- 7.3. Once the project has been closed and the funding agreement terminated, this funding will no longer be available and the cost of progressing an alternative scheme will fall to the Council to secure.

This will be scoped in the outline business case, to be delegated to the Director of Regeneration & Place.

- 7.4. A bid to the One Public Estate (OPE) programme has been submitted and further discussions with Homes England will take place to seek their further funding support. If additional funding is required beyond the agreed budgetary framework, Cabinet approval will be sought in accordance with the normal process.

Section 151 Officer comments

Date: 21.01.2021

As included in report, costs for closing this scheme are covered by grants from Homes England. A future scheme will be covered by a future cabinet report.

Human Resources Implications

- 7.5. None. Work to close the project and scope the revised project will be carried out by officers within the Regeneration team

Information Governance Implications

- 7.6. Any commercially sensitive information relating to the bidders will be kept confidential and disposed of in the appropriate way, including information relating to the respective bids. Legal advice will be sought if required.

Other resource implications

- 7.7. None.

8 Legal Implications

- 8.1. Consideration of s123 LGA 1972 has been given to the options relating to proceeding with or closing this project, in order to demonstrate 'best consideration' for the Council's asset.

- 8.2. Internal legal advice was provided in respect of the Homes England funding agreement.
- 8.3. External legal advice has been obtained from Womble Bond Dickinson (WBC) throughout the project in respect of the procurement process and their advice has been followed. The procurement process was undertaken in compliance with OJEU guidelines for a competitive dialogue procurement process.
- 8.4. The procurement documentation clearly and explicitly sets out that bidders entered into the procurement process at their own risk. Womble Bond Dickinson have provided advice on how to ensure the closure of the project is managed appropriately.
- 8.5. The funding Agreement with Homes England gives them the ability to recover spend to date funds from the Council where funding milestones have not been met and/or in the event that the Council choose to terminate the agreement. However, Homes England has confirmed they will not seek clawback in this instance. Internal or external legal advice will be sought to ensure the agreement is properly terminated and the matter concluded.

Monitoring Officer comments

Date: 28.01.2021

No further comment to the legal implication's comments above.

9 Risks

- 9.1. In these situations, there is always a risk that bidders may choose to challenge the process and try to claim some or all of their costs. The procurement documentation explicitly sets out that bidders were to proceed at their own risk. Further, the Council has taken all necessary steps at every stage throughout the process to ensure it conducts the procurement correctly and to explicitly set out the risks to bidders in the procurement documentation. Informal discussions have also taken place more recently to advise the bidders of the situation and they have received notification of the Council's intent to terminate the project, subject to Cabinet approval. As such, Womble Bond Dickinson has advised that a challenge is unlikely and even in

the event of a challenge, it is not considered likely to succeed. Ongoing discussions with the bidders will also take place to further mitigate this risk.

- 9.2. There is a risk that Homes England may opt to claw back some or all of the spend to date on the project under the terms of the signed Funding Agreement. However, Homes England has confirmed it will not seek clawback and therefore this risk has been managed. Ongoing positive discussions with Homes England continue to take place which seek to mitigate this risk further.
- 9.3. There may be a reputational risk to the Council within the development industry on the basis that this scheme has failed to deliver. However, it is not unusual within the sector for such schemes not to proceed and given the extreme and unprecedented conditions the country has faced and still continues to face in light of the pandemic, it is expected this risk to be minimal. It will further be mitigated and managed through a positive communications strategy and ongoing relationship building with the development sector.

10 Consultation

- 10.1. The Director of Regeneration and Place has been given regular briefings throughout the project to ensure that he was fully aware of all actions and assured that the best consideration for the site is represented, in line with the March 2019 Cabinet resolution. The project has been reported to the Executive Board at key milestones.
- 10.2. Briefings have been provided to the Strategic Regeneration Programme Board (SRPB) through regular papers and verbal updates. A project book is updated monthly as an ongoing record of all projects in the Regeneration Programme. This includes updates to this project and is circulated to members of the SRPB in advance of meetings. The SRPB includes the consultees required under the 2019 Cabinet direction to dispose of the site. The SRPB is not a decision-making body. This process ensured that the consultees identified by the direction were fully updated on all actions taken so that any issues could be identified at the earliest opportunity.
- 10.3. In addition to being a member of the SRPB, the Portfolio Lead for Regeneration was briefed on the project on a regular basis by the Head of Regeneration in regular one-to-ones.
- 10.4. Progress on the project has been reported to the Council's Executive Board at key milestones or when guidance was required on the most appropriate course of action in order to meet the objectives of the March 2019 Cabinet Resolution.

11 Communication

- 11.1. Communication of the project objectives, scope, decisions and outputs has been communicated to the SRPB, Executive Board and Cabinet. Public engagement on this and other Town Centre projects was undertaken as part of the consultation on the Opportunity Havant Regeneration Strategy and the Town Centre Masterplan produced by Fabrik Architects. The project was made public as part of the Local Plan consultation.
- 11.2. A communications plan will be developed to ensure communications are managed in respect of the project closure. This will form part of wider communications in respect of the next phases of the Council's regeneration strategy.

12 Appendices:

Appendix 1 Site Plan and adjoining land ownerships

13 Background Papers:

- Cabinet decision 24 October 2018
<https://havant.moderngov.co.uk/documents/s25628/Regeneration%20Strategy%20Cabinet%20Report.pdf>
- Cabinet decision 20th March 2019 -
https://havant.moderngov.co.uk/documents/s26786/Civic_Plaza_Business_Case_Report_CABINET_20%20Mar_2019%20rev1.pdf

Agreed and signed off by:

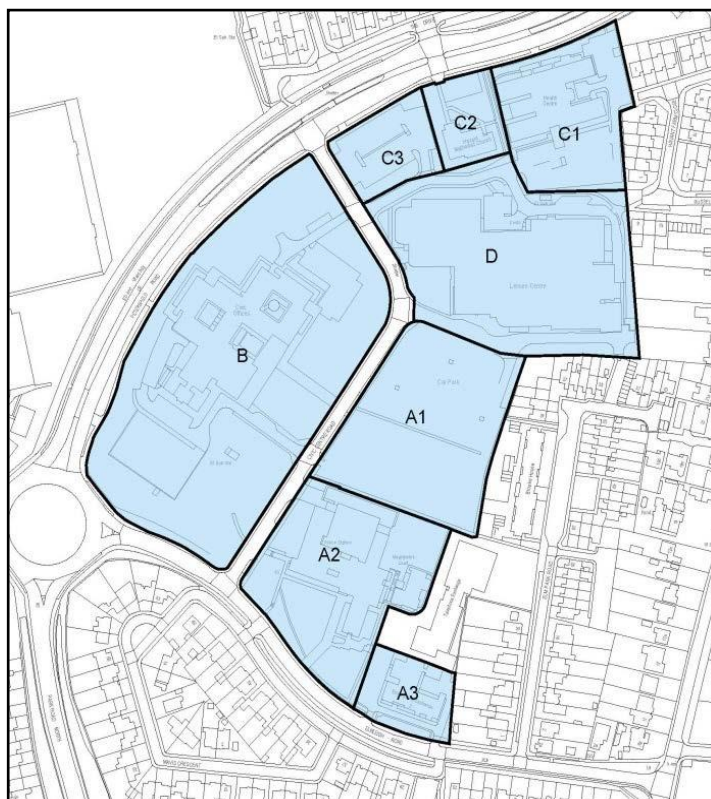
Monitoring Officer: 29.01.21

S151 Officer: 29.01.21

Director: 27.01.21

Contact Officer: Clare Chester
Job Title: Head of Regeneration & Economy
Telephone: 01730 234353
E-Mail: clare.chester@easthants.gov.uk

Appendix 1: Site plan and adjoining landownerships



Parcel	Site Area (ha)	Landowner	Facility
A1	0.98	Havant Borough Council	Public surface car park
A2	0.96	Havant Police station/ The Secretary of State for Communities and Local Government of HM Courts Service Estates	Her Majesty's Court Service and Hampshire Probation Service
A3	0.25	Department of Work and Pensions	Job Centre
B	2.54	Havant Borough Council	The Plaza and staff surface car park
C1	0.64	Havant Health Centre	NHS clinic and associated surface car park
C2	0.22	Methodist Church	Methodist Church
C3	0.28	Havant Borough Council	Public surface car park
D	1.45	Havant Borough Council	Leisure Centre