

RIBC Treasurer

From: "Katherine Ann Everard" <katherineaeveryard@gmail.com>
Date: 11 February 2019 15:49
To: "Alcock Colin." <ribc.treasurer@virginmedia.com>; "Jennings Rona." <rona.jennings@ntlworld.com>; "Welch B & P." <bwwelch@hotmail.com>; "Harrison Ash" <indyash87@gmail.com>; "Tapley Kevin" <kevintapley86@yahoo.com>; "Pearse M&Sheila" <michael.pearse509@btinternet.com>; "Elaine Milnes" <milnes.family@ntlworld.com>; "Trevor Smith" <trevorsmith716.ts@gmail.com>; "Alec Sharman" <alec.sharman@gmail.com>; "Taylor C." <carl.taylor18@ntlworld.com>
Cc: "david newman" <daveynew295@gmail.com>
Subject: Fwd: Rushmoor Indoor Bowling Club - Civic Quarter Proposals

Hallo everyone,

I am forwarding to you a copy of the email from Ashley Sharpe of Rushmoor Borough Council received at 15.01 on 8th February 2019. Over a month since my letter to him of 7th January, 2019. Not good. I wonder what the Ombudsman would say to that time delay!

I have read through it and it is the sort of reply I would have expected to receive, so no surprises there. They are trying to justify the reason for not including an indoor bowls hall in any new or refurbished development (as I expected they would).

I have some documents to read through and then I will do a proper reply in letter format to Ashley Sharpe. I will, this afternoon acknowledge receipt of his letter. I will keep you informed. I have printed off a copy of the email from Ashley Sharpe for Bob Turner and will get it to him.

If any one has any issues they want me to raise with Ashley Sharpe please let me know.

Best wishes.

Katherine

----- Forwarded message -----

From: Ashley Sharpe <ashley.sharpe@rushmoor.gov.uk>
Date: Fri, 8 Feb 2019 at 15:01
Subject: Rushmoor Indoor Bowling Club - Civic Quarter Proposals
To: Katherine Everard (<katherineaeveryard@gmail.com>) <katherineaeveryard@gmail.com>

Katherine / Dave

Firstly, I acknowledge receipt of your bowls club petition which I have passed on to the Head of Democracy, Strategy and Partnerships.

Please find below our response to your letter dated 7th January regarding the indoor bowling green within Farnborough Leisure Centre. I will follow the numbering in my reply from that letter.

3. The Leisure Management Contract has been extended with Places Leisure for 2 years and 2 months from 1st February 2019 and will expire on 31st March 2021.

4. No decisions have been made as to the future of the Leisure Centre as this is linked to the Civic Quarter consultation process.

5a. The paper referred to in my letter dated 7th June 2018 did not go forward as it was felt that the leisure provision needed to be part of the wider Civic Quarter proposals.

5b. Regarding consultation, there has been some consultation regarding the Civic Quarter held at the Leisure Centre on 8th January 2019 and other venues in Farnborough, and there will be a user questionnaire sent to clubs and schools for their completion. A link to the questionnaire will be sent out from the Leisure Centre and then coordinated by our consultants GT3 Architects. It is anticipated that this will be sent out w/c 18th February.

6a. Section 106 of the Town and Country Planning Act sets out the legislative basis on which a legal agreement can seek actions or contributions from developers which would make an otherwise unacceptable development acceptable. It does not contain specific prescriptions regarding what developer contributions must be used for. Advice on the manner in which S.106 should be used is provided in the NPPG and NPPF.

6b. The NPPG states that:

‘Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework.

In all cases, including where tariff style charges are sought, the local planning authority must ensure that the obligation meets the relevant tests for planning obligations in that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. Planning obligations should not be sought where they are clearly not necessary to make the development acceptable in planning terms.

Where developer contributions in respect of open space provision and transport infrastructure are

sought by Rushmoor and Hampshire County Council, it is done on the basis of local Planning Policies which have been through the full process of evidence collection, consultation, examination and adoption. The justification for seeking such contributions is furthermore required on a case by case basis. In line with the advice in the NPPG it must be established that, unless additional public open space is provided or existing public open space facilities improved, and/or the transport network undergoes specific works, they would not be able to cope with the additional demand arising from the development in question, and consequently, without them planning permission should be refused.

S.106 contributions are therefore collected on a project specific and site specific basis. They do not provide a general fund which can be used to subsidise or facilitate the provision of specialised facilities which particular interest groups would wish to see. I cannot see any circumstances where planning permission could be reasonably refused for a development on the grounds that it fails to make financial provision for an indoor bowls centre. This would fail the NPPF tests of direct relevance, necessity and relationship in scale and kind and S.106 funding for such a facility will not therefore be available.

6c. Provision of land and funding for the new Cambridge Primary School was secured by Hampshire County Council in respect of the Wellesley Development on the basis of a clear and demonstrable connection between the proposed additional 3,800 homes and the resulting demand for additional primary school places.

6d. Community Infrastructure Levy – as per my letter dated 7th June 2018, the Council has not adopted a CIL and is awaiting further clarity from the Government on the review of CIL to determine if any reforms may make it more workable for the Borough.

7. You made comment about the build costs for a new indoor bowls facility not amounting to anywhere near £2.5 million. This figure is based on the guidelines issued by BCIS industry standard for recreation builds which indicate a build cost of £2,400 per square metre. As the existing bowls hall is approximately 100 square metres this would equate to £2.4 million. This has not taken into account any changing facilities or bowlers lounge, which would likely take the build cost to the figure I previously quoted. Whilst I appreciate these are only guideline figures and there could be some variance around the construction, materials, heating, lighting, playing surface and ventilation I believe the figure I've stated to be a reasonable estimate.

For the reasons set out above, funding via S.106 contributions from past agreements is not available in the manner you suggest. All past agreements, as they form part of planning permissions, are publicly available and can be viewed on our website using public access.
<http://publicaccess.rushmoor.gov.uk/online-applications/>

RE: Replies to Questions in letter to Mr. Peter Amies

1.No agreement with any operators has been entered into.

2. The Rushmoor Development Partnership has been established to focus initially on the following sites:

- Union Street East, Aldershot Town Centre
- Civic Quarter, Farnborough
- Parsons Barracks car park, Aldershot
- Union Street West car park, Farnborough

3. The Rushmoor Local Plan is anticipated to be approved by Council on the 22nd February 2019. The document includes a policy relating to Farnborough Civic Quarter. Further information can be found at www.rushmoor.gov.uk/localplanexamination

New Questions

I. There is no proposed Layout Plan showing the redevelopment of the Civic Quarter in full detail. The Rushmoor Development Partnership is in the very early stages of progressing development proposals for the Civic Quarter and these proposals will be informed by the findings of the public engagement exercise that has taken place.

IIA. Planning permission has not been approved for the Farnborough Police Station site and therefore no s106 agreement is available.

B.

i. Criterion b. of Policy SP2.3 sets out that improved provision of community/civic/leisure uses incorporating the re-provision of space for existing community/civic/leisure uses within the site. What constitutes an ‘improved provision’ in the context of the leisure offer will be determined by the outcome of the Civic Quarter consultation plus further specific consultation with existing centre users and local sports groups in determining the appropriate facility mix.

ii. The context for Policy DE6 relates to the provision of open space within the Borough and sets the framework for securing financial contributions to such provision where unavailable on site (as referenced in the response on s106). As set out above, the facilities mix will be determined by the outcome of the Civic Quarter consultation plus further specific consultation with existing centre users and local sports groups in determining the appropriate facility mix.

III

All past agreements, as they form part of planning permissions, are publicly available and can be viewed on our website using public access. <http://publicaccess.rushmoor.gov.uk/online-applications/>

As set out above, financial contributions cannot be used to subsidise or facilitate the provision of specialised facilities which particular interest groups would wish to see. This would fail the NPPF tests of direct relevance, necessity and relationship in scale and kind and S.106 funding for such a facility will not therefore be available.

1a. As above, financial contributions cannot be used to subsidise or facilitate the provision of specialised facilities which particular interest groups would wish to see. This would fail the NPPF tests of direct relevance, necessity and relationship in scale and kind and S.106 funding for such a facility will not therefore be available.

1b. Such a provision would not be a requirement of a s106 agreement as it would fail to meet the NPPF tests of direct relevance, necessity and relationship in scale and kind.

As you can appreciate your questions have needed to have input from a number of Council officers, and therefore it has taken some time to coordinate, but I hope this reply answers the points you raised.

Ashley Sharpe
Principal Contracts Manager
Rushmoor Borough Council
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