

CABINET

4 April 2005

Attendance:

Councillors:

Campbell (Chairman) (P)

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

Knasel (P)
Learney
Wagner (P)

Others in attendance who addressed the meeting:

Councillors Allgood and Davies
TACT Representative: Mr A Rickman

1055. **APOLOGIES**

Apologies were received from Councillor Learney.

1056. **LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

No announcements were made.

1057. **PUBLIC PARTICIPATION**

No comments were made received during this element of the meeting.

1058. **HOUSING MONITORING REPORT NO.3 2005**

(Reports CAB1043)

The full copy of the above item had not been notified for inclusion on the agenda within the statutory deadline. The Chairman agreed to accept the item onto the agenda as a matter requiring urgent consideration, so that the Report could be published as background to the District Local Plan Review.

Councillor Beveridge, Portfolio Holder for Planning, introduced the report and summarised its conclusion that the number of housing completions within the District were likely exceed the strategic targets for the period to March 2011.

Cabinet discussed the importance of the number of housing completions expected to arise from the West of Waterlooville Major Development Area (MDA) and noted that for the Strategic Authorities' purposes, it was located in a different sub-region to majority of the District. Members went on to consider the number of completions of affordable homes and, in the light of some developers' challenge to the definition of perpetuity, whether it would be possible to monitor the affordability of these dwellings over a longer period of time.

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

RESOLVED:

That the Housing Monitoring Report No.3 2005 be published as background information to the District Local Plan Review.

1059. **CONSULTATION PAPER ON THE DRAFT GOVERNMENT CIRCULAR – ‘PLANNING FOR GYPSY AND TRAVELLER SITES’**
(Report CAB1061 refers)

The report set out the Council’s proposed response to the Government’s circular “Planning for Gypsy and Traveller Sites.”

Members discussed the additional pressure the Government’s proposals were likely to place on District Councils in terms of the assessment and consultation processes required to identify the need for, and location of, sites. Members also agreed to emphasise the good work undertaken by the County Council and the work that would have to be done by the South East England Regional Assembly to administer an overarching policy for the region.

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

RESOLVED:

1. That the Office of the Deputy Prime Minister be thanked for the opportunity to comment on the Consultation Draft of the new Circular – ‘Planning for Gypsy and Traveller Sites’.
2. That the recommendation contained in the report be accepted and the representations to the ODPM, set out in Section 10 of the report, be endorsed, subject to additional emphasis on the current good practice undertaken by Hampshire County Council and the likely role for SEERA to administer an overarching policy for the region.

1060. **MINUTE EXTRACT FROM PRINCIPAL SCRUTINY COMMITTEE HELD 29 MARCH 2005**
(Report CAB1058 refers)

The above item had not been notified for inclusion on the agenda within the statutory deadline. The Chairman agreed to accept the item onto the agenda as a matter requiring urgent consideration, so that the considerations of the Principal Scrutiny Committee (with regard to reports PS169, PS167 and PS169) could inform Cabinet’s debate as set out below.

RESOLVED:

That the report be noted.

1061. **SURVEY OF DECISION MAKING STRUCTURES AND MEMBER SERVICES - RESULTS**
(Report PS168 refers)

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

RESOLVED:

That the results of the survey be taken into account in consideration of Reports PS167 and PS169 elsewhere on the agenda.

1062. **REVIEW OF COUNCIL PROCEDURES FOR OVERVIEW AND SCRUTINY**

(Report PS169 refers)

At the invitation of the Chairman, Councillor Allgood (Chairman of Principal Scrutiny Committee) commented on the report. He underlined the need for the Council to produce a "Good Scrutiny Guide" to help Members, officers and the public to better understand the role of scrutiny and how it was implemented by the Council. He advised that the Principal Scrutiny Committee had recommended that to maintain flexibility, the Council's Constitution need not be amended to ensure that the Chairman of the Scrutiny Committees be drawn from Members of the Opposition. Councillor Allgood also commented on future reviews of the Council's procedures that were needed to invigorate the Performance Improvement Committees; which included a realignment of their terms of reference to better match the responsibilities of the Portfolio Holders, increased accountability of the Portfolio Holders and a possible change to the Committees' title.

During discussion on the proposals for Portfolio Holders to be held more accountable and to present relevant reports to the appropriate scrutiny bodies, the Chief Executive clarified that the accountability should not extend into the responsibility for the day-to-day management of the Council's services. He advised that the level and amount of information that Members were asked to scrutinise at Committee should be reviewed to ensure that they were more clearly focused on policies and key outcomes.

In agreeing with the recommendations as set out in the report, Cabinet agreed that the Constitution should be amended to ensure that the Principal Scrutiny Committee is chaired by a member of a different political party to that of the Leader.

Cabinet agreed to the following for the reasons set out above and outlined in the report and that the recommendations of Principal Scrutiny Committee be supported subject to the following, additional points.

RECOMMENDED:

THAT THE RECOMMENDATIONS OF PRINCIPAL SCRUTINY COMMITTEE BE SUPPORTED, SUBJECT TO THE CHANGES TO RECOMMENDATIONS 2 AND 7 BEING AMENDED AS SET OUT IN ITALICS BELOW:

2. ~~HOLDING PORTFOLIOS TO ACCOUNT FOR THE SERVICE WITHIN THEIR AREAS OF RESPONSIBILITY~~

2. THAT, *from the start of the next Municipal Year* PORTFOLIO HOLDERS PRESENT AND ARE HELD ACCOUNTABLE FOR RELEVANT REPORTS TO THE APPROPRIATE SCRUTINY BODIES *it being recognised that Portfolio Holders are accountable for policies and key outcomes and not for the day-to-day management of the Council's services.*

~~7. THAT THE PRINCIPAL SCRUTINY COMMITTEE CONTINUES TO OPERATE IN ITS CURRENT FORM, AND THAT THE CONSTITUTION BE NOT AMENDED TO REQUIRE THAT IT BE CHAIRED BY A MEMBER OF THE OPPOSITION.~~

7. THAT THE PRINCIPAL SCRUTINY COMMITTEE CONTINUES TO OPERATE IN ITS CURRENT FORM, *subject to the Constitution being amended to ensure that it is chaired by a Member from a different party to the party of the Leader.*

1063. **REVIEW OF DECISION MAKING STRUCTURES AND MEMBER SERVICES**

(Report PS167 refers)

Cabinet considered the report which set out a number of options for the Council's decision making structures and Member services. It also considered the views expressed by Principal Scrutiny Committee on this topic at its meeting held on 29 March 2005.

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

RECOMMENDED:

THAT COUNCIL BE RECOMMENDED TO ENDORSE, IN PRINCIPLE, THE FOLLOWING CHANGES TO DECISION MAKING STRUCTURES AND MEMBER SERVICES:

1. THAT DELEGATED MINUTES IN THE COUNCIL MINUTE BOOK SHOULD BE DEALT WITH EN BLOC AT THE END OF THE COUNCIL MEETING AGENDA.

2. THAT MEMBERS RECEIVE FURTHER TRAINING ON PROCEDURES AT COUNCIL INCLUDING THE RULES OF DEBATE AND THE USE OF AND TIME LIMITS FOR COUNCIL QUESTIONS.

3. THAT GROUP LEADERS CONSIDER WITHIN THEIR GROUPS HOW COUNCIL QUESTIONS CAN BE FOCUSED ON ISSUES THAT ARE RELEVANT TO FULL COUNCIL AND ARE NOT USED SIMPLY TO OBTAIN INFORMATION THAT COULD HAVE BEEN OBTAINED BY OTHER MEANS.

4. THAT, WHERE APPROPRIATE, THE COUNCIL'S PARTNERS BE INVITED AND BE ABLE TO ADDRESS FULL COUNCIL BEFORE A RELEVANT DEBATE.

5. THAT CONSIDERATION BE GIVEN TO AMENDING THE CONSTITUTION SO AS TO PROVIDE A GREATER OPPORTUNITY FOR AN INITIAL DISCUSSION TO TAKE PLACE AT THE FIRST COUNCIL MEETING WHERE NOTICES OF MOTION ARE RAISED TO HELP IDENTIFY SOME OF THE ISSUES IN THE PREPARATION OF THE SUBSEQUENT REPORT.

6. THAT IN ORDER TO MAKE COUNCIL MEETINGS MORE ACCESSIBLE AND RELEVANT TO THE PUBLIC, CONSIDERATION SHOULD BE GIVEN TO AMEND THE CONSTITUTION SO THAT AN INITIAL DISCUSSION CAN BE HELD ON ANY PETITION SUBMITTED TO COUNCIL BEFORE REFERRING IT TO THE RELEVANT BODY FOR FURTHER CONSIDERATION.

7. THAT THE PROCEDURES FOR RECOMMENDATIONS 5 TO 6 BE BASED ON A FULL MINUTE BEING TAKEN OF POINTS BEING MADE, WITHOUT FORMAL MOTIONS BEING CONSIDERED.

8. THAT THE CONSIDERATION OF THE PERFORMANCE PLAN IN JUNE SHOULD PROVIDE AN OPPORTUNITY FOR AN OVERVIEW OF THE COUNCIL'S POLICIES AND PROGRESS AND THAT THE RESULTANT MEMBER DISCUSSION COULD ASSIST IN THE DEVELOPMENT OF FUTURE STRATEGIES, PLANS AND WORK PROGRAMMES.

9. THAT THE PUBLICATION OF THE COUNCIL MINUTE BOOK BE CONTINUED.

10. THAT THE COUNCIL SHOULD LEARN FROM BEST PRACTICE AT OTHER LOCAL AUTHORITIES REGARDING HOW TO DEVELOP THE ROLE OF THE WARD MEMBER AND A FURTHER REPORT BE CONSIDERED IN DUE COURSE.

11. THAT PAPER COPIES OF THE AGENDA AND REPORTS OF CABINET AND PRINCIPAL SCRUTINY COMMITTEE CONTINUE TO BE SENT TO ALL MEMBERS.

12. THAT, IN ORDER TO ACHIEVE SAVINGS THROUGH REDUCED PRINTING COSTS:

a) THAT WITH REGARD TO THE PLANNING DEVELOPMENT CONTROL COMMITTEE AND THE LICENSING AND REGULATION COMMITTEE, MEMBERS OF THESE COMMITTEES SHOULD CONTINUE TO RECEIVE A FULL SET OF AGENDAS AND REPORTS. ALL OTHER MEMBERS SHOULD RECEIVE PAPER COPIES OF THE AGENDA AND INTRODUCTORY PAGES OF THE PLANNING SCHEDULE (AND SIMILAR INFORMATION FOR THE LICENSING AND REGULATION COMMITTEE) ONLY, CLEARLY INDICATING THE AVAILABILITY OF FURTHER INFORMATION THROUGH EITHER THE COUNCIL'S WEBSITE OR FROM THE CITY SECRETARY AND SOLICITOR.

b) THAT THE CIRCULATION OF THE PAPER COPIES OF THE REPORTS OF ALL OTHER COMMITTEES AND FORUMS OF THE COUNCIL ETC. BE RESTRICTED TO THE RELEVANT MEMBERS AND DEPUTY MEMBERS OF THESE COMMITTEES, THE PORTFOLIO HOLDERS AND GROUP LEADERS.

c) THAT ONLY PAPER COPIES OF THE AGENDAS OF THESE OTHER COMMITTEES AND FORUMS ETC SHOULD BE SENT TO ALL

MEMBERS INDICATING WHERE FURTHER INFORMATION CAN BE ACCESSED THROUGH EITHER THE COUNCIL'S WEBSITE OR FROM THE CITY SECRETARY AND SOLICITOR.

13. THAT THE PROVISION OF MEMBERS' BUFFETS PRIOR TO EVENING MEETINGS BE DISCONTINUED.

14. THAT GROUP LEADERS SHOULD BE FORMALLY CONSULTED ON THE DRAFT COPY OF THE ANNUAL TRAINING PROGRAMME.

15. THAT THE MEMBERS' CHARTER BE REVISITED AND IN PARTICULAR THE SECTION REGARDING THE COMMUNICATION BETWEEN MEMBERS AND OFFICERS ON WARD ISSUES.

16. THAT CONSIDERATION BE GIVEN TO WIDEN THE SCOPE OF PORTFOLIO HOLDERS' DECISION NOTICES AND A FURTHER REPORT BE MADE IN DUE COURSE.

17. THAT, IN MOST INCIDENCES, TRAFFIC ORDERS SHOULD BE DECIDED BY THE PORTFOLIO HOLDER FOR ECONOMY AND TRANSPORT, BUT THAT THERE SHOULD BE PROVISION FOR THE PORTFOLIO HOLDER TO REFER MORE CONTENTIOUS TRAFFIC ORDERS TO A COMMITTEE OF CABINET.

18. THAT THE MEMBERSHIP OF THE STANDARDS COMMITTEE BE AMENDED TO 6 (7) COUNCILLORS, 4 (3) INDEPENDENT MEMBERS, AND 3 (2) PARISH REPRESENTATIVES (PREVIOUS MEMBERSHIP SHOWN IN BRACKETS). THE CHAIRMAN SHOULD BE DRAWN FROM THE INDEPENDENT MEMBERS ON THE COMMITTEE.

19. THAT THE WINCHESTER TOWN FORUM BE INVITED TO CONSIDER ACCEPTING DELEGATED POWERS TO DETERMINE GRANTS FROM THE TOWN ACCOUNT AND WITHIN AN APPROVED BUDGET CEILING.

20. THAT DRAFT SUPPLEMENTARY PLANNING GUIDANCE, SUCH AS VILLAGE/NEIGHBOURHOOD DESIGN STATEMENTS, SHOULD BE APPROVED FOR PUBLICATION BY THE PORTFOLIO HOLDER FOR PLANNING, WITH APPROVAL OF THE FINAL DOCUMENT TO BE MADE BY CABINET, THUS ALLOWING COUNCIL MORE TIME TO FOCUS ON KEY ISSUES.

21. THAT A FURTHER REPORT BE MADE IN DUE COURSE TO MAKE THE APPROPRIATE CHANGES TO THE CONSTITUTION.

At the invitation of the Chairman, Councillor Allgood spoke on this item. He reported that the issue had been considered at the previous meeting of the Principal Scrutiny Committee (report CAB1058 refers, above) where Members had supported the community's wish to establish a Whiteley Forum.

Subject to the approval of Fareham Borough Council, Members considered the benefits of such a Forum, to meet perhaps twice a year, to consider the key issues of concern to the local community. During debate, Members noted the current concerns regarding the provision of the school places and the outstanding highways issues and made appropriate adjustments to the recommendations to meet these points.

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

RESOLVED:

1. That consideration of establishing a Forum to promote closer working between all organisations serving the Whiteley community on both sides of the District Council boundary, with a focus on the well being of the whole community, be deferred pending comments from Fareham Borough Council following the meeting of its Executive on 16 May 2005.

2. That Hampshire County Council be encouraged to give very high priority to the future provision of Whiteley Way (to be built in conjunction with the provision of the Botley By-Pass) in the emerging Local Transport Plan 2 and in response to the development of the Regional Spatial Strategy and proposals for south Hampshire.

3. That it be noted with concern the provision in the Fareham Local Plan that requires Whiteley Way to be open before Rookery Avenue and Yew Tree Drive can be used for general traffic and requested that this restriction be reviewed as soon as possible as part of work on the Fareham Local Development Framework.

4. That the County Council's current review of Primary education provision to serve the Whiteley area be welcomed and that the Council supports the option which enables the County Council to increase school provision in Whiteley as soon as possible.

5. That the appropriate Primary Care Trust be urged to support provision of a Health Centre for Whiteley at the earliest opportunity.

6. That the parking situation following the installation of the yellow lines in the Business Park area of Whiteley be monitored, and the Director of Development Services be requested to report back in three months time with any proposals for extending yellow lines where necessary for public safety and the effective movement of traffic.

7. That the County Council be asked to review the current level of congestion in Leafy Lane and re-consider the use of rising bollards at peak times to ensure that residents have safe access to their homes.

8. That the work of the County Council to improve cycle links between Swanwick railway station and the Whiteley Business Park be supported.

9. That Whiteley Business Forum be notified of the mechanisms for finding out about all new planning applications relating to the Whiteley area.

1065. **MINUTES OF THE HEALTH PERFORMANCE IMPROVEMENT COMMITTEE HELD 14 MARCH 2005**

(Report CAB1063 refers)

Cabinet noted that the recommendations contained within the minutes had been agreed at its last meeting on 23 March 2005.

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

RESOLVED:

That the minutes of the Health Performance Improvement Committee held on 14 March 2005 be received and the recommendations contained therein be noted.

1066. **MINUTES OF THE ENVIRONMENT AND ACCESS PERFORMANCE IMPROVEMENT COMMITTEE HELD 16 MARCH 2005**

(Report CAB1065 refers)

Cabinet considered the recommendations relating to Planning Grants (Reports EA50 and EA51 refer). During discussion, Members were mindful of present and future budgetary constraints and agreed to the reduced grants provision as set out below. During debate, the Director of Finance agreed to investigate Councillor Beveridge's (Portfolio Holder for Planning) request to change the source of funding of the Denmead Village Grant.

It was noted that the remaining recommendations contained within the minutes had been agreed at the previous meeting of Cabinet held on 23 March 2005.

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

RESOLVED:

1. That the minutes of the Environment and Access Performance Improvement Committee held 16 March 2005 be received and the recommendations relating to Planning Grants be agreed as amended as set out below (Reports EA50 and EA51 refer):

That only the following grants be supported:

i) Historic Building Grants: £50,000 p.a. to be prioritised for use on buildings at risk, buildings with a community use and buildings without an economic use. Members further agreed that this grant should be reviewed in respect of achieving further savings in the next financial year.

ii) Hampshire Wildlife Trust (wardening of Winnall Moors, St Faiths and, possibly, St Catherines Hill) £10,500 p.a.

iii) East Hampshire AONB Project £10,500 p.a.

iv) Hampshire Biodiversity Information Centre approx £7,500 p.a.

v) Restoration of St Faiths (for three years to come from WCC sources, such as the Town Account and Planning Grants Reserve) £12,000 p.a.

vi) The Forest of Bere Project, to be funded at 50% of Hampshire County Council's contribution to the project, up to a maximum of £9,700 p.a.

vii) Hampshire Wildlife Trust (for local environment projects) £6,200 p.a.

viii) British Trust for Conservation Volunteers (for local environment projects) £7,950 p.a.

ix) Environmental Improvement Grants £15,000 p.a.

2. That the remaining minutes of the Environment and Access Performance Improvement Committee be noted.

1067. **MINUTES OF THE HOUSING PERFORMANCE IMPROVEMENT COMMITTEE HELD 17 MARCH 2005 (LESS EXEMPT MINUTE)**
(Report CAB1064 refers)

Cabinet noted that the recommendations contained within the minutes had been agreed at the previous meeting of Cabinet held on 23 March 2005.

At the invitation of the Chairman, Mr Rickman (as a representative of TACT) addressed Cabinet on the concerns of some tenants arising from the recent publicity regarding Council House exchanges. Following debate, Councillor Hiscock (Portfolio Holder for Housing) agreed to discuss the issue further with TACT.

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

RESOLVED:

That the minutes of the Housing Performance Improvement Committee held on 17 March 2005 be received.

1068. **MINUTES OF THE WEST OF WATERLOOVILLE FORUM HELD 9 MARCH 2005 (LESS EXEMPT MINUTE)**
(Report CAB1062 refers)

Cabinet received the minutes of the West of Waterlooville Forum held 9 March 2005 (less exempt minute).

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

RESOLVED:

That the minutes of the West of Waterlooville Forum held 9 March 2005 be received and noted.

1069. **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>
1070	Exempt minutes of the Housing Performance Improvement Committee Held 17 March 2005) Information relating to the financial or business affairs of any particular person (other than the authority). (Para 7 Schedule 12A refers).
1071 and 1072	Exempt minutes of the West of Waterlooville Forum held 9 March 2005)) 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).

1070. **EXEMPT MINUTES OF THE HOUSING PERFORMANCE IMPROVEMENT COMMITTEE HELD 17 MARCH 2005**

(Report CAB1064 refers)

Cabinet received the exempt minutes of the Housing Performance Improvement Committee held on 17 March 2005 which considered aspects of the Depot Contract and agreed to the following for the reasons outlined in the report.

RESOLVED:

That the exempt minutes of the Housing Performance Improvement Committee held on 17 March 2005 be received and the recommendations contained therein be noted.

1071. **EXEMPT MINUTES OF THE WEST OF WATERLOOVILLE FORUM HELD 9 MARCH 2005**

(Report CAB1062 refers)

Cabinet received the exempt minutes of the West of Waterlooville Forum held on 9 March 2005 which considered details of the infrastructure requirement negotiations with the developers.

RESOLVED:

That the exempt minutes of the West of Waterlooville Forum held 9 March 2005 be received and noted.

The meeting commenced at 9.00am and concluded at 12.20pm.