

CABINET

17 November 2004

Attendance:

Councillors:

Campbell (Chairman) (P)

Beveridge (P)
Collin (P)
Evans (P)
Hiscock (P)

Knasel (P)
Learney (P)
Wagner

Others in attendance who addressed the meeting:

Councillors Bennetts, Busher, Davies, Hollingbery, Jeffs and Read

Others in attendance who did not address the meeting:

Councillors Cook and Mitchell

1. **APOLOGIES**

Apologies were received from Councillor Wagner.

2. **LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

The Leader reported that following comments made at the Council meeting on 3 November 2004, she had sent a letter to the local Member of Parliament on proposed changes to the Comprehensive Performance Assessment process.

The Portfolio Holder for Planning reported that a feedback meeting was being held with developers and agents on 18 November 2004 to assist the Council in possible improvements to processes. The Annual Seminar for parish councils and local residents associations was also being held on 20 November 2004.

The Portfolio Holder for Healthy and Inclusive Communities updated Members on the progress with the Community Safety Strategy and, in particular, the meeting that had been held on 8 November 2004 to brief stakeholders on the recently completed crime audit.

The Portfolio Holder for Culture, Heritage and Sport reported that the plans for the Cultural Centre joint project with the County Council were now on display at the Lending Library in Jewry Street, Winchester.

3. **MINUTES**

RESOLVED:

That the minutes of the previous meetings held 6 and 13 October 2004 be approved and adopted (less exempt items).

4. **PUBLIC PARTICIPATION**

Mr R Atkins raised a number of concerns in his capacity as Chairman of New Alresford Town Council (NATC) relating to a possible development at Grange Road, New Alresford and an Inspector's Appeal Decision about 16-20 Grange Road. His concerns related to a letter on behalf of Barratt Homes Ltd which had been sent to local residents which stated that the City Council would be prepared to accept a development brief from Barratt Homes for the Grange Road site. In addition, he expressed concern that NATC had not been notified about the "five other local sites of over one hectare" referred to in the Appeal Decision as being identified as requiring comprehensive treatment for housing development. He believed that the Appeal Decision had also damaged the proposals for design statements set out in CAB967 below.

In his summary, he made the following points:

- the City Council had failed to keep NATC informed of development plans but had spoken to the Planning Inspector, Barratt Homes and other developers.
- a comprehensive study capable of being adopted as Supplementary Planning Guidance, involving the City and Town Councils, should commence as soon as possible before any other applications were made on Grange Road. It should not be open to Barratts to produce the development brief independently.
- the Portfolio Holder for Planning had failed to consult relevant parties and he also raised concerns about the unknown location of the five other sites referred to in the Inspector's report.
- the Portfolio Holder together with the Director of Development Services, should attend a future meeting of NATC to address these concerns.

The Chairman thanked Mr Atkins for his comments and stated that his points would be addressed under consideration of Report CAB967 below. In addition, the Director of Development Services would reply in writing to the points raised. The Director of Development Services and the Portfolio Holder for Planning also indicated they would be willing to attend a meeting of NATC to answer questions on this matter.

5. **PRODUCTION OF DESIGN GUIDANCE – APPOINTMENT OF CONSULTANTS** (Report CAB967 refers)

Public and Councillor representations

Cabinet noted the comments made by Mr R Atkins on behalf of New Alresford Town Council (NATC) in the public participation period outlined above.

At the invitation of the Chairman, Councillors Bennetts, Hollingbery, Jeffs, Busher and Davies addressed the meeting.

Councillor Bennetts (a Ward Member for St Paul) welcomed the proposals contained in the report in general and, in particular, the recommendation that a Local Area Design Statement be prepared for Chilbolton Avenue, Winchester.

Councillor Hollingbery (a Ward Member for The Alresfords) welcomed the contents of the report but supported the comments made by Mr Atkins and, in particular, the concerns that the Inspector's Appeal Decision relating to Grange Road had damaged the proposals for design statements set out in the report. He also suggested that by insisting on high density schemes, the Council were actually achieving less social

housing numbers as high density schemes tended to be more controversial and take longer to be awarded planning permission.

Councillor Jeffs (a Ward Member for The Alresfords) also welcomed the contents of the report. However, in relation to the concerns raised by Mr Atkins, he suggested that in future, parish or town councils should be involved in informal discussions held with developers at the pre-application stage. He acknowledged that there could be confidentiality issues, but believed that these could be controlled by involving the relevant parties at an early stage.

Councillor Busher addressed Cabinet as Chairman of the Planning Development Control Committee. She welcomed the proposals in the report but reminded Members that, if adopted, a design statement would be one of a number of material planning considerations. In addition, she hoped that additional funding could be allocated to ensure the proposals continued in the next financial year.

Councillor Davies welcomed the proposals in the report. However, he requested that there be a degree of flexibility so that design statements could be prepared in response to emerging situations. He also suggested that some method of circulating Planning Inspectors' findings to Members more quickly than at present be investigated.

Response to points raised above

The Director of Development Services clarified the following points:

- the five local sites over one hectare referred to in the Inspector's report were not situated in New Alresford but were those listed in paragraph 5.3 of CAB967;
- the fact the Inspector did not accept the need to develop comprehensively at Grange Road did not mean that this would not be an acceptable requirement at future developments. A factor had been the lack of an approved policy in current national and local planning guidance requiring a comprehensive study to be undertaken. However, the Council had submitted evidence in support of such a policy at the current Local Plan Inquiry;
- PPG3 required that any development over one hectare must be developed at a density of at least 30 units per hectare;
- the Council had not had a meeting with Barratt Homes in connection with Grange Road, but the Director of Development Services had one telephone conversation with their planning consultant. During this discussion, the Director of Development Services advised that the Council sought comprehensive development in such situations. Subsequently, the planning consultant had written to the Council offering to prepare a comprehensive development brief. A reply had not yet been sent to this letter and the Director of Development Services requested guidance from Members on the approach to be taken;
- the Director of Development Services acknowledged that the issues surrounding pre-application discussions required further consideration and suggested that a report be submitted to a future Cabinet on this matter. This was agreed.
- it was suggested that an email alert system be adopted to inform Members of decisions of the Planning Inspector. This was agreed.

There was some discussion about whether a developer should be allowed to prepare a development brief themselves, even if they included input from the City and Parish or Town Councils. A number of Members thought that the City Council should prepare the brief but the developer should be asked to make financial contributions.

However, others Members commented that as there was no requirement on a developer to prepare a brief, this was unlikely to work in practice. It was agreed that further consideration was required on this matter in order to give the officers some working guidance and an informal meeting would therefore be arranged between the Director of Development Services and the appropriate Members.

Consideration of Report CAB967

The Portfolio Holder for Planning introduced the report. He suggested that an additional recommendation be agreed that Parish and Town Councils and the Winchester Town Forum be asked to contribute as appropriate to the cost of Local Area Design Statements (LADS). This was agreed. He also suggested that it might be possible to approach some residents' associations for a contribution to the cost. However, following discussion, the majority of Members did not consider this second suggestion was appropriate.

In discussion of the second recommendation, it was agreed that authority be delegated to the Director of Development Services in consultation with the Portfolio Holder for Planning, to alter the apportionment of funds between the different types of design statements in the light of experience.

With regard to the third recommendation, Cabinet agreed that although it supported in principle the need to continue to contribute to design statements beyond the current financial year, it would prefer to wait until the amount of the Planning Delivery Grant was known before any decision was made. In addition, this would allow some time for the results of the new proposals to be assessed.

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

RESOLVED:

1. That the decision to appoint Atkins and Matrix Partnership to undertake work on Village/Neighbourhood Design Statements, Development Briefs, and Local Area Design Statements, as set out in the report, be endorsed.
2. That the budget of £55,000 available for this area of work be apportioned as recommended in the report: VDSs/NDSs £17,000, development briefs £10,000, and LADS £28,000, and that the work be undertaken and prioritised as set out in Sections 3-5 of the report, subject to amendment by the Director of Development Services in consultation with the Portfolio Holder for Planning.
3. That in principle contributions to these areas of design guidance continue beyond the end of the current financial year but that a decision be made after the level of Planning Delivery Grant and other elements of the budget-making process are known.
4. That Parish and Town Councils and the Winchester Town Forum be invited to contribute as appropriate to LADS.

6. **CHANGES TO THE SYSTEM FOR PLANNING FEES, CHARGING FOR DISCRETIONARY PLANNING SERVICES AND ACCESSIBILITY OF THE PLANNING SYSTEM TO ALL**
(Report CAB957 refers)

The Portfolio Holder for Finance and Resources explained that it was likely the level of Planning Delivery Grant available in future years would be reduced and therefore any resulting additional planning fee income would be required to maintain the current level of planning service.

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

RESOLVED:

1. That additional planning fee income derived from statutory fee increases (if implemented by Government), estimated at around 10% or approximately £60,000 in 2005/6, be utilised within the Planning Service to maintain the improvements to the quality of service for users of the system, as proposed by the Office of the Deputy Prime Minister (ODPM) and that consideration should be given as to how the £60,000 is allocated as a part of the budget making process.

2. That any fee regime for discretionary planning services outside the determination of planning applications be deferred for at least six months and pending further consideration in 2005, following the "pilot" at East Hampshire District Council and the results of a consultation process currently being undertaken by the ODPM.

3. That the Director of Development Services review publications and administration/copying charges in light of ODPM good-practice guidance and the Council's new social inclusion policy and that responsibility for the final scale of fees be delegated to the Director of Development Services in consultation with the Portfolio Holder for Planning and the Director of Finance.

7. **RISK MANAGEMENT STRATEGY AND RISK MANAGEMENT UPDATE**
(Report PS146 refers)

It was reported that the Principal Scrutiny Committee at its meeting on 1 November 2004 had supported the Strategy and recommended that it be approved.

Cabinet noted that some minor amendments to the Strategy had been suggested by Zurich Municipal, the Council's insurers and risk management advisers. It was therefore requested that authority be delegated to the Director of Finance in consultation with the Portfolio Holder for Finance and Resources to make minor editing changes.

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

RESOLVED:

That the Risk Management Strategy be approved subject to minor editing changes to be agreed by the Director of Finance in consultation with the Portfolio Holder for Finance and Resources.

8. **NON-DOMESTIC RATES – RURAL SETTLEMENT LIST 2005/06**

(Report CAB936 refers)

In response to questions, the City Secretary and Solicitor advised that it was not possible for the Council to stipulate that there was no “right to buy” of its properties in the areas included within the Rural Settlement List 2005/06.

One Member queried what was included within the “Winchester Town area” as stated within the report. The Director of Finance agreed to provide clarification on this point to the Member concerned outside of the meeting.

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

RESOLVED:

That the list of Rural Settlements shown in Appendix A of the report be approved for the year 2005/06.

9. **SECOND QUARTER PERFORMANCE MONITORING**

(Report CAB964 refers)

Members noted that this report would also be considered by Principal Scrutiny Committee at its meeting on 6 December 2004.

Cabinet discussed the areas in the Strategic Priorities where progress had fallen behind target (as detailed in paragraph 2.3 and Appendix 1, 8d of the report). With regard to “reviewing the potential for staff to homework”, the Chief Executive advised that progress had been delayed because of the need to include consideration of wider issues as part of the proposals for possible new City Offices. It was anticipated that this work would be completed within the next six months to a year.

With regard to the progress on the “Benefits Take Up” campaign (Appendix 1, 11a refers), Members requested that details of the scheme be available via a publicised telephone number and by accessing a Website.

During discussion of the progress on the Modernisation and Improvement Plan (Appendix 2 refers), the Chief Executive advised that the report on a corporate policy for the protection of vulnerable children and young people would not now be ready until early in 2005. This was to allow the work the County Council was currently undertaking to be completed and fed into the policy.

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

RESOLVED:

1. That progress on the delivery of actions set out in the Council’s corporate priorities and Modernisation and Improvement Plan be noted.

2. That further action continue on the areas in the Council’s corporate priorities and Modernisation and Improvement Plan where progress was not currently on track to ensure these objectives targets were met.

10. **BUDGET MONITORING OVERVIEW TO SEPTEMBER 2004**

(Report CAB958 refers)

Members noted that this report would also be considered by Principal Scrutiny Committee at its meeting on 6 December 2004.

With regard to spending on Social Housing Grants, the Director of Health and Housing confirmed that it was planned for the balance to be spent by the end of the financial year.

In response to questions about progress on Swanmore Community Scheme, the Director of Community Services advised that work on the indoor areas had now begun and was due to be finished by May 2005.

Members also queried what progress had been made with regard to the Bapsy Bequest. The Director of Community Services and City Secretary and Solicitor advised that the refined version of the scheme had been received from the consultant architects in the last week. No contact had yet been made with the Charity Commissioners as the City Secretary and Solicitor had advised that the consultant architect's advice be available first. In addition, the new advice had raised issues and it was, therefore, intended to bring a further report to Cabinet in due course, together with any interim comments from the Commission.

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

RESOLVED:

That the report be noted.

11. **CONCLUSIONS OF THE CAPITAL PROJECTS INFORMAL SCRUTINY GROUP – MANAGEMENT RESPONSE**

(Report CAB966 refers)

Members noted that this report would also be considered by Principal Scrutiny Committee at its meeting on 6 December 2004.

Cabinet discussed the methods by which portfolio holders could be involved in the project management process. For major projects, there was some consideration of whether they should be members of the steering board and whether for smaller projects they should just be involved with agreeing objectives and kept regularly updated. The Chief Executive suggested that it was important to maintain a distinction between the portfolio holders' policy role and the operational management role of officers for ensuring delivery of projects. For this reason he said that it would not normally be appropriate for Members to be on a project steering board as envisaged in the project management system. However, it was important to keep Members informed – which could be by briefing the portfolio holder, or for certain major projects, briefing of representatives of all political groups.

Following debate, it was agreed that the procedures for involving portfolio holders should not be too prescriptive, to allow flexible arrangements that suited the particular project involved. However, it was understood that portfolio holders should be kept fully informed throughout by whatever method was considered to be most appropriate for the type of project involved.

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

RESOLVED:

1. That the responses set out in the report be approved for consideration by Principal Scrutiny Committee, together with the comments regarding portfolio holder involvement outlined above.

2. That it be noted that a formal system for project management is being introduced throughout the Council, as agreed in the Modernisation and Improvement Plan.

12. **DENMEAD YOUTH PAVILION – GRANT AID**
(Report CAB968 refers)

Cabinet noted that under the Council Constitution, Access to Information Procedure Rules (Rule 15.1 – General Exception), this was a key decision which had not been included in the Forward Plan. Under this procedure, the Chairman of the Principal Scrutiny Committee would normally have been informed, but in his absence the Vice-Chairman had been notified.

At the invitation of the Chairman, Councillor Read addressed Cabinet as a Ward Member for Denmead. He summarised the background to the grant application, including some of the difficulties that had been experienced by the Parish Council in progressing the project. However, he advised that the Parish Council now had the funding in place to begin phases one and two of this three-phase project. He emphasised that the new pavilion would provide a much needed facility for Denmead and the surrounding area.

Whilst broadly supporting the project, a number of Members expressed some concern that more details were required before a decision on the release of funding could be made. For example, Members queried how much the project was expected to cost in total and requested information about its design. Following discussion, it was agreed that the decision to release the £150,000 grant be delegated to the Director of Community Services in consultation with the Portfolio Holders for both Culture, Heritage and Sport and for Finance and Resources with the understanding that a further report would be submitted to Cabinet if either Portfolio Holder deemed it necessary.

RESOLVED:

That the release of a grant of £150,000 to Denmead Parish Council towards the cost of new pavilion facilities in Denmead be agreed, subject to the Director of Community Services, in consultation with the Portfolio Holders for both Culture, Heritage and Sport and for Finance and Resources, being satisfied with the final arrangements.

13. **MINUTES OF THE COMMUNITY, ARTS AND SOCIAL PERFORMANCE IMPROVEMENT COMMITTEE HELD 18 OCTOBER 2004**

(as contained within the Council Minute Book, 3 November 2004, pages 255 - 258)

Members noted that the Community Services Department Budget 2005/06 would be addressed as part of the Council's budget process later in the area and recommendations relating the budget were not agreed at this time. In addition, the recommendation relating to further work on twinning issues would be considered as a separate agenda item below. The recommendation on the subject of the Sustainability Strategy (Report CAS29 refers) should also be noted at this stage as a further report would be submitted to the next Cabinet meeting.

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

RESOLVED:

That the minutes of the Community, Arts and Social Performance Improvement Committee held 18 October 2004 be received and the recommendations contained therein be noted.

14. **MINUTES OF THE HEALTH PERFORMANCE IMPROVEMENT COMMITTEE HELD 19 OCTOBER 2004**

(as contained within the Council Minute Book, 3 November 2004, pages 259 - 262)

Members noted that the majority of the Health and Housing Departmental Budget 2005/06 would be addressed as part of the Council's main budget process later in the year and so the proposals were not agreed at this stage. However, the recommendation relating to fees and charges should be considered at this meeting (Report HE34 refers). The recommendation on the subject of the Sustainability Strategy (report CAS29 refers) should be noted at this stage as a further report would be submitted to the next Cabinet meeting.

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

RESOLVED:

1. That the minutes of the Health Performance Improvement Committee held 19 October 2004 be received and the recommendation relating to fees and charges be agreed (Report HE34 refers).

2. That the remaining minutes of the Health Performance Improvement Committee be noted.

15. **MINUTES OF THE ENVIRONMENT AND ACCESS PERFORMANCE IMPROVEMENT COMMITTEE HELD 20 OCTOBER 2004**

(as contained within the Council Minute Book, 3 November 2004, pages 263 - 268)

Members noted that the Development Services Departmental Budget 2005/06 would be addressed as part of the Council's main budget process later in the year and so the proposals were not agreed at this stage. The recommendation on the subject of the Sustainability Strategy (Report CAS29 refers) should also be noted at this stage as a further report would be submitted to the next Cabinet meeting.

With regard to the recommendation on the Traffic Management Programme (EA43), Cabinet noted that this would be the subject of a further report to the next Cabinet meeting in December.

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

RESOLVED:

That the minutes of the Environment and Access Performance Improvement Committee held 20 October 2004 be received and the recommendations contained therein be noted.

16. **MINUTES OF THE CENTRAL SERVICES PERFORMANCE IMPROVEMENT COMMITTEE HELD 25 OCTOBER 2004 (LESS EXEMPT ITEMS)**
(Report CAB965 refers)

Cabinet noted that the majority of the various budget items would be addressed as part of the Council's main budget process later in the year and so the proposals were not agreed at this stage. However, the recommendations relating to fees and charges for the Finance Department (Report CEN67 refers) and revenue growth bids for staffing support to the Land Charges Computerisation project (Report CEN69 refers) should be considered.

The recommendation on the subject of the Sustainability Strategy (Report CAS29 refers) should also be noted at this stage as a further report would be submitted to the next Cabinet meeting.

RESOLVED:

1. That the minutes of the Central Services Performance Improvement Committee held 25 October 2004 (less exempt item) be received and the recommendations relating to the following items be agreed:

- (i) Finance Department fees and charges (Report CEN67 refers)
- (ii) Land Charges Computerisation Revenue growth bids for staffing support (Report CEN69 refers)

2. That the remaining minutes of the Central Service Performance Improvement Committee (less exempt items) be noted.

17. **TWINNING ISSUES**

At the invitation of the Chairman, Councillor Davies addressed the meeting and expressed some concern that Councillors did not appear to be kept informed about twinning issues and requested that this situation be improved.

Cabinet noted that at its meeting on 18 October 2004, the Community, Arts and Social Performance Improvement Committee had requested that a report on twinning issues be submitted to a future meeting of the Committee for it to consider and make recommendations to Cabinet. Cabinet was being asked to agree that this matter be included within the Performance Improvement Committee's work programme for 2005/06.

Members welcomed the suggestion for further information on this subject and mentioned the possibility of considering twinning with a country from the developing world. In addition, Cabinet believed that the Council should aim to make twinning of more interest and relevance to the wider community.

RESOLVED:

That it be agreed that a report on Twinning Issues be submitted to a future meeting of the Community, Arts and Social Performance Improvement Committee and consideration of this issue should include the matters outlined above.

18. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

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

19. **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>
	Exempt Minutes of the previous meeting held 6 October 2004	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).

Exempt minutes of the Central Services Performance Improvement Committee held 25 October 2004

Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the authority. (Para 5 to Schedule 12A refers).

Information relating to the financial or business affairs of any particular person (other than the authority). (Para 7 Schedule 12A refers).

Customer Service Centre Progress

Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office-holder, former office-holder or applicant to become an office-holder under the authority. (Para 1 to Schedule 12A refers).

Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority. (Para 11 to Schedule 12A refers).

20. **EXEMPT MINUTES OF THE PREVIOUS MEETING HELD 6 OCTOBER 2004**
(as contained within the Council Minute Book, 3 November 2004, pages 232 - 236)

RESOLVED:

That the exempt minutes of the previous meeting held 6 October 2004 be approved and adopted.

21. **EXEMPT MINUTES OF THE CENTRAL SERVICES PERFORMANCE IMPROVEMENT COMMITTEE HELD 25 OCTOBER 2004**
(Report CAB965 refers)

Cabinet considered the exempt minutes of the Central Services Performance Improvement Committee held 25 October 2004 which contained information on the financial position of an organisation and recommended a way forward.

RESOLVED:

That the recommendations contained within the exempt minutes of the Central Services Performance Improvement Committee be agreed (Report CEN66 refers).

22. **CUSTOMER SERVICES CENTRE PROGRESS**
(Report CAB960 refers)

Cabinet noted that the Personnel Committee had agreed the staffing structure and other staffing issues recommended in the report at its meeting on 15 November 2004.

RESOLVED:

1. That the good progress with establishing the Customer Service Centre be noted.
2. That approval be given for phase one of the project to be completed.
3. That departmental staffing budgets be adjusted and approved as part of the current budget process.

The meeting commenced at 9.00am and concluded at 12.10pm

Chairman