

CABINET

24 June 2004

Attendance:

Councillors:

Beveridge (P)	Campbell (Chairman) (P)	Knasel (P)
Collin (P)		Learney (P)
Evans (P)		Wagner (P)
Hiscock (P)		

Others in attendance and who addressed the meeting:

Councillors Allgood, Busher, Davies, Mitchell and Saunders

Others in attendance who did not address the meeting:

Councillors Higgins and Pearson

TACT: Mr A Rickman

1. **MINUTES**

RESOLVED:

That the minutes of the previous meetings held on 19 and 25 May 2004 be approved and adopted (less exempt Minutes).

2. **PUBLIC PARTICIPATION**

The following representations were made in the public participation part of the meeting.

Mr Garfath (18 Halls Farm Close) spoke in respect of the item relating to the proposed waiting restrictions – Halls Farm Close, Winchester (report CAB 898 refers) (details contained in Minute 11).

Mr Beckwith (4 Lynford Way) and Miss James (2 Lynford Way) and Mrs Porter (former Ward Councillor) spoke in respect of the item relating to proposed waiting restrictions – Lynford Avenue and Lynford Way, Winchester (report CAB 897 refers) (details contained in Minute 10).

3. **LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

The Leader reported that she had recently attended a meeting involving the South East England Development Agency (SEEDA) and the South East Regional Assembly, which had also been attended by Government representatives. The meeting had discussed regional economic development for the South East. A principal conclusion of the meeting was that to facilitate economic development, there needed to be significant improvements in infrastructure before developments of housing and industry took place.

Councillor Wagner – Portfolio Holder for Environmental Health – reported that from Monday 28 June the trial period for Waste Management Recycling Pilot would commence with a publicity event to be held with the Mayor and the Portfolio Holder in Abbey House, Winchester.

Councillor Evans – Portfolio Holder for Culture, Heritage and Sport – reported that a community archaeology project involving local schools had taken place at Olivers Battery in Winchester.

4. **FUTURE MEETING DATES AND TIMES**

RESOLVED:

That meetings of Cabinet continue to commence at 9.00am and that the 7 July 2004 Cabinet meeting be re-scheduled for 5 July 2004 (to allow Members to attend the Local Government Association Conference that will be held between 6-9 July 2004).

5. **APPOINTMENT OF PORTFOLIOS FOR THE 2004-2005 MUNICIPAL YEAR**
(Oral Report)

Cabinet agreed to make the portfolio appointments set out below. Adjustments had been made from the portfolios in 2003/2004 to improve the cross cutting thematic approach to the leadership of the Council's work. Further detail of the portfolio holder's roles would be considered in a future report on job descriptions on 27 July 2004.

The City Secretary and Solicitor indicated that Report CAB 892 – Delegation to Portfolio Holders – was due to be considered at the next meeting of the Council on 30 June 2004. It would be helpful if the proposed Scheme of Delegation could be updated to take account of the changes to the portfolios.

Cabinet agreed to the following for the reasons as set out above.

RESOLVED:

1. That the following arrangements for the allocation of Portfolios be agreed for 2004/2005:

Culture, Heritage and Sport – Councillor Evans
 Finance and Resources – Councillor Learney
 Housing – Councillor Hiscock
 Environmental Health – Councillor Wagner
 Economy and Transport – Councillor Knasel
 Healthy and Inclusive Communities – Councillor Collin
 Planning – Councillor Beveridge

RECOMMENDED:

THAT THE CITY SECRETARY AND SOLICITOR BRING A REPORT DIRECT TO COUNCIL ON 30 JUNE 2004 TO REVISE THE PROPOSED SCHEME OF DELEGATION TO PORTFOLIO HOLDERS TO TAKE ACCOUNT OF THE CHANGES IN THE PORTFOLIOS.

6. **ANNUAL APPOINTMENTS TO CABINET COMMITTEES ETC**
(Report CAB904 refers)

At the invitation of the Chairman, Councillor Busher spoke in favour of retaining the Comprehensive Performance Assessment Informal Member Officer Working Group. She stated that it should meet two to three times per year to monitor the progress being made towards improving the Council's performance and to enable Members to be kept informed. In addition, also at the invitation of the Chairman, Councillor Davies spoke in support of Councillor Busher's comments.

Councillor Davies also stated that he had spoken to Councillor Pines as Chairman of the Social Inclusion Informal Member Officer Working Group who supported the retention of this Informal Member Officer Working Group for the expertise that had been gained by this body and to progress the Social Inclusion Strategy. He also asked about the state of progress of the Heritage Best Value Review.

In response, the Chief Executive explained that the issues relating to Comprehensive Performance Assessment (CPA) were being progressed as part of the Council's Modernisation and Improvement Plan with monitoring to be undertaken by the Leader and relevant Portfolio Holders together with progress reports being submitted to Cabinet. There was the opportunity for scrutiny by the Principal Scrutiny Committee and the needs of the CPA needs of the Council would be better met through the mainstream committee system.

With respect to Social Inclusion, this work could be progressed by the new Portfolio Holder for Healthy and Inclusive Communities (Councillor Collin). He would discuss the Working Group's final report with relevant directors and would have detailed discussions with Councillor Pines and also Councillor Davies.

The Director of Community Services reported that the Heritage Best Value Review was nearing completion and its conclusions could be shared with Councillor Davies without the need to re-appoint the Working Group.

Cabinet discussed the necessity to retain its remaining Working Groups. The Portfolio Holder for Finance and Resources reported that the work of the ICT Informal Member Officer Working Group could now be contained within the delegation to the Portfolio Holder and through Cabinet. Scrutiny could be carried out through the Central Services Performance Improvement Committee and through the work of the Director of Finance. Therefore, it was recommended that this Informal Member Officer Working Group was not re-appointed. Cabinet agreed to this approach.

The Portfolio Holder for Housing commented that the work of the Stock Condition Informal Member Officer Working Group could now be progressed through the Housing Options Appraisal Steering Group and that the work of the Service Charges Informal Member Officer Working Group could be monitored by the appropriate Performance Improvement Committee. The work of the Sussex Street Informal Member Officer Working Group had been completed. He continued that the Housing Enablement Informal Member Officer Working Group could also be progressed by the Housing Options Appraisal Steering Group.

The Internal Services' Best Value Review could be progressed by the Members serving on that group receiving its interim report without the need to formally reinstate the Working Group.

With respect to West of Waterlooville Forum, the Portfolio Holder for Planning stated that the master plan had now been approved and that a formal planning application would shortly be submitted. Discussion took place on whether there was now a need for the work of the Forum to continue and whether it was more appropriate that issues relating to West of Waterlooville should be progressed through the Development Control Committee after submission of the formal application.

At the invitation of the Chairman, Councillor Busher and Councillor Davies both commented that perhaps it was appropriate to keep the Forum in existence until the formal application had been received and at that time transfer the Council's interest in this item to the Development Control Committee. At the invitation of the Chairman, Councillor Allgood added that if this Council was minded to dissolve the Forum then it would be appropriate to write to its constituent authorities, that is, Havant, Portsmouth and East Hampshire, to seek their agreement that the work of the Forum was now complete and could be progressed through the development control process. Cabinet agreed to this approach.

The Chief Executive pointed out that the Portfolio Holder for Healthy and Inclusive Communities would also have a role in ensuring that appropriate facilities were provided for new communities.

In conclusion, Cabinet agreed to re-appoint the Housing Options Informal Member Officer Working Group and also the Air Quality Informal Member Officer Working Group. The Air Quality Informal Member Officer Working Group was a Cabinet-appointed body but had been omitted from Report CAB904, and the Chairman agreed to its inclusion within the agenda as a matter requiring urgent consideration due to the necessity to make appointments to this body.

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

RESOLVED:

That the terms of reference be agreed as set out in the report and that the following appointments be made for the 2004/5 Municipal Year:

1. Housing Options Appraisal Steering Group – Councillors: Coates, Davies, Hiscock, Steel and Tait, together with Officers: H Bone, R Botham, B Merrett and F Lyon, and TACT representatives: Mr Bungey, Mr Gore, Mr Hayes, Mr Rickman, Mr Whitfield and Mr Gilbert-Wood (Deputy) (plus representative from TPAS). A Unison representative would also be sought to join this steering group.

2. Air Quality Informal Member Officer Working Group – Councillors de Peyer, Hammerton, Knasel, Learney, Mitchell, Pearson, Saunders, Wagner and Wright, together with Officers: Mr R Heathcock, Mrs S Blazdell, Mr P Tidridge and Mr M Hill.

3. That the Director of Development Services write to the constituent members of the West of Waterlooville Forum stating that this Council is minded not to reappoint the Forum due to the imminence of a planning application being submitted for the major development area, and to seek their support for such a course of action.

4. That the following Informal Member Officer Working Groups be discontinued:

- ICT Informal Member Officer Working Group;
- Stock Conditions Survey Informal Member Officer Working Group;
- Sussex Street Hostel Informal Member Officer Working Group;
- Service Charges Informal Member Officer Working Group;
- Social Inclusion Strategy Informal Member Officer Working Group;
- Comprehensive Performance Assessment Informal Member Officer Working Group;
- Enablement Informal Member Officer Working Group;

5. That no reappointments be made to the following Best Value Reviews on the understanding that that the Members who served on the teams last year continue to be involved in their on-going work.

- Heritage Best Value Review;
- Internal Services Best Value Review.

7. **LGA ANNUAL CONFERENCE AND EXHIBITION – APPOINTMENT OF DELEGATES**
(Oral Report)

RESOLVED:

That the Leader and Deputy Leader of the Council (Councillors Campbell and Evans respectively) and the Political Group Leaders be appointed as the Council's representatives to the 2004 LGA Conference and Exhibition (to be held at Bournemouth 6-9 July 2004).

8. **SOUTH DOWNS NATIONAL PARK AUTHORITY – DRAFT PROTOCOL FOR THE DELEGATION OF DEVELOPMENT CONTROL**
(Report CAB893 refers)

Cabinet noted that the various costs associated with the planning process for the new National Park, including such items as the cost of planning enforcement, planning appeals and planning Inquiries, were the subject of negotiation through the protocol for the new National Park. Cabinet gave a steer to the Director of Development Services that the incorporation of these functions within the work of the City Council should be clarified in the further negotiations and should be as far as possible at no net cost to the Authority.

Cabinet agreed to the following for the reasons set out above:

RESOLVED:

1. That Cabinet confirms the City Council's support for the scheme so far devised and the resultant draft protocol, which should include the scheme of delegation for development control, and authorises its submission, on behalf of the NAPLAMOG Authorities, to the public Inquiry into the South Downs National Park proposals, when this considers issues relating to a new National Park's administrative arrangements.

2. That Cabinet agrees to further informal comments on the Scheme being sought from the Association of National Park Authorities and other influential bodies, prior to its consideration at the Inquiry and if, necessary, thereafter.

3. That Cabinet advises NAPLAMOG that the above support is given, without prejudice to the City Council's formal position on the principle of National Park designation or the proposed administrative arrangements.

9. **HAMPSHIRE HOUSING SUPPLY ACTION PLAN 2004 & EMERGING SOUTH HAMPSHIRE SUB - REGIONAL STRATEGY**
(Report CAB894 refers)

At the invitation of the Chairman, Councillor Busher commented that she had concerns for the effect of the proposals on the Southern Parishes. The proposals could have the effect of causing planning blight where fields were let unmanaged due to their potential for development, and also the possibility of premature applications for development. She added that the Southern Parishes villages were prosperous at the present time with a high quality of life and therefore she questioned the type of economic development, which could result from the proposals. She also spoke on the infrastructure implications of such proposals and the effect on urban capacity.

The Director of Development Services commented that an overlay to the report was the Government Office for the South East's concerns that targets for housing completions were not being met. He drew Cabinet's attention to Appendix 1 of the report and to outcome actions 3 and 5 and also process action 10 – mechanism to release reserve MDA sites. He commented that in summary if Councils failed to get within 5% of their housing completion figures then the mechanism for reserve major development sites could be triggered as early as December 2004 or January 2005. He stated that the Sub Regional Strategy had identified South Hampshire as a growth area, primarily promoted by the cities of Portsmouth and Southampton, but the implications for the Winchester District needed to be taken into consideration. Consequently, the City Council's Chief Executive had made representations, and had now been included, as a Member of the East Dorset, South Hampshire and Isle of Wight Sub-Regional Study Group.

The Leader commented that the national indicators were that there would be growth in the South East region and the question remained as to how it could be managed. The key was the provision of infrastructure to successfully integrate the 42,000 new homes that were planned for the region together with the associated industry economic development providing jobs. The Chief Executive concurred that infrastructure was very important and that there could be Government initiatives to tackle infrastructure blockages to allow economic growth to take place, for example to complete road systems that to date had proved unachievable.

The Chief Executive added that the South East Regional Assembly would be considering implications of the proposals as soon as September or October 2004 with the view to a consultation draft being available early in 2005.

Cabinet debated the possible implications for the Winchester District. Although it was noted that the major points of economic development might possibly be in neighbouring areas, for example, Eastleigh, Fareham, Gosport, Havant, Portsmouth and Southampton, there would inevitably implications for the Winchester district. This would especially be the case if the proposed new South Downs National Park further limited the area for development within the District.

Other points of debate included the mechanisms for securing economic growth and also the quality and quantity of employment that might result. It was also commented that Winchester and Southampton and surrounding areas had a number of higher education establishments and graduates preferred to seek employment or generate their own businesses in the areas where they had graduated and such opportunities could generate economic growth within these areas.

Cabinet agreed to the following for the reasons set out above and the Chief Executive circulated at the meeting a revision for recommendation 2 to the report which was also agreed as set out below.

RESOLVED:

1. That the relevant actions contained in the Hampshire Housing Supply Action Plan 2004 (as appended to the report CAB894) be endorsed, subject to the comments at paragraph 2.1 of the report.

2. That the City Council agrees to participate in the proposed steering group for the South Hampshire Sub-Regional Spatial Strategy, and continues to seek to work in partnership with Members of PUSH.

3. That the comments submitted to SEERA setting out the Council's concerns about the possible direction of the South Hampshire Sub-Regional Strategy, as set out at paragraph 3.6 of this report, be endorsed subject to the addition of:

- That concerns regarding the practicality of high growth scenarios be noted, and;
- That representations be made that housing completion targets should also take account of realistic projections of new housing provision and not just based on past performance.

10. **PROPOSED WAITING RESTRICTION, LYNFORD AVENUE AND LYNFORD WAY, WINCHESTER**

(Report CAB 897 refers)

In the public participation part of the meeting Mr Beckwith of 4 Lynford Way, Miss James of 2 Lynford Way and Mrs Porter (former Ward Member) spoke on this item.

In summary they referred to the problems of students from Peter Symonds College parking in the area. It was commented that the proposals would limit access to driveways and may result in local residents having to park on the roadway. A solution was a more comprehensive approach to providing student parking. The main problem was between 8.30am and 4.30pm during college time, which amounted to approximately 200 days per annum. Although the area was within a controlled parking zone it would be beneficial if any parking restrictions were enforced between Monday to Friday and should exclude Saturdays.

At the invitation of the Chairman, a Ward Member, Councillor Mitchell commented that although within the Central Parking Zone, it would be beneficial if Saturdays were excluded from any restrictions. He also commented that Lynford Way accesses had small access gates to their driveways, which further restricted their entrances. On balance he was in favour of the scheme proposed by the Officers.

At the invitation of the Chairman, Councillor Saunders, a Ward Member, commented on the access problems at that service vehicles had encountered during college time. Local residents had commented that the restrictions as proposed were on the wrong side of the road and that Saturdays should be excluded.

In response to representations received, the Director of Development Services circulated at the meeting a revised scheme. This addressed the principal concern at the access between Lynford Avenue and Berewecke Avenue. Cabinet also noted comments by the Council's Parking Manager that as part the decriminalisation of parking restrictions, it was not possible to have variations to parking restrictions within the Controlled Parking Zone. Therefore the no waiting restriction between 8am to 6pm Monday to Saturday would need to be introduced.

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

RESOLVED:

1. That the proposed revision to the Traffic Regulation Order in Lynford Avenue and Lynford Way be amended and approved such that 'No Waiting 8am to 6pm Monday to Saturday' restrictions be introduced as follows:-

North side of Lynford Avenue between its junction with Berewecke Avenue to a point 110.0 metres east of that junction

South side of Lynford Avenue between a point 15.0 metres west of its junction with Lynford Way to a point 15.0 metres east of that junction

Both sides of Lynford Way between its westerly junction with Lynford Avenue and a point 15.0 metres south of that junction, and:

2. That the City Secretary and Solicitor be authorised to make the Order.

11. **PROPOSED WAITING RESTRICTIONS, HALLS FARM CLOSE, WINCHESTER**
(Report CAB898 refers)

In the public participation part of the meeting Mr H Garfath – 18 Halls Farm Close spoke on this item. In summary Mr Garfath questioned the adequacy of the consultation period and stated that the proposed order would not meet its objectives of addressing traffic issues on Priors Dean Road and Berewecke Avenue, where the principal traffic problems were encountered. He continued that any parking displaced from Halls Farm Close could result in safety issues for local school children if parking then took place on Priors Dean Road and Berewecke Avenue. He also commented that as Halls Farms Close was outside of the Controlled Parking Zone then a more flexible approach should be taken to the time of parking restrictions, for example to exclude Saturdays. He was of the opinion that the traffic problems in the area could be better addressed by the provision of laybys in Priors Dean Road and Berewecke Road.

In reply, the Director of Development Services stated that the Easter holiday period had been taken into consideration in advertising the proposed scheme and that the proposals had also been advertised in the local press. He continued that the school drop off point in Priors Dean Road had not been studied as part of the proposals but the parking at the junction of Halls Farm Close, which was causing obstruction problems, had been studied. It was the Officers' conclusion that the restrictions would lead to parking further down Halls Farm Close rather than displacing parking onto Priors Dean Road and Berewecke Avenue. Compared with the provision for laybys on Priors Dean Road and Berewecke Avenue the proposals were quick and relatively inexpensive to implement.

A Member commented that the problems encountered on Halls Farm Close were at school drop off and pick up times for a period of approximately 15 minutes.

The Officers acknowledged this and it was suggested that the proposals be amended in order that the proposed waiting restrictions be for Monday to Friday only to cover peak school times to stop inconsiderate parking. This was possible as Halls Farm Close was outside of the Controlled Parking Zone and the times of the restrictions could be specified within plates to be placed on the street. Cabinet agreed to this approach and delegated authority to the Director of Development Services in consultation with the Portfolio Holder for Transport and Access to specify the times for the Order to apply between Monday to Friday. As this was a reduction in the proposed parking restrictions the City Secretary and Solicitor advised that the scheme would not need to be re advertised.

RESOLVED:

That it be agreed that no waiting restrictions apply from Monday to Friday only at times to be specified by the Director of Development Services in consultation with the Portfolio Holder for Transport and Access to apply to Halls Farm Close and that the City Secretary and Solicitor be authorised to make the order.

12. **PROPOSED WAITING RESTRICTIONS, CRANBURY CLOSE, OTTERBOURNE**
(Report CAB899 refers)

RESOLVED:

That "No Waiting (at any time)" restrictions on one side of Cranbury Close, Otterbourne, be approved to prevent obstructive parking on both sides of the carriageway, the existing advisory disabled bay be made enforceable and the City Secretary and Solicitor be authorised to make the Order as advertised.

13. **MINOR AMENDMENTS TO THE CONSTITUTION TO TAKE ACCOUNT OF RECENT STATUTORY CHANGES**
(Report CAB902 refers)

RECOMMENDED:

THAT COUNCIL APPROVE THE CHANGES TO THE CONSTITUTION, AS OUTLINED IN APPENDIX 1 OF REPORT CAB902.

14. **PERFORMANCE PLAN 2004**
(Report CAB906 refers)

The Chief Executive explained that the Council was required to publish its Performance Plan by the 30 June 2004. This would require the Plan to be approved at Council on 30 June. The Plan as submitted to Cabinet was not complete, but the information still outstanding would be obtained and included for Council's consideration and approval on the 30 June 2004.

Due to the later than normal election timetable, and the formation of the new Cabinet, it was also necessary to reflect within the final Plan changes to the Cabinet structure including the lead responsibilities for Portfolio Holders, as agreed at this Cabinet meeting.

Therefore, the Chief Executive circulated at the meeting replacement pages relating to Cabinet and Portfolios, to reflect the new Portfolio Holders and titles; an update to changes to performance indicators tables to reflect the latest information obtained and also a revised suggested recommendation to ensure that the Performance Plan would be published on the 30 June 2004 as required.

Following Member comment, the Chief Executive agreed that the Performance Plan was the "Corporate Business Plan" and reference should be made to its importance at new Member induction.

In agreeing to the following for the reasons set out above and outlined in the report, Cabinet also recorded its thanks to Jacky Adams, Head of Performance and Management, Mr Ian Smith, Best Value Officer, and other contributors to the Plan for the time taken and detailed work that had been involved in its preparation.

RESOLVED:

1. That the Performance Plan 2004 be agreed subject to the amendments outlined at this meeting and to any further minor amendments required to ensure the completeness and accuracy of the document.

RECOMMENDED:

1. THAT THE CHIEF EXECUTIVE IN CONSULTATION WITH THE LEADER BE AUTHORISED TO AMEND THE DOCUMENT TO REFLECT THESE CHANGES FOR RECOMMENDATION TO COUNCIL ON THE 30 JUNE 2004.

2. THAT THE CHAIRMAN OF PRINCIPAL SCRUTINY COMMITTEE BE ASKED TO GIVE A SHORT PRESENTATION TO FULL COUNCIL ON THE SCRUTINY WORK PROGRAMME UNDERTAKEN IN 2003/2004.

15. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

That the list of future items, as set out in the Council's Forward Plan for June and July 2004, be noted.

16. **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>
17	Exempt Minutes of the previous meeting (paras 7 & 9 relating to Durngate House, Winchester and Broadway/Friarsgate Head of Terms)) 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).) The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.
18	Cash Collection Contract (paras 8 & 9))

17. **MINUTES OF THE PREVIOUS MEETINGS HELD ON 19 AND 25 MAY 2004 (EXEMPT MINUTES)**

Cabinet considered the exempt minutes relating to Durngate House (19 May 2004) and Broadway/Friarsgate Head of Terms (25 May 2004).

RESOLVED:

That the exempt minutes from the meetings held on 19 and 25 May 2004 be approved and adopted.

18. **CASH COLLECTION CONTRACT**
(Report CAB896 refers)

Cabinet considered a report that set out the procedures concerning the re-tender of the City Council's Cash Collection contract.

RESOLVED:

That the Director of Development Services, in conjunction with the Director of Finance, be authorised to prepare an evaluation model for the new contract (based on the factors set out in Report CAB896), and issue invitations to tender for the cash collection contract to those firms who respond to the contract notice.

The meeting commenced at 9.00am and concluded at 12.15pm

Chairman