

FAREHAM

BOROUGH COUNCIL

2023/24
Decision No.
2455

Record of Decision by Executive

Monday, 3 July 2023

Portfolio	Housing
Subject:	Fareham Housing Void Property Works and Improvements Contract
Report of:	Head of Housing Delivery
Corporate Priority:	Providing housing choices

Purpose:

To seek Executive approval for a 6-month extension to the existing Void Property Works and Improvement Contract with Mountjoy Ltd, with potential for a further 6-month extension should it be required.

Mountjoy Ltd. are the contractor currently employed to undertake void works to Council homes, as well as some other planned improvement works such as kitchen and bathroom replacement.

The original contract was entered into on 01 May 2019 and the current arrangement will expire on 30 April 2024.

During 2023 there have been many changes to the social housing landscape. This includes new amendments to the Social Housing Regulation Bill (also referred to as Awaab's Law), increasing focus by the Regulator of Social Housing relating to matters of repair, and the ongoing implications of cost increases coupled with the introduction of 7% rent cap.

In May 2023 an internal review commenced to look at the existing void process. The review is aimed at ensuring an appropriate standard of void works takes place alongside good quality customer service, whilst also improving efficiency and identifying opportunities to reduce the financial impacts of the void process.

As part of the ongoing review there is already recognition that elements of the existing contract approach will need to change. This together with the lead in times required for a new contract mean it is not practical to complete a new tender, contract appointment and mobilisation before 30 April 2024.

A limited time extension to the existing arrangement with Mountjoy is sought to ensure this essential function of the Council's Housing service can continue, whilst allowing for improvements to the void process (and any associated cost savings) to be properly considered and incorporated as part of a new contract arrangement.

Options Considered:

As recommendation.

Decision:

RESOLVED that authority be delegated to the Chief Executive Officer, following consultation with the Executive Member for Housing, to enter into an extension of the existing Void Property Works and Improvements Contract with Mountjoy Limited for a period of 6 months, with authority delegated for a further 6 month extension should it be required.

Reason:

To ensure void repair works are delivered to the lettable standard effectively and efficiently, and to continue to provide improvements and disabled adaptations to occupied Council homes whilst a new tender pack and procurement exercise is concurrently prepared (incorporating any changes required following the internal review) so that a new contract can apply from 31 October 2024, or by 30 April 2025 at the latest.

Confirmed as a true record:

Councillor SDT Woodward (Executive Leader)

Monday, 3 July 2023

FAREHAM

BOROUGH COUNCIL

2023/24
Decision No.
2456

Record of Decision by Executive

Monday, 3 July 2023

Portfolio	Leisure and Community
Subject:	Fareham Town Centre Festive Lighting Scheme - Award of Contract
Report of:	Director of Leisure and Community
Corporate Priority:	Leisure opportunities for health and fun; Maintain and extend prosperity

Purpose:

This report seeks to award the contract following tenders received for a festive lighting scheme for Fareham Town Centre for a 5-year duration commencing August 2023.

Responsibility for the organisation and management of events in Fareham Town Centre comes under the Leisure and Community portfolio.

Part of these responsibilities include the organisation of the Christmas light switch on which takes place towards the end of November each year. This event sees the Mayor of Fareham turning on the Christmas lights as the culmination of entertainment and activities that take place beforehand. Historically, the event has attracted thousands of people into the Town Centre.

The contract for installing and maintaining the festive light display, that commenced in August 2018, expires in August 2023.

This report seeks approval to enter into a new 5-year contract for the design, supply, installation and maintenance of a festive lighting scheme for Fareham Town Centre.

Options Considered:

The comments of the Leisure and Community Scrutiny Panel were taken into account in considering this item.

A correction to paragraph 17 of the report was noted to clarify that it should read that "the current scheme uses approx. 4,163kWh and that the preferred bidder, based on the same timings, will use approx. 2,081 kWh".

As recommendation.

Decision:

RESOLVED that the Executive agrees that:

- (a) the tender submitted by the contractor ranked 1st, as set out in the confidential Appendix A to the report, being the most advantageous tender received, be accepted and the contract awarded to the company and;
- (b) the contractor ranked 2nd, as set out in the confidential Appendix A to the report, is appointed as the reserve bidder.

Reason:

To provide a new and improved festive lighting scheme for Fareham Town Centre.

Confirmed as a true record:

Councillor SDT Woodward (Executive Leader)

Monday, 3 July 2023

FAREHAM

BOROUGH COUNCIL

2023/24
Decision No.
2457

Record of Decision by Executive

Monday, 3 July 2023

Portfolio	Planning and Development
Subject:	The payment of monitoring fees in association with planning obligations
Report of:	Director of Planning and Regeneration
Corporate Priority:	Dynamic, prudent and progressive Council

Purpose:

The report sets out a proposal for developers to pay a fee to the Council for monitoring obligations contained within planning obligations (Section 106 legal agreements).

When planning permission is granted, especially for larger developments, they are often subject to a planning obligation. A planning obligation is a legal agreement, typically between the Council and a landowner. Planning obligations secure a wide range of matters which include requiring the payment of financial contributions or requiring the provision of facilities or infrastructure on and/or off-site.

The Council monitors the requirements of all planning obligations to ensure that the obligations contained therein are fulfilled to required timescales. There is an ongoing requirement on the Council to monitor all financial contributions collected, how they are spent and to publish an Annual Statement setting out this information.

The cost of monitoring planning obligations is borne by Fareham Borough Council at the present time. The Government advice is clear that Councils can charge a fee to cover their costs of monitoring planning obligations. Many local authorities in South Hampshire charge a fee to carry out such monitoring.

The report sets out proposals for charging a monitoring fee for planning obligations.

Options Considered:

As recommendation.

Decision:

RESOLVED that the Executive approves the introduction of a monitoring fee of £500 for:

- (a) each type of obligation (i.e. head of term, financial and non-financial); and
- (b) each obligation (i.e. covenant, restriction or requirement) contained within the planning obligation, as set out in paragraphs 14 -16 of the Executive Briefing Paper, with effect from 01 August 2023.

Reason:

The proposal will enable the Council to recover its costs of monitoring planning obligations. This approach is consistent with Government guidance

Confirmed as a true record:

Councillor SDT Woodward (Executive Leader)

Monday, 3 July 2023

FAREHAM

BOROUGH COUNCIL

2023/24
Decision No.
2458

Record of Decision by Executive

Monday, 3 July 2023

Portfolio	Planning and Development
Subject:	Local Development Scheme
Report of:	Director of Planning and Regeneration
Corporate Priority:	(All Corporate Priorities)

Purpose:

To approve the Local Development Scheme (2023) for adoption.

Local Planning Authorities are required by legislation to prepare and maintain a Local Development Scheme (LDS). The purpose of the Fareham Borough LDS is to set out the planning strategy work programme for the year ahead including the production of the Supplementary Planning Documents (SPDs), the Community Infrastructure Levy (CIL) Charging Schedule and the Statement of Community Involvement. An up-to-date LDS ensures that the community and other interested parties are aware of the planning documents that the Council will produce and the timescale for their production.

Options Considered:

As recommendation.

Decision:

RESOLVED that the Executive agrees:

- (a) to adopt the Fareham Borough Local Development Scheme (July 2023) as set out in Appendix A to the report; and
- (b) that the Director of Planning and Regeneration, following consultation with the Executive Member for Planning and Development, is authorised to make any necessary minor changes to the Local Development Scheme, providing that these do not change the overall direction, shape or emphasis of the document, prior to the document being published on the Council's website.

Reason:

To meet the Council's statutory responsibility for setting out an up-to-date timetable for the production of development plan documents.

Confirmed as a true record:

Councillor SDT Woodward (Executive Leader)

Monday, 3 July 2023

FAREHAM

BOROUGH COUNCIL

2023/24
Decision No.
2459

Record of Decision by Executive

Monday, 3 July 2023

Portfolio	Policy & Resources
Subject:	Osborn Road multi-storey car park
Report of:	Director of Planning and Regeneration
Corporate Priority:	Maintain and extend prosperity

Purpose:

An update on progress and a request to delegate authority to award a contract for the demolition of the existing Osborn Road multi-storey car park and construction of a new surface car park.

A scheme has now been developed to provide a new surface car park on the site of the existing Osborn Road multi-storey car park. This report updates members on the scheme and requests authority to award a contract for these works.

Options Considered:

At the invitation of the Executive Leader, Councillor Mrs K K Trott addressed the Executive on this item.

As recommendation.

Decision:

RESOLVED that the Executive:

- (a) notes the progress on the project to date; and
- (b) approves that delegated authority to award contracts for these works be given to the Director of Planning and Regeneration, following consultation with the Executive Member for Policy and Resources.

Reason:

To support the regeneration of Fareham town centre and to be a key driver of further development and investment.

Confirmed as a true record:

Councillor SDT Woodward (Executive Leader)

Monday, 3 July 2023

FAREHAM

BOROUGH COUNCIL

2023/24
Decision No.
2460

Record of Decision by Executive

Monday, 3 July 2023

Portfolio	Policy and Resources
Subject:	Biodiversity Net Gains: Projects on Council owned land
Report of:	Director of Planning and Regeneration
Corporate Priority:	Dynamic, prudent and progressive Council; Leisure opportunities for health and fun; Protect and enhance the environment; Strong, safe, inclusive and healthy communities

Purpose:

To consider the provision of Biodiversity Net Gain projects on land owned and maintained by Fareham Borough Council.

The recently adopted Fareham Local Plan 2037 Policy NE2 sets out a requirement for new development to provide, as a minimum, 10% biodiversity net gain. It is recognised the challenges which some applicants, particularly small to medium developers and the Council's own development schemes, may face in achieving this and this report proposes a solution in which the Council develops a series of Biodiversity Net Gain projects on its land to enable the permission of suitable, sustainable development whilst securing valued biodiversity improvements within the borough.

Options Considered:

As recommendation.

Decision:

RESOLVED that the Executive agrees:

- (a) to the principle of using the Council's land assets for the creation of Biodiversity Net Gain (BNG) Units through the delivery of a range of habitat related projects;

- (b) that, following consultation with the Executive Member for Policy & Resources, authority be delegated to the Director of Planning and Regeneration to agree an annual programme of Council sites to be used for the purposes of securing Biodiversity Net Gains Units; and
- (c) that, following consultation with the Executive Member for Policy & Resources, authority be delegated to the Director of Planning and Regeneration to enter into unilateral undertakings given by the Council as landowner to the Local Planning Authority to commit Council owned land for a minimum period of 30 years for the purposes of securing Biodiversity Net Gain projects

Reason:

To ensure the implementation of the Fareham Local Plan 2037 via the delivery of off-site Biodiversity Net Gain units on Council land and to realise commercial opportunities on Council assets.

Confirmed as a true record:

Councillor SDT Woodward (Executive Leader)

Monday, 3 July 2023

FAREHAM

BOROUGH COUNCIL

2023/24
Decision No.
2461

Record of Decision by Executive

Monday, 3 July 2023

Portfolio	Policy & Resources
Subject:	General Fund & Housing Revenue Outturn 2022/23
Report of:	Head of Finance and Audit
Corporate Priority:	Dynamic, prudent and progressive Council

Purpose:

This report provides the Executive with details of the actual revenue expenditure for 2022/23 for the General Fund and Housing Revenue and Repairs Account.

The General Fund actual net revenue expenditure on services for 2022/23 totals £10,080,693 which is £1,111,007 less than the revised budgeted amount for the year. The main reasons for this are higher income in some areas, such as parking charge income, where recovery was quicker than anticipated or additional grant income was received. However, there have still been pressures on the budgets in the year, in particular for the homelessness and waste collection services.

Taking account of financing and non-service budgets, the final net budget outturn position requires a drawing from reserves of £744,267, compared to an anticipated £1,239,500 drawing set out in the revised budget agreed by the Executive in February 2022.

This reduced drawing from reserves will help protect the Council's financial position going forward. Some trends in increased expenditure such as fuel prices have continued during 2022/23, income streams are still not all at the levels they were 5 years ago, and the Government's financial support schemes are now disappearing. The Council's underlying financial position has therefore worsened and was highlighted in the Medium-Term Finance Strategy. A new Opportunities Plan is therefore in the process of being developed to help bridge the forecasted funding gap.

The final figures for the Housing Revenue and Repairs Account (HRA) in 2022/23 show that the HRA revenue reserve has been increased by £127,023. Overall, total HRA Reserves have decreased by £1.154 million.

Options Considered:

As recommendation.

Decision:

RESOLVED that the Executive notes the content of the report.

Reason:

To enable the completion of the General Fund expenditure programme for 2022/23 and to ensure that the balances on the Housing Revenue and Repairs Accounts as at 31 March 2023 will be available in future years and that 2023/24 budgets are sufficient to meet the level of work programmed.

Confirmed as a true record:

Councillor SDT Woodward (Executive Leader)

Monday, 3 July 2023

FAREHAM

BOROUGH COUNCIL

2023/24
Decision No.
2462

Record of Decision by Executive

Monday, 3 July 2023

Portfolio	Policy & Resources
Subject:	Capital & Treasury Management Outturn 2022-23
Report of:	Head of Finance and Audit
Corporate Priority:	Dynamic, prudent and progressive Council

Purpose:

This report provides the Executive with details of the capital and treasury management outturn for 2022/23 to comply with the reporting requirements of the Code of Practice for Treasury Management. The report also seeks approval for the proposed methods of financing the General Fund capital programme.

Actual capital expenditure on General Fund schemes in 2022/23 was £6,202,287 (£12.1 million in 2021/22) compared with the revised capital programme of £9,932,800. The overall variance was £3,730,513. A detailed analysis of the variations is given in Appendix A to the report.

Total savings from individual projects of £44,017 were achieved, additional expenditure of £5,803 on others was incurred and a total of £3,692,299 will be carried forward into 2023/24. Details of the various methods used to finance this expenditure are set out in the report.

Full details of Treasury Management investment and borrowing activity in 2022/23 are also set out in the report and are summarised below:

	31 March 2022 Actual £'000	2022/23 Movement £'000	31 March 2023 Actual £'000s
Total borrowing	53,199	8,137	61,336
Total investments	(22,189)	(2,643)	(24,832)
Net borrowing	31,010	5,494	36,504

Net interest received from investments in 2022/23 was £879,854 (637,078 in 2021/22) and net interest paid on borrowing was £1,876,270 (£1,673,288 in 2021/22)

The overall investment property portfolio increased in value by £1.67 million and contracted income was approximately £4,480,000.

During 2022/23, the Council complied with its legislative and regulatory requirements of the Prudential Code.

Options Considered:

A correction to the table at paragraph 37 of the report was noted to clarify that under the Property type column it should state “Other (Childcare)”.

As recommendation.

Decision:

RESOLVED that the Executive:

- (a) approves that the General Fund capital programme for 2022/23 be financed as set out in the report;
- (b) agrees that the additional expenditure incurred, amounting to £5,803 be financed retrospectively from unallocated capital resources; and
- (c) notes the treasury management activity for 2022/23.

Reason:

To provide the Executive with details of the capital and treasury management outturn in 2022/23 and to comply with the reporting requirements of the Code of Practice for Treasury Management.

Confirmed as a true record:

Councillor SDT Woodward (Executive Leader)

Monday, 3 July 2023

FAREHAM

BOROUGH COUNCIL

2023/24
Decision No.
2463

Record of Decision by Executive

Monday, 3 July 2023

Portfolio	Policy & Resources
Subject:	Lease of Open Space, Warsash Recreation Ground
Report of:	Director of Planning and Regeneration
Corporate Priority:	Dynamic, prudent and progressive Council

Purpose:

The report seeks authority to publish a notice under Section 123 of the Local Government Act 1972 (as amended) in a local newspaper, which specifies that the Council is proposing to grant a lease for a period of 10 years on a small section of open space at Warsash Recreation ground to allow a Telecommunications Mast and associated apparatus to be erected.

The report also seeks delegated authority to the Executive Member for Policy and Resources to consider any representations received in response to the published notice, to determine whether the public interest in granting the lease outweighs any negative impacts raised in representations received, and to therefore decide whether to grant the lease to install telecommunications apparatus on Warsash Recreation Ground.

Mobile network coverage has been provided in Warsash for many years by a roof top base station at Warsash Maritime Academy in Newtown Road. The site owner is looking to dispose of part of the site for residential development. The redevelopment of part of the Warsash Maritime Academy site will involve the demolition of the building where the roof top station is currently located.

The Companies that deliver mobile telephone coverage/internet services have highlighted that to avoid the creation of a large 'coverage gap' in Warsash, a new mast must be provided prior to the removal of the existing apparatus.

Fareham Borough Council, in its capacity as the local planning authority, received an application to install a 20m high telecommunications mast and associated apparatus at the Warsash Recreation Ground on Osborne Road, in July 2021. For the reasons set out in the Executive Briefing Paper, the telecommunications operator is entitled to proceed to undertake the works from a planning perspective. The Council has subsequently been approached in its capacity as landowner of the proposed site to grant a lease for the telecommunications mast and associated apparatus.

The Government has granted extensive powers to mobile service providers to enable them to install their apparatus on third party land. The relevant legislation is The Electronic Communications Code 2017 (known as 'The Code'). In short, requests from mobile services providers are difficult to resist and to achieve this the prejudice caused must outweigh the public benefit of having access to a choice of a high-quality telecoms network and not be capable of monetary compensation.

The Council has commissioned specialist legal advice who have advised that the likelihood of resisting this request is very low. Given the above, the terms of the lease have been provisionally agreed in principle but prior to granting this the Operator has accepted the Council will need to comply with the provisions of Section 123 of the Local Government Act 1972 (as amended). This requires the Council to advertise the intention to grant a lease of Open Space for two consecutive weeks in a local newspaper and to consider comments received in response to assess any positive or negative impacts of the proposals.

Options Considered:

As recommendation.

Decision:

RESOLVED that the Executive:

- (a) authorises the publication of a notice under Section 123 of the Local Government Act 1972 (as amended) in a local newspaper for two consecutive weeks; and
- (b) agrees to delegate authority to the Executive Member for Policy and Resources to consider any representations received in response to the notice referred to in recommendation (a) above, to determine whether the public interest in granting the lease outweighs any negative impacts raised in representations received, and therefore to decide whether to grant the lease to install telecommunications apparatus on Warsash Recreation Ground.

Reason:

There are limited grounds for objection to the proposed mast under The Electronics Communications Code 2017, but the Council must observe the provisions of S.123 of the Local Government Act 1972.

Confirmed as a true record:

Councillor SDT Woodward (Executive Leader)

Monday, 3 July 2023