

CABINET

2 March 2005

Attendance:

Councillors:

Campbell (Chairman) (P)

Beveridge (P)

Collin (P)

Evans

Hiscock

Knasel (P)

Learney (P)

Wagner (P)

Others in attendance who addressed the meeting:

Councillors Allgood and Davies

Others in attendance who did not address the meeting:

Councillor Mitchell

883. **APOLOGIES**

Apologies were received from Councillors Evans and Hiscock.

In addition, Councillor Beveridge left the meeting at the start of item 891 (CAB1038), to attend a meeting of the Strategic Planning Joint Advisory Panel at the County Council, and returned during consideration of item 902 (CAB1035).

884. **LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

The Leader reported that a recent meeting of the Winchester Town Forum on the proposed Broadway/Friarsgate development had been very well attended. In addition, various meetings had been organised across the District to discuss the South East Regional Plan.

885. **MINUTES**

RESOLVED:

That the minutes of the previous meeting held on 8 February 2005 be approved and adopted (less exempt items).

886. **PUBLIC PARTICIPATION**

Mr R Atkins spoke in his capacity as Chairman of New Alresford Town Council on the subject of planning enforcement by the City Council. He outlined a number of concerns, including that the enforcement information provided by the Council did not include up to date details about the case officers and gave the impression that no action had been taken since summer 2004. He queried the number of outstanding enforcement cases and whether any priority order or targets had been set.

In response, the Portfolio Holder for Planning advised that extra resources had been made available to planning enforcement, including recruitment of a new Enforcement Manager and team member. The method of monitoring the number of enforcement cases was through regular reporting to the Environment and Access Performance Improvement Committee. The Acting Director of Development Services advised that there was currently about 350 enforcement cases.

Mr Atkins also addressed Cabinet in a personal capacity regarding the Council's involvement with the Winchester Alliance for Mental Health (WAMH). He reported that he had written to the Chairman of Principal Scrutiny Committee, with copies to both the City Secretary and Solicitor and the Chief Executive. He advised that he had not been granted access to two sets of documents under the Freedom of Information Act (FOI). He queried whether there was any funding letter in place which agreed that the Council would not call-in the outstanding debt from WAMH. He stated that if such a letter was not in place, then the external auditors should not have signed WAMH's accounts.

In response, the Chairman advised that PricewaterhouseCoopers (PwC), had been engaged to carry out an external review of the matters relating to the Council's involvement with WAMH. With regard to the comment about the FOI request, the City Secretary and Solicitor stated that the documents referred to by Mr Atkins had not been released because of the ongoing review by PwC. He confirmed that all correspondence from Mr Atkins on the subject of WAMH was being copied to PwC.

887. VISION FOR WINNALL STUDY
(Report CAB1039 refers)

The Portfolio for Economy and Transport reported that a letter of support for the proposals had been received from the North Hampshire Chamber of Commerce in which they stated they would like to work in partnership with the Council. The Leader advised that she had replied to this letter welcoming their support and offer of partnership working.

The Portfolio Holder for Finance and Resources confirmed that the study could be funded from within existing budgets.

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

RESOLVED:

1. That the Report be approved as the basis of terms of reference for the Winnall study.
2. That the use of funds of up to a maximum of £25,000 be approved to undertake the different elements of the study, subject to funding coming from existing budgets.

888. **PARK AND RIDE EVENING BUS SERVICE**
(Report CAB1037 refers)

The Portfolio Holder for Economy and Transport stated that he considered the extended evening Park and Ride service was a welcome addition but it might take some time for companies and their workers to realise that the additional service was available and make use of it. As such he requested that the first recommendation be amended to allow the last journey from the rail station to be at 19.15, rather than the earlier time of 18.45. Following discussion, Cabinet agreed to this amendment.

The Portfolio Holder for Finance and Resources confirmed that the limited evening service as proposed could be funded from within existing budgets.

It was also agreed that a further review of the service be undertaken at a future date, possibly when the rest of the Park and Ride service was reviewed in June 2005.

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

RESOLVED:

1. That the Monday to Friday timetable for the Park and Ride bus service be amended by the deletion of all evening journeys departing from the rail station after 19.15 Monday to Friday.
2. That the changes come into operation on 3 May 2005 after completion of the six-month experimental period.
3. That a further review of the service be undertaken in June 2005.

889. **PROPOSED PARKING CHARGES**
(Report CAB1032 and Addendum refers)

Cabinet noted that a revised schedule of proposed parking charges to that contained at Appendix A of the Report had been circulated at the meeting (Addendum to CAB1032 refers). The revised schedule contained information on charges at Crowder Terrace and The Lido car parks, which had been accidentally omitted from the original appendix. The Chairman agreed to accept the addendum as a late item so the correct information was available to enable Cabinet to make a decision.

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

RESOLVED:

That the revised schedule of proposed parking charges as circulated at the meeting and contained within the Addendum to CAB1032 be approved, and that the proposed Off Street Parking Places Order be amended accordingly.

890. **RELEASE OF OPEN SPACE FUNDS FOR THE PARISH COUNCIL OF DENMEAD**
(Report CAB1034 refers)

At the invitation of the Chairman, Councillor Allgood (a Ward Councillor for Denmead) addressed the meeting in support of the proposals. He emphasised that the new pavilion would offer much improved services for the area, and included public toilets, a conference room and youth facilities.

In response to questions, the Acting Director of Development Services advised that the Parish Council had made reasonable assumptions about how much alternative funding it could receive but unfortunately had not been as successful as anticipated. The shortfall in funding would be met by a Public Works Loan to the Parish Council.

One Member requested that the child protection policies be strengthened before the facility was opened. The Chief Executive advised that the City Council was currently reviewing its own child protection policies, which could be shared with the Parish Council.

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

RESOLVED:

That £200,000 be released from the amount held for Denmead in the Open Space Fund to The Parish Council of Denmead toward the cost of a new sports pavilion.

891. **COMMUNITY SAFETY STRATEGY 2005-2008**
(Report CAB1038 refers)

The Chief Executive advised that the Strategy had been developed since its previous version and now contained clearer objectives and smarter targets.

Cabinet welcomed the partnership structure, particularly its involvement in the more rural areas of the District and the ability to set different priorities in different areas.

One Member suggested that the definition of anti-social behaviour be widened to include crimes against the environment, for example graffiti and dropping litter. He highlighted that people's perception of the crime level in an area could be affected by the amount of litter or vandalism etc.

The Director of Community Services confirmed that the Action Plan would be submitted to Cabinet in late March or early April.

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

RECOMMENDED:

THAT THE DRAFT COMMUNITY SAFETY STRATEGY 2005-2008 BE ACCEPTED, ITS KEY AIMS AND OBJECTIVES BE ENDORSED, AND THESE BE TAKEN INTO ACCOUNT WHEN AGREEING FUTURE STRATEGIES, BUSINESS PLANS AND BUDGETS, SUBJECT TO THE SUBMISSION OF A FURTHER REPORT SETTING OUT THE ACTION PLAN IN LATE MARCH/APRIL 2005.

892. INSURANCE FUND REVIEW

(Report CAB1009 refers)

Members noted that the Report had been considered by Principal Scrutiny Committee at its meeting on 14 February 2005 where it had been agreed not to call-in the decision.

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

RESOLVED:

1. That the Provision of £185,000 in respect of MMI is retained until further information is made available about outstanding MMI liabilities.
2. That £125,000 be released from the Insurance Reserve, of which £75,000 is released to the Major Investment Reserve and £50,000 to the Housing Revenue Account.
3. That a review of the Insurance Reserve be undertaken on an annual basis.

893. COUNCIL WEBSITE – INFORMATION ABOUT MEMBERS

(Report CAB1022 refers)

At the invitation of the Chairman, Councillor Davies stated that he had concerns that the information contained on the Website about Members should be both useful and of interest to the public, and for example, not just listing how many meetings each Member attended.

A number of Members agreed with the comments made by Councillor Davies. In addition, they had concerns that the Websites should not be used for political purposes. Some Members suggested that the Councillor Website's could include links to a Member's own personal website.

It was considered that there might be a particular danger of political content if the Websites allowed consultation with the public on particular issues. A number of Members commented that they would like to see changes to the contents of the current example set out in Appendix 5, of the Website being used for consultation purposes.

The City Secretary and Solicitor noted these concerns and confirmed that all entries would be cleared before publication. However, he advised that the Government were encouraging the use of the Internet for consultation with the public by Members. It was agreed that this matter be investigated further in the light of experience by the Council and other local authorities.

It was also suggested that the Standards Committee be requested to monitor the use of the Information about Members pages, perhaps through the use of their Independent Members. This was agreed.

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

RECOMMENDED:

1. THAT THE GUIDANCE ON MEMBER INFORMATION ON THE WEBSITE IN APPENDICES 2, 3 AND 4 BE ADOPTED AND ADDED TO PART 8 OF THE CONSTITUTION – LOCAL GUIDANCE NOTES.

2. THAT THE FACILITY FOR MEMBERS TO PROVIDE THE ADDITIONAL INFORMATION REFERRED TO IN THE GUIDANCE BE INTRODUCED WITH EFFECT FROM THE 2005/06 MUNICIPAL YEAR, WITH THE ABILITY TO UPDATE THE REPORT ON ACTIVITIES UNDERTAKEN ON A QUARTERLY BASIS.

3. THAT A REPORT ON EXPANDING THE WEBSITE TO PROVIDE ADDITIONAL WARD INFORMATION AND FOR CONSULTATION PURPOSES AS OUTLINED IN THE ODPM'S E-GOVERNMENT TARGETS, (ALONG THE LINES SUGGESTED IN APPENDIX 5 OF THE REPORT OR CONSIDERING OPTIONS FROM EXPERIENCE OF OTHER COUNCILS) BE BROUGHT FORWARD BY AUTUMN 2005, TAKING ACCOUNT OF EXPERIENCE GAINED FROM OPERATION OF THE PROPOSALS IN RECOMMENDATIONS PARAGRAPHS 1 AND 2 ABOVE.

4. THAT THE STANDARDS COMMITTEE BE REQUESTED TO MONITOR THE MEMBERS' INFORMATION PROVIDED ON THE WEBSITE.

894. **ROLE PROFILES FOR MEMBERS**
(Report CAB1021 refers)

On behalf of Councillor Beveridge, the Chairman requested that the relationship between Portfolio Holders and both Principal Scrutiny Committee and the Performance Improvement Committees be clarified as part of the profiles. It was noted that the current informal practice was for Portfolio Holders to attend the appropriate Performance Improvement Committees, but not attend Principal Scrutiny Committee unless specifically invited.

At the invitation of the Chairman, Councillor Davies stated that he considered that Portfolio Holders should be able to attend both Principal Scrutiny Committee and Performance Improvement Committees. However, other Members pointed out the need to avoid unnecessary attendance, in view of other commitments.

The City Secretary and Solicitor acknowledged that this matter required further clarification and suggested that this be undertaken as part of the review of scrutiny currently underway.

Cabinet noted a small amendment to the Group Manager Role Profile to clarify that the role was to assist the Leader of the Group rather than the Leader of the Council. The revised Key Task would read: "To assist the Leader of the group in filling Committee places and suitable representatives on outside bodies."

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

RECOMMENDED:

THAT THE ROLE PROFILES FOR MEMBERS, APPENDED TO THE REPORT AND AMENDED ABOVE, BE AGREED AND INCLUDED IN PART 8 OF THE CONSTITUTION – LOCAL GUIDANCE NOTES.

895. **MINOR AMENDMENTS TO THE CONSTITUTION**
(Report CAB1024)

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

RECOMMENDED:

THAT THE CHANGES TO THE CONTRACTS PROCEDURE RULES (AS CONTAINED WITHIN PART 4 OF THE CONSTITUTION) BE APPROVED AS SET OUT IN THE REPORT.

896. **REPRESENTATION ON OUTSIDE BODIES – PROCEDURE FOR NOMINATIONS**
(Report CAB1040 refers)

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

RESOLVED:

That the procedure for dealing with nominations to outside bodies and reporting back on their activities be agreed, as set out in the report.

897. **EXTRACTS FROM MINUTES OF PRINCIPAL SCRUTINY COMMITTEE – 14 FEBRUARY 2005**
(Report CAB1041 refers)

At the invitation of the Chairman, the Chairman of Principal Scrutiny Committee, Councillor Allgood addressed the meeting on the subject of the Council's Serco contract. He reiterated the request of the Committee that one Portfolio Holder be appointed to monitor the contract and that this Member be invited to attend the next meeting of the Committee on 29 March 2005.

Councillor Davies also addressed the meeting, at the invitation of the Chairman. He expressed concerns about the level and timing of monitoring information provided to Members on the operation of the Contract. In particular, he requested that a briefing note be supplied to Members of the Serco Contract Liaison Meeting in advance of its meeting next week.

Cabinet noted that the proposed Council restructure would result in one Director having responsibility for all aspects of the Serco contract. The Chief Executive commented that it should also ensure more officers were involved in the monitoring of performance under the contract. The Performance Improvement Committees would still receive reports on their individual aspects of the contract and the Principal Scrutiny Committee would take an overview of the operation of the contract as a whole.

Cabinet agreed that the Portfolio Holder for Finance and Resources should be appointed to have overall responsibility for the Serco contract as the Portfolio's remit already included procurement. Other Portfolio Holders would retain responsibility for monitoring in their particular service area. However, the Portfolio Holder stated that she unfortunately had to pass on her apologies as she would be unable to attend the Principal Scrutiny Committee on 29 March 2005 due to a longstanding holiday commitment.

Cabinet noted that a further report on the Serco contract would be submitted to the next Cabinet meeting on 23 March 2005.

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

RESOLVED:

That recommendations contained within the minute extracts from the Principal Scrutiny Committee held 14 February 2005 be noted.

898. FUTURE ITEMS FOR CONSIDERATION

RESOLVED:

That the list of future items, as set out in the Council's Forward Plan for March 2005, be noted.

899. 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>
900	Exempt Minutes of the previous meeting) Information relating to the financial or business affairs of
901	Littleton Garage, Littleton Road, Winchester) any particular person (other than the authority). (Para 7
902	Upper Brook Street Car Park, Winchester) Schedule 12A refers).
903	Tanner Street and Friarsgate Car Park, Winchester) Any terms proposed or to be proposed by or to the authority in the course of negotiations for
904	Banking Contract Renewal) a contract for the acquisition or disposal of property or the supply of goods or services. (Para 9 to Schedule 12A refers).

900. **EXEMPT MINUTES OF THE PREVIOUS MEETING**

RESOLVED:

That the exempt minutes of the previous meeting held 8 February 2005 be approved and adopted.

901. **LITTLETON GARAGE, LITTLETON ROAD, WINCHESTER**
(Report CAB1017 refers)

Cabinet considered the above report, which set out proposals regarding the above property (detail in exempt minute).

Under the Council's 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 had been informed.

902. **UPPER BROOK STREET CAR PARK, WINCHESTER**
(Report CAB1035 refers)

Cabinet considered the above report, which set out proposals regarding the above car park (detail in exempt minute).

Under the Council's 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 had been informed.

903. **TANNER STREET AND FRIARSGATE CAR PARK, WINCHESTER**
(Report CAB1036 refers)

Cabinet noted that the above report gave details of the Council's ownership of the lower ground floor of Friarsgate car park and an adjacent area on Tanner Street over which the Council had rights of access.

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

RESOLVED:

That the Chief Estates Officer writes to Karma Limited to confirm that even if successful with their appeal that the Council will not grant them a lease of any of the Council's property whilst the Broadway Friarsgate development agreement is in place.

904. **EXTENSION TO THE BANKING CONTRACT**
(Report CAB1007 refers)

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

RESOLVED:

That a two-year extension to the current banking contract with the existing contractor on the current terms and conditions be approved.

The meeting commenced at 9.00am and concluded at 11.25am