

## EXECUTIVE DECISION DAY NOTICE

Executive Member for Policy and Resources Decision Day

**Date and Time** Wednesday, 27th October, 2021 at 2.00 pm

**Place** Remote Meeting

**Enquiries to** members.services@hants.gov.uk

Carolyn Williamson FCPFA  
Chief Executive  
The Castle, Winchester SO23 8UJ

## FILMING AND BROADCAST NOTIFICATION

This decision day is being held remotely and will be recorded and broadcast live via the County Council's website.

## AGENDA

### DEPUTATIONS

To receive any deputations notified under Standing Order 12.

### KEY DECISIONS (NON-EXEMPT/NON-CONFIDENTIAL)

None

### NON KEY DECISIONS (NON-EXEMPT/NON-CONFIDENTIAL)

**1. REGULATION OF INVESTIGATORY POWERS ACT 2000 – ANNUAL REVIEW AND CONFIRMATION OF EXISTING POLICY WITH REGARDS TO SURVEILLANCE ACTIVITY (Pages 3 - 12)**

To consider a report of the Director of Culture, Communities and Business Services and Head of Law and Governance seeking approval of the County Council's Policy on Surveillance, as required under the Codes of Practice issued by the Home Office associated with the Regulation of Investigatory Powers Act (RIPA).

**2. INVEST IN HAMPSHIRE: TICE'S MEADOW (Pages 13 - 18)**

To consider a report of the Director of Culture, Communities and Business Services and Director of Corporate Operations seeking a contribution from the County Council's Invest in Hampshire Fund to enable the purchase of Tice's Meadow.

**3. MANYDOWN, BASINGSTOKE - REVISIONS TO OFFICER REPRESENTATION ON THE JOINT VENTURE BOARDS AND ASSOCIATED OFFICER DELEGATIONS (Pages 19 - 24)**

To consider a report of the Director of Culture, Communities and Business Services seeking amendments to the Officer representation on the Manydown Garden Communities (MGC) LLP and Manydown Development Vehicle (MDV) LLP Boards and the necessary transfer of associated Officer delegations for the Manydown project.

**4. EXCLUSION OF THE PRESS AND PUBLIC**

RECOMMENDATION:

That the public be excluded from the meeting during the following item of business, as it is 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 this item there would be disclosure to them of exempt information within Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons set out in the report.

**KEY DECISIONS (EXEMPT/CONFIDENTIAL)**

**5. OUTCOME OF MARKETING WOODHOUSE MEADOWS (Pages 25 - 44)**

To consider an exempt report of the Director of Culture, Communities and Business Services regarding the outcome of marketing at the Woodhouse Meadows site.

**NON KEY DECISIONS (EXEMPT/CONFIDENTIAL)**

None

**ABOUT THIS AGENDA:**

**On request, this agenda can be provided in alternative versions (such as large print, Braille or audio) and in alternative languages.**

**ABOUT THIS MEETING:**

**The press and public are welcome to observe the public sessions of the decision day via the webcast.**

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member for Policy and Resources
<b>Date:</b>	27 October 2021
<b>Title:</b>	Regulation of Investigatory Powers Act 2000 – Annual review and confirmation of existing policy with regards to surveillance activity
<b>Report From:</b>	Director of Culture, Communities and Business Services / Head of Law and Governance – Corporate Services

**Contact name:** Julie Chambers – Trading Standards Manager /Peter Andrews – Head of Information Governance,

**Tel:** 07739 050553  
0370 779 1365

**Email:** [julie.chambers@hants.gov.uk](mailto:julie.chambers@hants.gov.uk)  
[peter.andrews@hants.gov.uk](mailto:peter.andrews@hants.gov.uk)

### Purpose of this Report

1. The purpose of this report is to seek the annual approval of the County Council's Policy on Surveillance as required under the Codes of Practice issued by the Home Office associated with the Regulation of Investigatory Powers Act (RIPA).

### Recommendation

2. That the County Council's proposed Policy with regard to RIPA, attached as appendix 1 to this report, be approved.

### Executive Summary

3. This report seeks the approval of the County Council's Policy on Surveillance as required under the Codes of Practice issued by the Home Office associated with the Regulation of Investigatory Powers Act (RIPA).
4. The Policy statement, for which approval is sought, is attached to this report as Appendix 1.

### Contextual Information

5. RIPA is the act of parliament that regulates the County Council's use of covert surveillance. The County Council operates a strict control policy, which ensures that only authorised surveillance takes place; where it is lawful, necessary and proportionate to do so.
6. The current statutory Codes of Practice made by the Secretary of State for the Home Office under the Regulation of Investigatory Powers Act 2000 require that each local authority must have their RIPA policy confirmed by the appropriate executive function on an annual basis, that is, the Executive Member for Policy and Resources.
7. The current Policy was subject to Executive Decision approval on 27 October 2020. This was for a twelve-month period and approval for the continued use of surveillance powers for the next 12 months is required.
8. The County Council uses these powers very sparingly. The Trading Standards Service has adopted the Intelligence Operating Model (IOM) as a means of identifying suspicious activity for further investigation and, thus ensuring resources are used efficiently. The introduction of the IOM has contributed towards the decline in recent surveillance activity as the nature of investigations identified have not warranted such techniques being used.
9. In the financial year 2020/2021 there were no instances of the County Council using its surveillance powers in relation to Directed Surveillance (that is where the person is not aware surveillance is taking place and can be done using cameras or videos), or Covert Human Intelligence Source powers (this is where a person is required to covertly/secretly form a 'relationship' with the person/business under investigation for the purpose of obtaining information to further a criminal investigation, for example through face to face conversations, emails or telephone calls).
10. In the financial year 2020/2021 the County Council made 3 applications in relation to its communications data powers (this is where a request is made to a telecommunications supplier for subscriber data and service use data (not content), for example, identifying who a particular internet domain is registered to or the identity of the subscriber to a particular telephone number. All such activity requesting communications data is authorised by the Office for Communication Data Authorisations.
11. There has been no use of surveillance powers in relation to either Directed Surveillance or Covert Human Intelligence Source since 1 April 2021. Since 1 April 2021 the County Council has made a further 3 applications in relation to acquisition of communications data.
12. It should be noted that the use of surveillance is not the totality of any criminal investigation, but a small part of it, and that criminal investigations may not

complete their passage through the criminal court process for many months, if not years after the surveillance activity has ceased.

13. The principal reasons for the use of surveillance are for prevention and detection of crime and not for criminal proceedings. As such, conviction rates, although excellent, are not the only measure of success (different methods of disposal such as letters of written warning, Simple Cautions and website takedowns are also justifiable indicators of RIPA usage).
14. Monitoring of the County Council's activity in respect of RIPA is conducted by the Audit Committee. Regular reports on the use of surveillance powers are presented to the Audit Committee on a quarterly basis.
15. On 26 July 2021, the Audit Committee reviewed the County Council's use of RIPA powers for the previous 12 months). As a result of that review, the Audit Committee has provided its assurance that the County Council is operating its powers in a lawful and proportionate manner, and the continued use of surveillance powers would be appropriate.
16. The majority of the County Council's RIPA activity is conducted by officers of the Trading Standards Service, and in accordance with the current County Council's RIPA policy, all RIPA activity is authorised via that Service. Additionally, all authorisations by local authorities are subject to judicial approval through a magistrate, in accordance with the provisions of the Protection of Freedoms Act 2012.
17. The County Council's use of surveillance powers is regularly subject to external inspection by the Investigatory Powers Commissioner's Office (IPCO).
18. In May 2021 a remote desktop inspection was conducted due to the ongoing COVID-19 situation, where a Chief Inspector reviewed the County Council's use of directed surveillance, covert human intelligence source and CCTV systems under the Regulation of Investigatory Powers Act, as well as the policies and procedures that the County Council has in place. The findings were that whilst the County Council is not a prolific user of the powers, it has used them to very good effect and, in compliance terms, to a very high standard. She also expressed the view that:  
"Applicants and Authorising Officers are to be congratulated on the way they have approached their statutory responsibilities. Likewise Mrs Chambers has long service in this role and has clearly built a capable and efficient form of internal governance."
19. In January 2015 Hampshire County Council joined the National Anti-Fraud Network (NAFN) as a result of changes to the RIPA landscape affecting the acquisition and disclosure of communications data.

20. On 20 July 2016, the Executive Member for Policy and Resources approved changes to the officers authorised to appear at the Magistrates Court on behalf of the County Council in respect of RIPA approvals, item reference 7638.

21. In light of the low level of use, it is recommended that no amendments should be made to the Policy at this time.

### **Finance**

22. The decision which is sought to be recommended by this report will have no effect upon the budgetary position of Hampshire County Council.

### **Performance**

23. The recommended decision sought ensures that the County Council continues to comply with the statutory Codes of Practice under RIPA.

### **Consultation and Equalities**

24. Consultation was not required because there are no proposed changes to the existing Policy. However, potential impacts on stakeholders have been considered in the development of this report and no adverse impact has been identified.

25. As there are no proposed changes to the existing Policy a full Equalities Impact Assessment is not required, however potential impacts have been considered in the development of this report and no adverse impact has been identified.

### **Climate Change Impact Assessment**

26. The carbon mitigation tool and climate change adaptation tool were not applicable because the decision relates to a Policy and is administrative in nature.

## **REQUIRED CORPORATE AND LEGAL INFORMATION:**

### **Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	no
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	no

### Other Significant Links

<b>Links to previous Member decisions:</b>	
<u>Title</u>	<u>Date</u>
Regulation of Investigatory Powers Act 2000 – Annual review and confirmation of existing policy with regards to surveillance Activity. Reference 6885.	21 September 2015
Information Compliance - Use of Regulated Investigatory Powers. Reference 7558.	23 June 2016
Regulation of Investigatory Powers Act 2000 – Ability of officers to seek judicial approval for authorisations granted for related surveillance activity. Reference 7638.	20 July 2016
Regulation of Investigatory Powers Act 2000 – Annual review and confirmation of existing policy with regards to surveillance. Reference 7749.	29 September 2016
Information Compliance - Use of Regulated Investigatory Powers	22 June 2017
Regulation of Investigatory Powers Act 2000 – Annual review and confirmation of existing policy with regards to surveillance	18 October 2017
Information Compliance - Use of Regulated Investigatory Powers	20 June 2018
Regulation of Investigatory Powers Act 2000 – Annual review and confirmation of existing policy with regards to surveillance	26 September 2018
Information Compliance - Use of Regulated Investigatory Powers	23 May 2019
Regulation of Investigatory Powers Act 2000 – Annual review and confirmation of existing policy with regards to surveillance	18 December 2019
Information Compliance - Use of Regulated Investigatory Powers	23 July 2020
Regulation of Investigatory Powers Act 2000 – Annual review and confirmation of existing policy with regards to surveillance	26 October 2020
Information Compliance - Use of Regulated Investigatory Powers	26 July 2021
<b>Direct links to specific legislation or Government Directives</b>	
<u>Title</u>	<u>Date</u>



Regulation of Investigatory Powers Act 2000 as amended Protection of Freedoms Act 2012	2000 2012
---	--------------

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

<u>Document</u>	<u>Location</u>
Information Compliance - Use of Regulated Investigatory Powers	<a href="http://democracy.hants.gov.uk/documents/s33880/Information%20Compliance%20-%20Use%20of%20Regulated%20Investigatory%20Powers.pdf">http://democracy.hants.gov.uk/documents/s33880/Information%20Compliance%20-%20Use%20of%20Regulated%20Investigatory%20Powers.pdf</a>

## **EQUALITIES IMPACT ASSESSMENT:**

### **1. Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

### **2. Equalities Impact Assessment:**

As there are no proposed changes to the existing Policy a full Equalities Impact Assessment is not required, however potential impacts have been considered in the development of this report and no adverse impact has been identified.

## **Policy Statement 2021/22**

Hampshire County Council will not undertake any activity defined within the Regulation of Investigatory Powers Act 2000 without prior authorisation, from a trained, senior officer who is empowered to grant such consents; and subject to Sections 37 and 38 of the Protections of Freedoms Act 2012 and any pertaining regulations relating to the approval of such authorisations by a Magistrate.

Hampshire County Council will also not undertake any acquisition of communications data as defined by the Investigatory Powers Act 2016, without the acknowledgement of a trained, senior officer who is empowered to grant such acknowledgements; and subject to authorisation by the Office for Communications Data Authorisations.

The Director of Culture, Communities and Business Services has been appointed the Senior Responsible Officer and, as such, has been given authority to appoint Authorising Officers (for surveillance activities) and Acknowledging Officers (for the purposes of access to communications data) under either the Regulation of Investigatory Powers Act 2000 and the Investigatory Powers Act 2016.

The Authorising Officer or Acknowledging Officer will not authorise, or acknowledge, the use of surveillance techniques, human intelligence sources or access to communications data unless the application can be shown to be necessary for the purpose of preventing or detecting serious crime or of preventing disorder, in accordance with the relevant legislative framework.

In addition, the Authorising Officer or Acknowledging Officer must believe that the surveillance or obtaining of communications data is necessary and proportionate to what it seeks to achieve. In making this judgment, the officer will consider whether the information can be obtained using other methods and whether efforts have been made to reduce the impact of the surveillance on other people, who are not the subject of the operation. Furthermore, in respect of covert surveillance of Social Networking Sites (SNS) the Authorising Officer will pay due regard to Note 289 in the Procedures and Guidance document published by the Office of the Surveillance Commissioner in July 2016.

Applications for authorisation of surveillance, the use of a Covert Human Intelligence Sources will be made in writing on the appropriate form. Applications for acquisition of communications data will be made via the National Anti-Fraud Network, who act as a Single Point of Contact for this purpose.

Intrusive surveillance operations are defined as activities using covert surveillance techniques, on residential premises, or in any private vehicle, which involves the use of a surveillance device, or an individual, in such a vehicle or on such premises. Hampshire County Council officers are NOT legally entitled to authorise these types of operations.

However public bodies are permitted to record telephone conversations, where one party consents to the recording being made and appropriate surveillance authorisation has been granted. The party who consents to the recording of the telephone conversation could either be an officer of the County Council or a third party. On occasions, officers of the County Council do need to record telephone conversations, to secure evidence.

It is the policy of this authority to be open and transparent in the way that it works and delivers its services. To that end, a well-publicised Corporate Complaints procedure is in place and information on how to make a complaint to the Investigatory Powers Tribunal will be provided on request to the Senior Responsible Officer.

The County Councils use of its powers under the Regulation of Investigatory Powers Act 2000, and the acquisition of communications data under the Investigatory Powers Act 2000 will be subject to regular scrutiny by the County Councils Audit Committee.

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker</b>	Executive Member for Policy and Resources
<b>Date:</b>	27 October 2021
<b>Title:</b>	<i>Invest in Hampshire: Tice's Meadow</i>
<b>Report From:</b>	Director of Culture, Communities and Business Services and Director of Corporate Operations

**Contact name:** Felicity Roe  
Rob Carr

**Tel:** 01962 847876  
01962 847400

**Email:** [Felicity.roe@hants.gov.uk](mailto:Felicity.roe@hants.gov.uk)  
[Rob.carr@hants.gov.uk](mailto:Rob.carr@hants.gov.uk)

### Purpose of this Report

1. The purpose of this report is to consider for approval a contribution of £45k from the *Invest in Hampshire* fund as part of a consortium of local authorities, led by Surrey County Council, to enable the purchase of Tice's Meadow, Aldershot.

### Recommendations

2. To approve a contribution of £45k from the *Invest in Hampshire* fund as a contribution to the purchase of Tice's Meadow, Aldershot.

### Executive Summary

3. This report seeks to set out the background to the request from Surrey County Council for support in the purchase of Tice's Meadow nature reserve. It explains the strong County Council interest in the Reserve on behalf of local Hampshire residents in Aldershot and the surrounding area. The £45k funding can be provided from the *Invest in Hampshire* fund. This purchase, enabled by a consortium of authorities, led by Surrey County Council, will enable a valuable nature reserve at the northern end of the Blackwater Valley to be secured as a nature reserve and for public access in perpetuity.

## Contextual Information

4. Surrey County Council, Hampshire County Council, Guildford Borough Council, Rushmoor Borough Council, Waverley Borough Council and Farnham Town Council have been negotiating terms to secure Tice's Meadow, and due diligence and legal processes are in hand. Working in partnership, the desire has been to secure the long-term future of this important award-winning nature reserve, which is a fully restored former quarry, for the wider benefit of the local communities.
5. SCC will acquire the land in its sole name and take on the full liability of the current 20-year restoration programme. They will also be leading and continuing the current day to day management group arrangements and are identifying and appropriate revenue stream to support that.
6. The land known as Tice's Meadow (formerly Farnham Quarry) is a restored sand and gravel site (55ha) on the far eastern boundary of Surrey County Council. The land lies outside the Hampshire boundary, immediately to the south and east of Aldershot. Its geographical location makes it of considerable amenity and landscape value to the residents of Aldershot. Tice's Meadow is currently owned and operated by Hanson Aggregates. The site was formally opened in May 2019 and is now subject to a 20-year aftercare and long-term Management Plan as part of the Section 106 Agreement of the extraction permission.
7. The site has been restored to a nature conservation end use, with permissive public access directly from Aldershot along the northern boundary, which closely follows the County Boundary line between Surrey and Hampshire. The restoration also afforded the opportunity to incorporate a realignment and enhancement of the River Blackwater by the Environment Agency. The restoration and long-term management is overseen by a Management Group comprising Hanson, SCC, Tice's Bird Group, Blackwater Valley Countryside Partnership, and Farnham Residents Association.
8. Although Tice's Meadow lies within the geographical county boundary of Surrey, the amenity and landscape value of the site is of considerable importance to the residents of Aldershot, a Hampshire community. It also forms part of the ecology of the Blackwater Valley and is therefore of value to the residents of Hampshire but also to its landscape, flora and fauna.
9. Hanson put the site on the market in late 2019 but, despite several bids, the site remained unsold.
10. There is no intended change in the day-to-day management arrangements, which already involve HCC, or works identified in the approved Management Plan and S106 obligations. Any such changes would require an application

and consent from Surrey County Council. Hampshire is already an active partner in the Blackwater Valley Countryside Partnership.

11. Part of the site has an element of SANG (Sustainable Alternative Greenspace) potential, given the sanctuary nature of the site, along its northern boundary. However, this remains subject to ongoing discussion with Natural England to clarify the exact suitability of the SANG area. None of the Local authorities has specifically indicated an interest in purchase for SANG usage.
12. There is scope to create wider opportunities to link Tice's Meadow with adjacent lands at Tongham Pools.

### **Finance**

13. At a meeting on 25 June 2021 between politicians from all the interested it was agreed all would make a capital contribution to support the acquisition of the site (led by Surrey County Council) whilst retaining the existing primary management and local stakeholder group support arrangements.
14. Surrey County Council have agreed terms and a purchase price. Exchange of contracts is anticipated for early November, after a formal sign off by Surrey CC's Cabinet scheduled for 28th October.
15. Hampshire County Council's contribution has been agreed at £45k. It is proposed that this capital contribution is paid from the *Invest in Hampshire Fund*.

### **Consultation and Equalities**

16. No consultation or Equalities Impact Assessment was necessary for this purchase.

### **Climate Change Impact Assessment**

17. Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience impacts of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does.

## **Climate Change Adaptation**

18. The site forms part of the catchment of the River Blackwater and good management contributes towards the management of any severe flooding events and aims to maintain and enhance the biodiversity of the area.

## **Carbon Mitigation**

19. It is unlikely that Tice's Meadow can offer any further significant carbon mitigation.

## **Conclusions**

20. This report has outlined the value of Tice's Meadow to the residents of Hampshire and its wider value as part of the landscape and ecology of the Blackwater Valley. For these reasons it is appropriate to contribute to the capital costs of purchase, through a consortia led by Surrey County Council, and secure the site as a local nature reserve in perpetuity.



**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	yes
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	yes

**Other Significant Links**

<b>Links to previous Member decisions:</b>	
<u>Title</u>	<u>Date</u>
<b>Direct links to specific legislation or Government Directives</b>	
<u>Title</u>	<u>Date</u>

<b>Section 100 D - Local Government Act 1972 - background documents</b>	
<p>The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)</p>	
<u>Document</u>	<u>Location</u>
None	

## EQUALITIES IMPACT ASSESSMENT:

### 1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

### 2. Equalities Impact Assessment:

See guidance at <https://hants.sharepoint.com/sites/ID/SitePages/Equality-Impact-Assessments.aspx?web=1>

Insert in full your **Equality Statement** which will either state:

(a) *why you consider that the project/proposal will have a low or no impact on groups with protected characteristics or*

*will give details of the identified impacts and potential mitigating actions*

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member for Policy and Resources
<b>Date:</b>	27 October 2021
<b>Title:</b>	Manydown, Basingstoke - Revisions to Officer Representation on the Joint Venture Boards and associated Officer Delegations
<b>Report From:</b>	Director of Culture, Communities and Business Services

**Contact name:** Louise Hague

**Tel:** 0370 779 2615

**Email:** Louise.hague@hants.gov.uk

### Purpose of this Report

1. This report identifies proposed amendments to the Officer representation on the Manydown Garden Communities (MGC) LLP and Manydown Development Vehicle (MDV) LLP Boards and the necessary transfer of associated Officer delegations for the Manydown project.

### Recommendations

2. That approval be given to the revised County Council Member Representatives on the Manydown Garden Communities (MGC) LLP and the Manydown Development Vehicle (MDV) LLP on the basis set out in paragraph 7 and 8 of the report.
3. That approval be given to the transfer of all previous officer delegations given to Director of Culture, Communities and Business Services (Assistant Director – Property and Facilities) in respect of the overall Manydown project to the Director of Culture, Communities and Business Services (Strategic Manager – [Development and] Delivery).

### Executive Summary

4. This report seeks to identify the required changes to and proposes revised County Council Officer representation on the Manydown Garden Communities (MGC) LLP and Manydown Development Vehicle (MDV) LLP and transfer of associated delegations.

## **Contextual Information**

5. Members will recall that the Governance arrangements for the Manydown North involves two Joint Venture vehicles. The first Joint Venture, known as the Manydown Gardens Communities LLP is between Hampshire County Council and Basingstoke and Deane Borough Council. The second, known as the Manydown Development Vehicle LLP is between the Council's joint venture and the selected development partner Urban&Civic/Wellcome. Both joint venture arrangements have Boards and have Officer representatives nominated onto them. Approval to the existing County Council Officer representatives was secured in March 2019.

## **Manydown North – LLP representatives and Delegations**

6. As the grant of outline planning consent for Manydown North is now imminent and the project moves into the implementation phase with the selected development partner Urban&Civic/Wellcome, an opportunity has been taken to review the County Council Officer representation on both the Manydown Garden Communities (MGC) LLP and Manydown Development Vehicle (MDV) LLP Boards.
7. It is proposed that the Assistant Director - Property and Facilities be replaced by the Strategic Manager (Development and) Delivery on both LLP Boards with the other previously approved Elected Member and/or Officer representatives for each Board remaining the same.
8. To ensure the County Council's representation on each Board is sufficiently resilient, each Officer Representative has an approved substitute. To maintain project continuity (and following recent promotion), it is proposed that the Director of Corporate Resources (rather than the Head of Finance) becomes the substitute for the Director of CCBS on both Boards. The remaining substitutes on the MGC LLP remain unchanged. On the MDV LLP Board there is a need to identify an alternative substitute following the change in role for the Strategic Manager (Development and) Delivery who was previously a substitute for this Board. It is proposed that a Senior Delivery Manager from within Property Services will operate as a substitute for both Strategic Manager (Development and) Delivery and also the Senior Development Manager.
9. With the change in nominated representatives on both LLP Boards noted above, it is recommended that all previous delegations afforded to Director of Culture, Communities and Business Services (Assistant Director- Property and Facilities) in respect of the Manydown project should be transferred to the

Director of Culture, Communities and Business Services (Strategic Manager [Development and] Delivery).

### **Performance**

10. The decisions in this report will ensure that effective project governance is in place for the Manydown project and to ensure the County Council is appropriately represented within each of the Joint Venture Boards. This change will help contribute to all of the Corporate Priorities.

### **Consultation and Equalities**

11. No formal consultation has been necessary in relation to this decision.

### **Climate Change Impact Assessment**

12. The County Council's tools to assess climate change adaptation and mitigation were found not to be applicable to this decision on the grounds that it relates to the transfer of Officer representation and administrative functions rather than to a specific programme of work.

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	yes
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	yes

**Other Significant Links**

<b>Links to previous Member decisions:</b>	
<u>Title</u>	<u>Date</u>
Strategic Land Update	8/3/19
<b>Direct links to specific legislation or Government Directives</b>	
<u>Title</u>	<u>Date</u>

<b>Section 100 D - Local Government Act 1972 - background documents</b>	
<p>The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)</p>	
<u>Document</u>	<u>Location</u>
None	

## **EQUALITIES IMPACT ASSESSMENT:**

### **0. Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

### **1. Equalities Impact Assessment:**

- (a) The recommendations in this report do not contain any proposals that may have an equalities impact.

This page is intentionally left blank



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank