

EASTLEIGH BOROUGH COUNCIL

Minutes of a meeting of the Council held on Thursday, 20 July 2017 at 7:00 pm

PRESENT:

The Mayor, Councillor M Sollitt (Chairman); Councillors Airey, Allingham, Asman, Atkinson, Bain, Balaam, Bicknell, Boulton, A Broadhurst, H Broadhurst, Campbell, Clarke, Corben, Couldrey, Craig, Cross, Grajewski, Hall, Hatfield, Holden-Brown, Holes, House, Irish, Kyrle, Lear, Mann, Mignot, Morris, Myerscough, Parkinson-MacLachlan, Rich, Scott, Sollitt, Tennent, Thomas, Van Niekerk and Winstanley

Apologies for absence were received from Councillors Garton, M Hughes, Pretty, Roling and Rushton

14. MAYOR'S ANNOUNCEMENTS

The Mayor welcomed everyone to the meeting and congratulated Councillor Morris on his election to Hedge End and Grange Park Ward and welcomed him to his first Council meeting.

The Mayor gave an overview of recent Council highlights and also named a few forthcoming events.

- The very successful celebration of steam that brought a 92-ton locomotive to Eastleigh Town Centre attracted very high visitor numbers and excellent feedback;
- The Council's new fleet of waste and recycling vehicles that were named by local schoolchildren, and she recently had the privilege of naming the glass recycling lorry, The Glassinator;
- She wished a high achieving young athlete the best of luck at the Junior Commonwealth Games in Bermuda. Serena Vincent of Bursledon who was competing in the 'shot put' event that evening; and
- The Borough-wide sports development programme, which offered a wide range of activities for families and individuals, was currently under way.

Looking ahead:

- The Eastleigh Mela would be taking place on Sunday 30 July 2017 at the Leigh Road Recreation Ground from 11am.
- On the 23 July there would be a family day ahead of the opening the new community and play space at Grantham Green.

- An opening date of 16 August had been announced for a new Marks and Spencer Food hall in Eastleigh, developed by the Council as part of its property portfolio.

15. MINUTES

RESOLVED -

That the Minutes of the meeting held on 11 May 2017 and 15 May 2017 be agreed as a correct record.

16. DECLARATIONS OF INTEREST

Councillor Clifford Morris declared a Disclosable Pecuniary Interest in agenda item 6 (iii) Cabinet – 20 July 2017 Eastleigh Local Plan Review: Emerging Approach because although he is not directly involved he is employed by a company who assist the Council in compiling the supporting information for the area marked B on the proposed options for the Eastleigh Borough Local Plan

Councillor Nicholas Couldrey declared a Disclosable Pecuniary Interest in agenda item 6 (iii) Cabinet – 20 July 2017 Eastleigh Local Plan Review: Emerging Approach because he is a landowner in the area marked B on the proposed options for the Eastleigh Borough Local Plan.

17. LEADER'S REPORT

The Leader reported that the opening of Marks and Spencer food hall on 16 August 2017 was welcomed and that it would create jobs in the town centre.

The Future Eastleigh project was moving forward and this would ensure that there would be improved access to services.

He stated that just like every council in the Country, the Council was facing austerity cuts but as a result of the Efficiency Strategy and property acquisitions the Council was on track to enable Council Tax to be kept below inflation levels and frozen for the eighth year running.

It was hoped that the Council would be able to take advantage of the £2.3 billion Housing Infrastructure Fund, which was announced by Sajid Javid MP, the Secretary of State for Communities and Local Government, (DCLG) on 4 July 2017. A consultation from DCLG was due on a new formula for calculating the objectively assessed housing need (OAN) that may feed into Local Plan deliberations.

18. RECOMMENDATIONS (INCLUDING CALL-INS) REQUIRING DECISION

That the recommendations contained in the Cabinet Minutes of 6 April 2017 and 15 June 2017 be agreed.

(i) Cabinet – 6 April 2017

Community Investment Strategy 2017/18 – 2019/20

(ii) Cabinet – 15 June 2017

Countryside Gaps Review

Consideration was given to the following Minute

(iii) Cabinet - 20 July 2017

Eastleigh Local Plan Review: Emerging Approach

The Leader reported that the Council had received an email from Deborah Mitchell, from the Action Against Destructive Development (ADD) Group which attached a short review of the evidence regarding the emerging Local Plan from Steven Pickles of West Waddy ADP and a note of advice from Hereward Phillpot QC of Francis Taylor Building.

He said it was very helpful to have received ADD's concerns in advance of this meeting, and that he hoped to be able to allay those concerns.

He emphasised that the Council was not being asked to select or decide upon the Strategic Growth Option to the north and east of Bishopstoke and Fair Oak today, or to take decisions on other aspects of the emerging Local Plan. All options remained on the table and would be investigated fully so as to ensure compliance with the Strategic Environmental Assessment (SEA) Directive, National Planning Policy Framework and other legislation and that a sound plan emerged from the plan making process. The Council's approach had at all stages been fully informed by SEA, and Sustainability Appraisal reports had been produced at both the Issues and Options stage and, this month, on the greenfield site options. Further work will continue to be informed by SEA so as to ensure full compliance with the SEA Directive. Much evidence was already available, but the Council entirely accepted that important evidence remains outstanding on a range of issues, and has described this in detail in the Cabinet report. That is why recommendation (1) was merely to "note" the emerging approach, and not to, at this stage, "approve" it.

Why then is the Council going public on its emerging Local Plan at this stage? The reason was simple. The Council wished to ensure as much

public engagement and transparency as possible, since it felt it was important for the public and other stakeholders to understand how work on the emerging Local Plan was progressing and to offer their views to the Council. Early responses were helpful in drawing attention to outstanding evidence and issues. Releasing the emerging Local Plan at this stage was designed to encourage and stimulate further engagement with the public and other stakeholders.

RESOLVED –

That the recommendations as set out below be agreed.

- (1) That the Eastleigh Local Plan (2016 – 2036) Emerging Approach, as set out in Appendix 1, to include;**
 - (a) Development requirements over that period of 14,580 new homes and 108,000 sq. m of new employment space;**
 - (b) A Strategic Growth Option to the north and north east of Bishopstoke and Fair Oak, to accommodate a new community of approximately 5,200 new home, 30,000 sq. m of employment space, retail centres, schools, other community facilities and open spaces; approximately 95 new homes at Allbrook Hill; alongside a new link road north of Allbrook, Bishopstoke and Fair Oak; (noting that the development quantum is subject to further testing); and**
 - (c) Other new development sites to accommodate in total approximately 1,704 new homes (see Appendix 9) and 110,940 sq. m of new employment (see para. 33);**
 - (d) Protection of the countryside gap, as identified in Appendix 10 (noting some changes to the gaps approved by Cabinet on 15 June 2017);**
 - (e) Strategic, Development Management and Site Policies on other sites to guide the provision and form of development and infrastructure, and protect important environmental and heritage areas, as set out in paragraphs 15, 119 and 120, be noted;**
- (2) That the Eastleigh Local Plan Emerging Approach is based on the wide range of emerging evidence available at this stage, but the important evidence remains outstanding on a range of matters, and that the Council will only be in a position to make a decision on the Local Plan once all the relevant evidence is**

available and all the options have been fully considered, be noted;

- (3) That the use of the Eastleigh Local Plan Emerging Approach as set out in recommendation 1 (and (noting recommendation 2) as the basis for focused engagement with local communities, neighbouring Councils and statutory agencies through the 'duty to co-operate', and with developers, be approved;
- (4) That Delegated authority to the Senior Specialist (Local Plan), in consultation with Managers and the Leader of the Council, to update the Local Development Scheme as needed prior to the submission of the Local Plan, be given.

(NOTES: a) Representations were made by: four members of the public The Woodland Trust, CPRE; The Bishops Waltham Society; Bishopstoke Brownies; Test and Itchen Association; Angling Trust; Action Against Destructive Development; Stoke Residents Association; on behalf of Keith Taylor the MEP for the South East Region; Owner of Park Hills Woods; Member of Parliament for Eastleigh; Stokewood Surgery; 12th Eastleigh Scout Group; one Colden Common Parish Councillor; one Bishopstoke Parish Councillor; one Upham Parish Councillor; one Owslebury Parish Councillor; one Allbrook and North Boyatt Parish Councillor; one Otterbourne Parish Councillor; one Fair Oak Parish Councillor; one Winchester City Councillor in respect of the Local Plan and raised concerns and objections regarding specific issues contained in the Cabinet report of 20 July 2017; b) Councillors Couldrey and Morris declared disclosable pecuniary interests in this item and left the room before it was considered; and c) A recorded vote was requested, the result which was as follows:

FOR: Councillors Airey, Allingham, Asman, Bicknell, Boulton, Broadhurst A, Broadhurst H, Campbell, Clarke, Corben, Craig, Cross, Holden-Brown, Holes, House, Irish, Kyrle, Mann, Mignot, Myerscough, Parkinson-MacLachlan, Rich, Tennent, Thomas, Van Niekerk and Winstanley.

AGAINST: Councillors Atkinson, Bain, Balaam, Grajewski, Hall, Hatfield, Lear and S Solitt.

ABSTAINED: Councillors Scott and M Sollitt

(FOR: 26; AGAINST: 8; ABSTAINS: 2))

19. CABINET STATEMENTS

There were none on this occasion.

20. MEMBERS' QUESTIONS

Councillor Lear asked “Given that the Borough does not have an adopted Local Plan, can the Leader guarantee that the application for 99 homes north of Broad Oak in Botley will fail?”

The Leader responded “I cannot confirm that this will be the case because we cannot pre-determine such applications”

She then asked “You were reported to have said in the Echo that Persimmon Homes would get ‘short shrift’ when their application for the 99 homes come to the Council for a decision. Is this not pre-determination as when looking short shrift up in the dictionary one of the definitions is rapid and unsympathetic dismissal. The former meaning was a brief period allowed to a condemned prisoner to make a confession.”

The Leader replied, “Members always have to have an open mind whilst considering planning applications and they would do so in this case”

Councillor Grajewski asked the following question of Councillor House, “Is Eastleigh Borough Council’s members’ “Register of gifts and hospitality” as referenced in the Council’s Publication Scheme 2014, complete, up-to-date and available for inspection by the public? Should this register be available on the Council’s web site?”

The Leader replied “Cllr Grajewski will appreciate it is impossible for me to say if the register of gifts and hospitality is up to date as it is down to the individual elected member to notify the Monitoring Officer of the receipt of gifts and/or hospitality.

It may be helpful if I remind all members that our local code of conduct requires that member must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50 which has been accepted as a member from any person or body other than the authority.

If any member has any doubts as to whether they should register receipt of a gift or hospitality I know the Council’s Monitoring Officer will be pleased to advise further.

A record is kept of notifications received and this is available for public inspection upon application. Unlike the register of members’ interests there is no requirement to have this record on the Council’s website: but this is a good idea and we will take it forward.”

Councillor Grajewski then asked “Should Eastleigh Borough Council have a documented policy in the public domain (i.e. in the Constitution) for council officers and employees to register gifts and hospitality in line with the Code of Conduct for Local Government Employees?, should such a register be available for public inspection and if not, why not?”

The Leader replied “Thank you for raising this we will certainly look into whether this can be done”

Councillor Grajewski asked “Does the Leader agree with me that whilst the DCLG requires that all residential buildings over 18-metres be assessed for fire safety, there is now wider public interest in and concern about the safety of all buildings which are clad?”

The Leader responded “No I don’t agree, given that the issue that arises from Grenfell Towers appears to relate to building standards and specifically issues with safety around high rise buildings and specific materials. What this does suggest is the Government needs to row back from a small state belief that all regulation is bad and accept that safety needs appropriate regulation and accountability based on assessed risk.

Furthermore, I do believe it is highly irresponsible for anyone, from tabloid newspaper writers to opposition councillors chasing cheap headlines, to create fear where fear is not needed.”

Councillor Grajewski then asked “In the interests of transparency and reassuring the public, will this Council provide a complete list on its web site of all Council-owned buildings which have cladding, not just those with aluminium composite cladding, and update that list with a summary of findings for each building as it progresses its promised programme of testing the cladding on its buildings?”

The Leader responded “I don’t believe that this information is necessary as it is disproportionate to the problem”

Councillor Grajewski asked “Can the Leader please explain why on 29 June Eastleigh Borough Council released an “Assessment of fire safety at Eastleigh Borough Council owned buildings” to councillors and on its web site which included the statement “We have inspected all the high rise buildings within our property portfolio in light of the recent guidelines. **We can confirm that the cladding on these buildings, which include our main council offices, Eastleigh House and Wessex House, is not made of Aluminium Composite Material (ACM) panels**” and then, less than 24 hours later, changed that statement to read “We have inspected all the high rise buildings within our property portfolio in light of the recent guidelines. **We can confirm that some of the cladding on these buildings, which include our main council offices, is made of Aluminium Composite panels**” ?”

The Leader replied “The second statement was a clarification of the first statement that was potentially ambiguous as although we haven’t got buildings in our operational portfolio clad totally in Aluminium Composite Panels there are design features that use a similar product such as to the glass box section at the front of Eastleigh House.

The product used for Eastleigh House is not the same as the type used on the Grenfell Tower as it has composite aluminium sandwich panels with aluminium skins inside and out and a Kingspan Class 1 Thermapitch 10 Insulation board which has the top Class 1 fire rating. This is also complemented with other fire retardant products and fire stops. The bulk of Eastleigh House is made up of rendered insulation – Permarock EPS

premium insulation board, with Lamella mineral wool horizontal fire barriers to the first and third floor.

Councillor Grajewski then asked “Why did the first statement on 29 June claim that a) Eastleigh House does not have aluminium composite cladding when it had received information from a borough resident on 15th June (two weeks earlier) about the Metaline manufacturer’s web site which uses Eastleigh House as a case study about the installation of its Ultima aluminium composite cladding on Eastleigh House. b) Why did the Council reply to the resident denying this, telling the resident that that the cladding is Permarock? c) And therefore, can residents have confidence in the accuracy of any of the announcements that this Council puts on its web site?”

The Leader responded “We cannot control what information is published on the manufacturer’s web site and indeed anyone’s website.”

Councillor Grajewski asked “In October 2015, Cabinet received the “Ageas Bowl Project Review” prepared by the Chief Executive which included comprehensive details of the project’s history and the financial deal put in place including rent levels, risk analysis, buy-back options etc. This report was and still is clearly in the public domain. Are all of the financial arrangements detailed in that report still in place?”

The Leader responded “As Members are aware, in January this year Cabinet approved the refinancing proposals for the Ageas Bowl. This ensured that a significant net income stream of approximately £1.5M per annum for the Council is now guaranteed for at least 35 years with modified payback arrangements meaning that if Ageas Bowl plc were to buy us out within this time the Council would be fully compensated for any loss of income.”

Councillor Grajewski then asked “Public minutes of the Cabinet meeting in January this year state that a recommendation in agenda item 7, a confidential report entitled “Ageas Bowl Re-financing Proposals”, be approved. Shouldn’t details be placed in the public domain if the financing arrangements in the 2015 report have been superseded?”

The Leader replied “That information contained in that report is commercially confidential and therefore not available in the public domain.”

Councillor Atkinson asked “Does Eastleigh Borough Council have a complete register of all open spaces that it owns in the Borough, including small pockets of land in built up areas which often provide additional green spaces for the residents and ‘unofficial’ play space for many children? Do these sites have value? And what is Eastleigh Borough Council’s policy on selling such open spaces?”

The Leader responded “Work is well underway to compile a complete list of these spaces, including the small pockets of land referred to in the question and it is envisaged that this work will be completed by the end of September 2017. To provide context, the number of these pieces of land is likely to be circa 500.

Many of these spaces have been transferred to the council by developers as part of an Open Spaces Agreement pursuant to the Open Spaces Act 1906. Many have amenity value to local residents and also a monetary value, but it should also be remembered that the Council has responsibility for maintaining this land, for which it incurs a cost and retains liability.

The Council receives occasional requests from residents to purchase land abutting their properties, usually to extend gardens. Each request is considered on its merits and officers will make a recommendation to approve the sale or otherwise, on terms agreed by our Asset Management Team. A report will then be prepared and presented to the appropriate Local Area Committee (LAC), including an appraisal of the approximate land value which the resident must pay in order for the land to be sold/transferred (if appropriate.) It is then for members of the LAC to consider whether to approve the land sale or transfer.”

Councillor Atkinson then asked “Can you reassure me that these areas are being properly maintained?”

The Leader replied “Yes they are being maintained”

Councillor Atkinson asked “As both Eastleigh House and Wessex House have aluminium composite cladding added to their external walls, and we await further information from Council as to whether other Council owned buildings also have this cladding, what are Eastleigh Borough Council’s plans to either replace this cladding or introduce any additional safety measures for the buildings affected?”

The Leader responded “Eastleigh House has some cladding as already referred to in answering Cllr Grajewski’s question. We believe, at present, we do not need to provide any additional fire safety measures above those already in place; both Eastleigh and Wessex Houses meet current fire safety standards and building regulations. And, just to be clear, Wessex House is made of prefabricated compressed mineral wool boards with synthetic binders - the product is Rockpanel Chameleon. This is not an Aluminium composite panel.

Any building we build or refurbish does have a stringent review of materials by not only Building Control but fire safety engineers, surveyors and the Hampshire Fire and Rescue Services’ fire officer. We also undertake thorough risk assessments to ensure the fire evacuation strategy is key to the construction project. At present we are taking measures to review all our building stock to ensure they are all operating to best practice in relation to fire safety and the Council is also rolling out an extensive programme of checking the cladding on all our buildings over the coming weeks.”

Councillor Atkinson then asked “When was the Emergency Plan last tested?”

The Leader responded “I am unaware of when it was last tested but think it is important to get the right balance without causing too much fear”

Councillor Atkinson asked “How much is it costing Eastleigh Borough Council to engage the external consultants it is using to help Eastleigh prepare its Local Plan?”

The Leader replied “Including 2015/16 we have to date spent £452,903.55. We currently also have £365,737.91 worth of orders outstanding, and a further £351,000 reserve to cover future costs. The Local Plan process is exorbitantly costly due to the way government has designed it. Little of this spend directly gets people housed or jobs, or even protecting the southern damselfly. ”

Councillor Atkinson then asked “Was the Leader aware that some consultants were misrepresenting themselves by saying that they worked for the Council?”

The Leader responded “Some staff work for both Eastleigh and Southampton and have email addresses for both authorities.”

21. RESOLVED ITEMS - FOR NOTING AND QUESTIONS ONLY

RESOLVED -

That the Minutes of the following meetings be received:

- (a) Cabinet - 6 April 2017
- (b) Cabinet - 18 May 2017
- (c) Cabinet - 15 June 2017
- (d) Administration Committee - 26 June 2017
- (e) Audit and Resources Committee - 7 March 2017
- (f) Audit and Resources Committee - 13 June 2017
- (g) Licensing Committee - 22 March 2017
- (h) Policy and Performance Panel - 25 May 2017
- (i) Policy and Performance Panel - 6 July 2017
- (j) Bishopstoke, Fair Oak and Horton Heath Local Area Committee - 29 March 2017
- (k) Bursledon, Hamble and Hound Local Area Committee - 16 March 2017
- (l) Chandlers Ford and Hiltingbury Local Area Committee - 8 March 2017

- (m) Chandlers Ford and HIltingbury Local Area Committee - 28 June 2017
- (n) Eastleigh Local Area Committee - 23 May 2017
- (o) Hedge End, West End and Botley Local Area Committee - 6 March 2017
- (p) Hedge End, West End and Botley Local Area Committee - 27 March 2017
- (q) Hedge End, West End and Botley Local Area Committee - 22 May 2017
- (r) Hedge End, West End and Botley Local Area Committee - 12 June 2017

The meeting finished at 11:30 pm
M5859

This page is intentionally left blank

CABINET

Thursday, 6 April 2017 (6:30 pm – 6:36 pm)

PRESENT:

Councillor House (Chair); Councillors Winstanley, Airey, Bicknell, A Broadhurst, Kyrle and Pretty

Also in attendance: Councillors

Apologies for absence were received from Councillors Craig

RECOMMENDED ITEMS (REQUIRING A DECISION)

1. COMMUNITY INVESTMENT STRATEGY 2017/18 - 2019/20

Issues

The Community Investment Programme set out in the report is based on the best information available regarding costs and phasing of individual schemes but it should be recognised that, particularly for the later years, the figures were only indicative.

Considerations

Alongside the provision of schemes to enhance the Community is the need to minimise historic long term unfunded debt. The continuation of the policy to use 50% of future capital receipts (not already earmarked) to reduce this debt is included within the Strategy.

This Strategy covers the 3 years from 2017/18 to 2019/20 and totals over £113M.

RECOMMENDED -

- (1) That Council approve the community investment programme strategy 2017/18 to 2019/20 as set out in appendix a; and**
- (2) That Council approve the changes to the Prudential Indicators (Appendix B);**

2. MINUTES

RESOLVED -

That the Minutes of the meeting held on 16 February 2017 be agreed as a correct record.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

RESOLVED ITEMS (SUBJECT TO QUESTIONS ONLY)

4. EASTLEIGH BOROUGH LOCAL PLAN 2011 – 2036: PROGRESS REPORT AND RESPONSE TO CONSULTATION REPRESENTATIONS

Issues

This report summarises the recent progress and range of work underway on the Local Plan, which has been supplemented by additional resources committed by the Council. This indicates the Council's commitment to progress the plan in a timely fashion, backed by the evidence to seek that the plan is found 'sound' at examination.

Considerations

The report also provides a response to the key representations received on the previous Issues and Options consultation, indicating where further work is underway to assess the issues raised.

RESOLVED -

- (1) **That progress on the Local Plan be noted; and**
- (2) **That the response to the representations received on the Issues and Options consultation be endorsed.**

5. CORPORATE FINANCIAL MONITORING 2016/17 1 APRIL -31 DECEMBER 2016

Issues

The report presented the Council's overall financial position for the period from 1 April 2016 to 31 December 2016.

Considerations

The Community Investment Programme budget for 2016/17 is £50M of which £36M had been spent as at 31 December 2016 with the forecast being that all budgets will be spent by the year end.

RESOLVED -

- (1) **That the General Fund Revenue position as at 31 December 2016 be noted; and**

- (2) That the Community Investment Programme as at 31 December 2016 be noted.

6. EXEMPT BUSINESS

RESOLVED -

- (1) That, in pursuance of Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they are likely to involve the disclosure of exempt information as defined in paragraph(s) 3 of Part 1 of Schedule 12A of the Act; and
- (2) That, in pursuance of the public interest test, the public interest in disclosing the information contained in the following item of business was outweighed by the public interest in maintaining the exemption.

7. REDEVELOPMENT OF THE FORMER CIVIC OFFICES/MAGISTRATES COURT - HENDY CAR SHOWROOM

Issue

To consider the issues relating to property transaction recommendations (Paper 7)

Considerations

The report sets out a number of matters relating to property transactions.

RESOLVED -

That the recommendations set out in the report be approved.

M5632

This page is intentionally left blank