

**CABINET**

**19 May 2004**

Attendance:

Councillors:

Campbell (Chairman) (P)

Beveridge (P)

Cook (P)

Evans (P)

Hiscock (P)

Learney (P)

Nelmes (P)

Wagner (P)

Others in attendance who addressed the meeting:

Councillors Allgood, Bennetts, Busher, Davies and Porter  
Mr A Rickman (TACT)

Others in attendance who did not address the meeting:

Councillors Mitchell and Pearson

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1473. **LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

The Leader reported that she had recently attended the "Is it Fair?" meeting at Bishops Waltham. She had also attended, with the Leader of the County Council, the unveiling of the new sign at Winchester train station which welcomed visitors to Winchester, "Home of Hampshire County Council and Winchester City Council."

The Leader advised that a meeting of the Culture Café would be held in the Courtyard Café at the Guildhall on 25 May. The Chief Executive explained that this was one of a series of informal meetings of artists from within the community and the next meeting would discuss the proposed Cultural Centre in Jewry Street.

The Portfolio Holder for Community Services offered her congratulations to Winchester City Football Club on winning the FA Vase and announced that the Cathedral bells would sound at 8.00pm that evening in celebration. She also advised that Winchester was the most successful district in the South East at gaining lottery awards, as published in the Lottery Monitor magazine which publishes data from the Department for Culture, Media and Sport. She attributed this success partly to the good advice offered to local organisations which is now supported by the new Partnership and External Funding Officer and also the quality of bids submitted.

The Portfolio Holder for Finance and Resources reported that under the E-Governance initiative, the Council were due to receive £0.5 million funding over the next two years, provided it could meet the required standards.

1474. **MINUTES**

RESOLVED:

That the minutes of the previous meeting held on 5 May 2004 be approved and adopted.

1475. **PUBLIC PARTICIPATION**

No statements were made or questions received.

1476. **WINCHESTER CULTURAL CENTRE – CITY COUNCIL PARTICIPATION**  
(Report CAB889 and Addendum refer)

Under the Council's Constitution Access to Information Procedure Rules (Rule 15.1 – General Exception), this was a key decision which had been included in the Forward Plan for a later Cabinet meeting. Under this procedure, the Chairman of Principal Scrutiny Committee had been informed because of the need for an urgent decision.

At the invitation of the Chairman, Councillors Porter, Busher and Bennetts addressed the meeting under this item.

Councillor Porter welcomed the proposal in general but requested that further discussions be held about the loss of parking spaces. She commented that the location of the train station meant that there was a high demand for car parking in the north of the City. She suggested that discussions be held with the County Council about the possibility of releasing 45 spaces within Tower Street car park to help compensate for the loss of spaces in Jewry Street.

Councillor Busher also welcomed the proposal but stressed that the Council must ensure that the benefits were available to the whole District. She queried whether parking spaces would be reserved for school buses to allow pupils from outside of Winchester to access the facilities. She also asked whether there was any possibility of facilities at rural libraries being improved, particularly with the provision of IT facilities.

Councillor Bennetts supported the proposal and emphasised the importance of cultural facilities and the potential for a new centre to become a tourist attraction. He also welcomed the inclusion of the Dannatt bequest.

The Chairman welcomed to the meeting Mr Richard Ward, Head of Library Services at the County Council, who thanked Members for their support for the new centre. He emphasised that it was necessary for the facilities at North Walls and Jewry Street to be improved.

Cabinet noted that the proposal was a partnership project between the County and the City Council and it was due to be submitted to the County Council for decision at the end of June. It was stressed that the Local Strategic Partnership, King Alfred's College, Peter Symond's College, the Chamber of Commerce and the Theatre Royal had all expressed support for the scheme.

The Chairman confirmed that she would be discussing with the County Council the possibility of releasing spaces at the Tower Street car park for public use. It was also the intention that the use of the centre would be promoted across the whole District, for example by encouraging school children to visit exhibitions.

During discussion, the impact on the nearby churches of the loss of car parking spaces was raised. However, Members noted that there was alternative parking nearby and suggested that the churches be encouraged to promote this alternative parking if possible.

A number of Members believed that the provisional name of "Cultural Centre" could be improved. It was therefore agreed that the County Council be requested to conduct a competition asking the public for ideas about possible names for the new centre.

Members noted that the proposals included the replacement of the existing toilets in Jewry Street. It was requested that the appropriate Portfolio Holder and officers be involved in the discussions about the best location for the new facilities. One Member asked that the possibility of providing space for recycling bins within the car park also be investigated.

The Portfolio Holder for Finance and Resources also pointed out the wider benefits the project would have in promoting the economic prosperity objectives in the Corporate Strategy.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

**RECOMMENDED:**

**THAT, SUBJECT TO THE MATTER NOT BEING CALLED IN BY PRINCIPAL SCRUTINY COMMITTEE:**

**1 THE PRINCIPLE OF THE DEVELOPMENT OF A CULTURAL CENTRE AT JEWRY STREET, WINCHESTER IN ACCORDANCE WITH THE PRINCIPLES SET OUT IN THE REPORT BE ENDORSED;**

**2 THE LAND AT JEWRY STREET WITHIN THE AREA AS SHOWN ON THE PLAN EDGED IN A BOLD BLACK LINE IN APPENDIX 2 OF THE REPORT BE DISPOSED OF TO THE COUNTY COUNCIL AT NIL CONSIDERATION, SUBJECT TO THE LAYING OUT OF NO LESS THAN 45 CAR PARK SPACES ON LAND RETAINED AND OPERATED BY THE CITY COUNCIL, THE COST OF WHICH TO BE MET BY THE COUNTY COUNCIL FROM WITHIN THE CULTURAL CENTRE PROJECT;**

**3 A RESTRICTIVE COVENANT BE PLACED ON THE LAND RESTRICTING ITS USE TO CULTURAL CENTRE PURPOSES;**

**4 A CAPITAL CONTRIBUTION NOT EXCEEDING £1MILLION TO BE PAID AS A GRANT TO THE COUNTY COUNCIL, SUBJECT TO TOTAL EXPENDITURE OF NOT LESS THAN £7MILLION ON THE DESIGN AND CONSTRUCTION OF THE NEW CULTURAL CENTRE;**

**CONTINUED...**

5 THE PROVISION OF THE DISPOSAL OF THE LAND AND THE CAPITAL CONTRIBUTION BE SUBJECT TO THE COUNTY COUNCIL INCLUDING WITHIN THE COMPLETED PROJECT THOSE FACILITIES REFERRED TO IN THE REPORT INCLUDING, AMONGST OTHER THINGS: FULL ACCESS FOR DISABLED PEOPLE, REPLACEMENT PUBLIC CONVENIENCES, THE PROVISION OF AN ART GALLERY SUITABLE TO HOUSE THE DANNATT BEQUEST AND A MUSEUMS EXHIBITION SPACE (WITH ANCILLARY ACCOMMODATION) WHICH SHALL BE PROGRAMMED BY THE CITY COUNCIL'S MUSEUMS SERVICE AS AN EFFECTIVE REPLACEMENT FOR THE EXISTING EXHIBITION FACILITY AT HYDE HISTORIC RESOURCES CENTRE.

6 ANY COSTS EXCEEDING £7MILLION BE MET BY THE COUNTY COUNCIL TO ENSURE THE PROVISION OF THE BUILDING AS PLANNED.

7 THE CONTRIBUTION OF THE CITY COUNCIL TO THE COST OF THE PROJECT CENTRE BE PROPERLY RECOGNISED IN THE PROGRAMMING, MARKETING AND PROMOTION OF THE CULTURAL CENTRE;

8 WHILST THE CITY COUNCIL ACKNOWLEDGES THE COUNTY COUNCIL'S MANAGEMENT RESPONSIBILITIES FOR THE OPERATION OF THE CENTRE, IN RECOGNITION OF THE CITY COUNCIL'S PARTNERSHIP IN THE PROJECT, FORMAL PROVISION BE MADE FOR REGULAR LIAISON BETWEEN OFFICERS AND MEMBERS OF BOTH AUTHORITIES TO DISCUSS MATTERS OF MUTUAL INTEREST IN RELATION TO THE CENTRE;

9 THAT A FURTHER REPORT BE MADE TO CABINET IN DUE COURSE ON THE OUTCOME OF FURTHER DISCUSSIONS WITH THE COUNTY COUNCIL SO THAT IT CAN APPROVE THE DETAILED TERMS AND CONDITIONS FOR THE SCHEME TO PROCEED.

10 THAT THE COUNTY COUNCIL BE REQUESTED TO CONSIDER HOLDING A COMPETITION FOR MEMBERS OF THE PUBLIC TO SUGGEST A NAME FOR THE CENTRE.

1477. **USE OF THE BAPSY BEQUEST**  
(Report CAB891 refers)

At the invitation of the Chairman, Councillor Porter addressed the meeting as the Chairman of the Bapsy Bequest Informal Member/Officer Group which had met to consider the use of the bequest. She welcomed the proposal and in particular hoped that the designs would make the Guildhall much more accessible to all people both by providing better access and also by improving its image.

The Portfolio Holder for Community Services thanked Councillor Porter and the other members of the Working Group for their work on this subject. She explained that the proposals included a new entrance at street level and improved pedestrian facilities on the Broadway, two lifts (one of which would allow access to the Walton Room), and the reconfiguration of various rooms within the Guildhall to allow improved use. This included the possibility of splitting the Conference Chamber into two separate levels. The Portfolio Holder stated that she hoped the redesign would include recognition of the Bapsy bequest, perhaps by the naming of a new room after the Marchioness.

During discussion, Members welcomed the proposals and in particular the plans for improved access and possible redesign of the Conference Chamber. It was noted that consideration of the Chamber would be linked with the feasibility study being undertaken into new office accommodation for the Council.

In response to questions, the City Secretary and Solicitor advised that he was unable to specify how long the discussions with the Charity Commission would take, but it was likely to be a number of months before a decision was known.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RESOLVED:

That, subject to consideration by Principal Scrutiny Committee:

1. In principle Option 1A of the feasibility study produced by Daniel Forshaw Design and Conservation Architects be approved as the basis for the scheme put forward by the Council for use of the Bapsy Bequest;
2. the cost and technical implications of making better use of the space occupied by the existing conference chamber be further investigated and included in the scheme if feasible;
3. the City Secretary and Solicitor be authorised to seek approval from the Charity Commission for the use of the Bequest in this manner;
4. the Director of Community Services, in consultation with the Portfolio Holder for Community Services, be authorised to incur expenditure up to a maximum of £10,000 from within the Community Services Department budget to commission such further design and cost information as may be necessary to submit to the Charity Commission.

1478. **PROPOSED RECYCLING PILOT – OUTSTANDING ISSUES**  
(Report CAB867 refers)

At the invitation of the Chairman, Councillor Porter suggested that the possibility of including additional collections at public holidays and introducing different colour bin lids for recyclables be further investigated.

In response, the Portfolio Holder for Health and Wellbeing advised that the options for public holiday collections would be considered further before the introduction of the trial.

In response to questions, the Director of Health and Housing confirmed that further communication with parish councils and residents affected by the trials would take place. Members requested that once the pilot was underway, regular updates be provided to all Councillors on its progress.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RESOLVED:

1. That the revised project plan and timetable for implementing a pilot scheme be approved, from October 2004 for up to 18 months, for the alternate weekly collection of refuse and recyclables with free fortnightly collection of garden waste.

2. That provision be made for the revised collection arrangements to continue within the pilot area until March 2006, if necessary, to allow evaluation of the pilot after a full 12-month's operation and for a detailed analysis of the cost of rolling out these arrangements district wide to be undertaken.

3. That in the event the Council does not receive the Defra Pump Priming performance grant for the 2005/06 Revenue Budget, a further report will be brought to Cabinet for its consideration.

4. That the representations made by Sparsholt and South Wonston Parish Councils be considered and the pilot area include Micheldever, Sutton Scotney, Wonston, South Wonston, part of Kings Worthy, Abbots Barton, part of Harestock, Littleton, Crawley, Sparsholt, Hursley and the Southdown area of Shawford/Otterbourne.

5. That the relaxation of the policy concerning the collection of excess or side waste within the pilot area be approved, as detailed in Section 4.10 of the report, and that whilst householders be discouraged from putting out excess waste, its collection be permitted so long as the amounts set out are not excessive or the occurrence frequent.

6. That the waste management and bin policies supported by the Health Performance Improvement Committee apply only to the pilot scheme from its commencement, and that no changes be implemented in the remainder of the district until the outcomes of the pilot scheme have been fully evaluated.

7. That all new households across the district (including households that have not already been issued with a recycling bin) be provided with a 240 litre recycling bin as standard (unless a smaller bin is requested) and that a further report be brought to Cabinet as soon as the projection figures and cost implications are known.

8. That a Project Board be created for the Pilot Study to ensure that the Council's project management protocols are followed. The membership of the Project Board should include the Portfolio Holder for Health and Wellbeing, the Director of Health and Housing, the Head of Health Policy and Client Services, Head of Health and Housing Management, a representative from Project Integra, and representatives from Serco.

1479. **OPTIONS APPRAISAL FOR LANDLORD SERVICES – COMMUNICATION STRATEGY**

(Report CAB886 refers)

Cabinet noted that any references to the “Winchester Standard” within the Strategy should be replaced with “Decent Homes Plus Standard”. In addition, dates were being arranged for consultation with tenants during the summer. Any tenants unable to attend a meeting in their area, would be able to attend meetings in adjoining areas and transport would be provided if required. The meeting dates would be published towards the end of June.

In response to questions it was clarified that the “Decent Homes Plus Standard” would be defined by tenants following consultation.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

**RESOLVED:**

1. That subject to the correction outlined above, the draft Options Appraisal Communications Strategy included as Appendix 2 to this report be approved.

2. That the Director of Health and Housing, in consultation with the Portfolio Holder for Housing and the Options Appraisal Steering Group, be given delegated authority to amend and update the operational and delivery elements of the Strategy in light of emerging information and debate to ensure that it remains an effective working document.

1480. **THE CONSTITUTION – UPDATE AND REVISION – PART EIGHT – MEMBERS’ CHARTER**

(Report CAB879 refers)

During discussion, Members requested the following changes be made to the Charter:

- a) Under the car parking section, Members should be encouraged to use Park and Ride if they are intending on remaining in Winchester for the major part of the day;
- b) The Charter should advise Members that cycle parking is available at the City Offices in the covered bike shed;
- c) The Charter should confirm that Members should expect to receive the same standard of service as the public, with regard to responses to letters, telephone calls and e-mails.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

**RECOMMENDED:**

**THAT THE REVISED VERSION OF THE MEMBERS’ CHARTER (INCLUDED WITHIN PART 8 OF THE CONSTITUTION), AS SET OUT IN APPENDIX 1 OF THE REPORT AND AMENDED ABOVE, BE APPROVED.**

1481. **PROGRAMME OF CABINET MEETINGS 2004/05**  
(Report CAB880 refers)

Following discussion, Members agreed that the Cabinet meeting scheduled for 30 March 2005 be moved to 23 March 2005, to avoid the Easter school holidays.

It was also confirmed that the original date for the Central Services Performance Improvement Committee on 13 December 2004 had been replaced by the proposed meeting on 2 December 2004.

One Member queried whether the Annual Council and Mayor Making meeting scheduled for 18 May 2005 could be moved to June 2005. This request was made because the Mayor for 2004/05 would not be elected until June 2004 and would therefore only serve an eleven-month term. However, the City Secretary and Solicitor advised that legislation required the Annual meeting to be held within a specified period of the elections and a June 2005 meeting would not therefore be possible.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

**RESOLVED:**

That the programme of Cabinet meetings for 2004/05, as set out in Appendix 1 of the report and amended above, be approved.

1482. **DELEGATION TO PORTFOLIO HOLDERS – AMENDMENTS TO CONSTITUTION**  
(Report CAB892 refers)

In response to questions, the City Secretary and Solicitor confirmed that at this stage paper copies of draft and final notices would be sent to the press, unless they agreed to electronic copies.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

**RECOMMENDED:**

**THAT THE CONSTITUTION BE AMENDED TO INCORPORATE THE SCHEME OF DELEGATION TO PORTFOLIO HOLDERS AND THE AMENDMENTS TO THE ACCESS TO INFORMATION PROCEDURE RULES, AS SET OUT IN APPENDICES 1 AND 3 TO THE REPORT RESPECTIVELY.**

**RESOLVED:**

That subject to Council approval of the above, Cabinet and Principal Scrutiny Committee review the operation of the new system in February/March 2005 so that any changes can be considered in the light of experience.



1483. **FINANCIAL PROCEDURE RULES UPDATE**  
(Report CAB878 refers)

Cabinet noted that the report would also be considered by Principal Scrutiny Committee at its meeting on 24 May 2004.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

**RECOMMENDED:**

1. THAT THE REVISED FINANCIAL PROCEDURE RULES, AS SET OUT IN APPENDIX 1 TO THE REPORT, BE APPROVED.

2. THAT THE PRINCIPAL SCRUTINY COMMITTEE CALL-IN LIMIT OF £25,000 IN THE OVERVIEW AND SCRUTINY PROCEDURE RULES (PARAGRAPH 20.2 AND TERMS OF REFERENCE A.6) BE AMENDED TO £50,000 TO CORRESPOND WITH THE CHANGES IN THE FINANCIAL PROCEDURE RULES.

1484. **EXTRACTS FROM MINUTES OF PRINCIPAL SCRUTINY COMMITTEE**  
(Report CAB890 refers)

Cabinet considered the extracts from the minutes of the Principal Scrutiny Committee held 26 April 2004. The minute extracts contained recommendations to Cabinet in relation to the External Bodies Payroll Service (report PS123 refers) and the findings of the Public Consultation Informal Group (report PS124 refers).

At the invitation of the Chairman, the Chairman of Principal Scrutiny Committee, Councillor Allgood, addressed the meeting. He outlined the background to the recommendations of the Public Consultation Informal Group recommendations and in particular emphasised the good example offered by Eastleigh Borough Council. He distributed a matrix used by Eastleigh to timetable its public consultation exercises.

The Chief Executive confirmed that the recommendations of the Informal Group would be considered when the Consultation Strategy was reviewed in the autumn and also in the current preparation of the Communication Strategy. Cabinet agreed that it would be helpful for the Council to present its timetable of planned consultations, including use of the Citizen's Panel, in a graphical way similar to that used by Eastleigh Borough Council.

With regard to the recommendations of the Principal Scrutiny Committee concerning provision of payroll services to external bodies, the Director of Finance advised that it would be possible to require payment in advance, but this would generate more administrative difficulties as the payment required differed on a monthly basis. In addition, she pointed out that problems had been experienced with only one of the fourteen bodies currently using the payroll services, that Members had approved the action taken in allowing the arrears to continue and that it was most likely that the position would have been the same even if the organisation had been required to pay in advance.

The Chief Executive commented that the system that Winchester operated was similar to those employed by many Councils for voluntary sector bodies who relied on such support.

Following discussion, it was agreed that Principal Scrutiny Committee be thanked for their comments but that the current practice of requiring payment within 30 days of the payroll being run should be continued.

Members noted that many of these organisations did have cash flow difficulties due to the nature of their funding. However, the Charities Bank was able to assist sometimes in these circumstances and it was suggested that the organisations be reminded about this facility.

RESOLVED:

1. That the minute extracts from the Principal Scrutiny Committee held on 26 April 2004 be received.

2. That the recommendations of the Public Consultation Informal Group be considered in the preparation of the Communication Strategy and the review of the Consultation Strategy, including the introduction of a graphical presentation of planned consultations.

3. That Principal Scrutiny Committee be thanked for their suggestions regarding the payroll services to external bodies, but that no change be made to the current approach of requiring payment within 30 days. However, it be confirmed that a robust approach continue to be taken after the 30 day period if charities or voluntary groups were in breach of an obligation to repay sums due.

1485. **SUSTAINABILITY STRATEGY**  
(Report CAB876 refers)

The Chief Executive advised that a further report would be submitted to Cabinet in July for agreement of initial policy elements of the Strategy and it was anticipated the final Strategy would be produced for approval in December 2004.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RESOLVED:

That the proposed focus and the process for the development of the Sustainability Strategy be endorsed.

1486. **HAMPSHIRE BROADBAND**  
(Report CAB877 refers)

Cabinet agreed to the following for the reasons outlined in the report.

RESOLVED:

1. That in principle it be agreed that the Council makes a contribution in kind of £7,000 (funded from the ICT reserve) and approximately £9,000 in cash (over 3 years).

2. That subject to the agreement of the contribution, a Service Level Agreement be entered into with the Hampshire Broadband Public/Private Partnership and that the Director of Development Services, in consultation with the Director of Community Services, the Director of Finance and the Portfolio Holder for Finance and Resources, be authorised to determine the services for which the Council contribution will be used.

3. That the broadband initiatives within Hampshire and the Winchester district be noted, and that the Director of Development Services be authorised to make a grant of up to £3,000 to host a broadband conference, as an additional "in kind" contribution.

1487. **REPORT ON PRIVATE DRAINAGE PROBLEM IN CROFTON WAY, SWANMORE**  
(Report CAB888 refers)

The Director of Finance clarified that residents would be expected to make their own financial arrangements for repayment of their share of the charge, which might include making a claim under their insurance, unless particular financial difficulties were proven. Residents had been informed of this in the information pack issued to them by the Council.

The Director of Health and Housing highlighted that similar situations were likely to occur across the District in the future as most houses were connected to the public sewerage system via a private sewer. Members suggested that public awareness of this issue be raised, possibly by a press release and an article in Insight.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RESOLVED:

1. That a supplementary estimate of £60,000 be included in the Capital Programme, subject to the Principal Scrutiny Committee's procedure for "call-in".

2. That information on private drainage issues and the possible legal implications on being on such as system should be highlighted through all available sources.

1488. **FUTURE ITEMS FOR CONSIDERATION**

Cabinet noted that a special meeting had been scheduled for Tuesday 25 May 2004 to consider the Broadway/Friarsgate Heads of Terms. This item was originally included within the Forward Plan for 24 June 2004 but had been brought forward.

RESOLVED:

That subject to the above amendment, the list of future items as set out in the Council's Forward Plan, be noted.

1489. **EXEMPT BUSINESS**

RESOLVED:

That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
1490 & 1491	Durngate House, Winchester	Information relating to the financial or business affairs of any particular person (other than the authority). (Para 7 Schedule 12A refers).  Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services. (Para 9 to Schedule 12A refers).

1490. **DURNGATE HOUSE, WINCHESTER**  
(Report CAB885 refers)

Cabinet considered the above report which proposed a way forward regarding the future of Durngate House, Winchester (detail in exempt minute).

Councillor Hiscock declared a personal and prejudicial interest in respect of this item as he was the Council's representative on the Trinity Centre Management Committee, and left the room during its consideration.

The meeting commenced at 9.00am and concluded at 12 noon.

