

CABINET

9 July 2010

Attendance:

Councillor Learney - *Leader and Portfolio Holder for Transformation and Resources (Chairman) (P)*
Councillor Bell - *Portfolio Holder for High Quality Environment (P)*
Councillor Collin - *Deputy Leader and Portfolio Holder for Winchester and Surrounds (P)*
Councillor Evans - *Deputy Leader and Portfolio Holder for Rural Areas and Market Towns (P)*
Councillor Hiscock - *Portfolio Holder for Economic Prosperity (P)*
Councillor Thompson *Portfolio Holder for Communities (P)*

Others in attendance who addressed the meeting:

Councillors Beckett, Coates, Godfrey, Pearson and Wood

Others in attendance who did not address the meeting:

Councillors Banister, Barratt, Cooper, Hammerton, Jackson and Mitchell

1. **MEMBERSHIP OF CABINET COMMITTEES ETC**

a) West of Waterlooville Forum

It was reported that Councillor Chamberlain had requested that he no longer be appointed as a Member of the Forum:

The membership of the Forum would therefore be:

Councillors: Collin (Chairman), Achwal, Clear, Cooper, Evans and Stallard
Deputies: Phillips (for any Member).

RESOLVED:

That the change to the membership of the West of Waterlooville Forum be agreed as set out above.

2. **MINUTES**

RESOLVED:

That the minutes of the previous meetings held on 9 June and 24 June 2010, less exempt items, be approved and adopted.

3. **PUBLIC PARTICIPATION**

Mr M Slinn, Mr P Gagg and Mr C Gillam addressed Cabinet regarding the Winchester Town Access Plan (Report CAB2020 refers) and their comments are summarised under the relevant agenda item below.

4. **LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

The Chairman advised that the Council had recently launched its “Transforming Winchester” programme as the next step in its ongoing changes designed to generate savings and improve services. The Chief Executive outlined the elements of the programme in more detail, which included ten commitments, developed in response to staff feedback from the Best Places to Work Survey. The Chairman confirmed that Cabinet would also be signing up to these ten commitments.

The Chairman reported that she had collected the Compassion in World Farming “Good Egg” award on behalf of the Council for its commitment to only using barn and free-range eggs in its own catering. She also reported on the recent successful opening of the new café in the Guildhall, named “Eighteen71”.

Councillor Collin advised that, following on from consideration of Report CAB2018 regarding Winchester College Campus Conservation and Development Framework at its meeting on 9 June 2010, he had attended a very interesting and information tour of the campus.

5. **WINCHESTER TOWN ACCESS PLAN**
(Report [CAB2020](#) and [Addendum](#) refers)

Councillor Collin declared a personal (but not prejudicial) interest due to his role as a County Councillor. He remained in the room, spoke and voted thereon.

Cabinet noted that, in addition to the Winchester Town Access Plan, the Report also provided updates on a number of key transportation issues facing Winchester. Further to these updates, Councillor Bell advised that the new Park and Ride (South) facilities were being well-used and trials were ongoing regarding dimming of the lights overnight. In addition, the Highways Agency had agreed to provide five permanent signs directing drivers to the Park and Ride facilities from the M3 motorway. Councillor Bell also reported on the ongoing refurbishment to the Winchester High Street.

With regard to the Winchester Town Access Plan (WTAP), Councillor Bell distributed an Addendum setting out proposed amendments to the Draft Plan as set out in the Appendix to the Report (amendments contained within Addendum to Report CAB2020). She emphasised that the WTAP had been

developed in partnership with the County Council and also linked with other key documents, such as the Local Development Framework (LDF) and the Vision for Winchester. Councillor Collin also commented on its link to the Economic Strategy and in particular, effect of possible reductions in employment at major employers within the town, such as the County Council, on traffic flows.

Mr M Slinn, Mr P Gagg (both from Winchester Action on Climate Change - WinACC) and Mr C Gillham (Friends of the Earth) all addressed Cabinet and their comments are summarised below.

Mr Slinn (Chair of WinACC Transport Group) welcomed the Plan as a positive step forward. However, he believed that the current Draft Plan was a complex and technical document and therefore consultation should also include a series of questions to seek views on specific matters. He suggested questions included ideas for an overall vision for Winchester in terms of traffic and transport, shared space, and alternative uses for car parks where there was a stated over-provision of parking spaces. He also believed the Plan should include specific links to other key documents such as the LDF, the Community Strategy in addition to the carbon emission reduction targets and the "24 hours to save Winchester" publication.

The Corporate Director (Operations) confirmed that further consideration would be given as to the best method of consultation on a wide range of connected strategies over the next few months.

Mr C Gillham (Friends of the Earth) expressed disappointment regarding the lack of progress and imagination contained within the Draft Plan, particularly considering the time it had taken to produce. He believed it did not contain any significant measures to reduce traffic, contained contradictory statements and disputed its conclusion that travelling by car was essential. In conclusion, he requested that the Council should undertake a study into discovering the optimum distribution of access and transport modes in terms balancing environmental benefit, climate responsibility and economic success in Winchester, including detailing how this could be achieved.

Mr P Gagg (WinACC) expressed concern regarding the lack of clarity and detail contained within the Draft Plan. For example, it included some useful cycle schemes, but it was unclear how the different schemes linked together. He also requested that some indication as to the likelihood of proposals actually taking place be included. Mr Gagg believed that figures of parking within the town centre were confusing and the distinction between short and long-term parking was arbitrary. He suggested that parking charges could be increased to encourage people to park outside the centre.

At the invitation of the Chairman, Councillors Godfrey, Jackson and Pearson addressed Cabinet regarding this item.

Councillor Godfrey declared a personal (but not prejudicial) interest as an employee of the County Council. He expressed disappointment about the lack

of detailed proposals contained within the Draft Plan and lack of clarity about its aims. He did not consider it appropriate to consult on the Plan without further work on its contents being undertaken. On specific matters, he queried where the 15% reduction in parking spaces would be achieved. He also highlighted the importance of disabled access which was not mentioned. He welcomed the proposals on cycle routes, but queried why a route from South Wonston into Winchester, which had been suggested by the Parish Council, had not been included.

Councillor Jackson addressed Cabinet as the Council's Cycling Champion. Although she welcomed the opportunity to comment on the Draft Plan, she expressed concern regarding its lack of ambition and imagination and in particular, the lack of cycling priorities listed. She was disappointed that much of the vision and planning appeared to be waiting for the publication of Stage 2 of the Traffic Management Strategy and suggested that its publication for consultation be delayed. She questioned whether it was appropriate to suggest shared use for cyclists and pedestrians and queried why a contra-flow route along Parchment Street had not been included.

Councillor Pearson also expressed disappointment with the Draft Plan in terms of its lack of specific proposals, although he welcomed the emphasis on pedestrian and cycle routes. He considered that further work was required to address the issues raised by the Air Quality Action Plan and to tackle climate change issues in general. He made a number of specific suggestions, included the requirement for consideration of an additional Park and Ride to ease congestion along Andover Road, and the inclusion of School Travel Plans.

Councillor Wood queried whether the possibility of re-siting the current bus station could be examined. He suggested it could be relocated at a site close to the Railway Station.

The Chairman thanked the speakers for their contributions, and in particular welcomed the offer by WinACC to assist with consultation questions to accompany the Draft Plan. However, she emphasised that many of the detailed contributions could be considered further as part of the consultation process. In general, she considered it important to seek wider views at this stage, rather than delaying the publication of the Draft Plan further. Stage 2 of the Traffic Management Strategy would deal with some of the more specific issues raised in the meeting.

The Head of Access and Infrastructure clarified that the figures on car parking related to private and on-street parking, not just public car parks. A further report on car park charging, including examining the differences between short and long term charges, would be submitted to a future Cabinet meeting. With regard to concerns raised about lack of specific plans to address traffic movement in the town, he acknowledged that there were difficult decisions to be made in the future. He emphasised that the County Council was the Highways Authority with overall responsibility.

On the specific issues raised, the Head of Access and Infrastructure agreed to investigate why the South Wonston to Winchester cycle route had not been included. He advised that the Parchment Street contra flow was a difficult scheme that raised a number of issues which he would discuss with Councillor Jackson outside of the meeting. He confirmed that the Air Quality Management Plan had been taken into account as far as possible in the Draft Plan and the Traffic Management Study Stage 2 would address this further.

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

RESOLVED:

1. That the Draft Winchester Town Access Plan be approved for consultation, as amended as set out in the Addendum to CAB2020.
2. That delegated authority be given the Head of Access and Infrastructure, in consultation with the Portfolio Holder for High Quality Environment, to:
 - a) agree and final minor revisions to the draft Plan before consultation;
 - b) develop a consultation programme on the draft Plan in liaison with the County Council, which would include a questionnaire to allow structured feedback.
3. That a future report be made to Cabinet on the results of the consultation with a view to developing the final plan for adoption.

6. FINANCIAL STRATEGY 2011/12 TO 2014/15
(Report [CAB2038](#) refers)

The Chairman emphasised the significant financial issues facing the Council in achieving a balanced budget, with cuts of £600,000 in Government grants announced so far. Consequently, the budget for 2010/11 had been put under review and proposals for a Revised Estimate would be brought to the September 2010 meeting of Cabinet. The Chairman stated that, although the Council would face difficult challenges, there would also be opportunities as local authorities were granted more autonomy.

At the invitation of the Chairman, Councillor Wood disputed the significance of the loss of Government grants already announced, as he considered the shortfall could be met by underspends from previous years. He also stated that the Government freeze of public sector pay would also generate savings. He advised that the Conservative Group would not support any cuts in frontline services and requested that the Council consider cuts in optional services first.

The Chairman advised that the Council had already budgeted for no increase in all employee salaries, but the Government freeze only applied to those earning more than £21,000. Therefore additional resources were required to fund this. She emphasised that Appendix A, Annex 2 indicated a projected shortfall of over £1.7 million in 2011/12 and urgent action was required to address this.

Councillor Thompson advised that the Government had announced that funding for the Free Swimming Programme would cease on 31 July 2010 and consequently the free swimming programme for those aged over 60 years would cease from that date. However, it was proposed that free swimming continue to be offered for those aged 16 and under until 31 August 2010, to enable the benefits to continue to be enjoyed during the school summer holidays, at an estimated total cost of £10,000. This proposal was agreed, to be funded partly by external contributions as set out within the new Recommendation 3 outlined below.

On behalf of Cabinet, the Chairman thanked DC Leisure and Toynbee School Sports Partnership for their contributions to this proposal.

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

RESOLVED:

1. That the Financial Strategy 2010 be approved, including the key principles to be applied to the General Fund, and Housing Revenue Account revenue budgets for 2011/12.
2. That it be noted that the Free Swimming Programme for those aged 60 and over will cease on 31 July 2010.
3. That the proposal to continue the free swimming programme for those aged 16 years and under up to 31 August 2010 be approved, at an estimated cost of £10,000, to be funded by:
 - (a) external contributions of £3,000 from DC Leisure and £1,000 from the Toynbee School Sports Partnership; and
 - (b) a virement of £6,000 from savings achieved through Meadowside Leisure Centre joining River Park Leisure Centre as part of the DC Leisure LCP (Leisure and Community Partnership) arrangement.

7. **ANNUAL REVIEW OF HAMPSHIRE HOME CHOICE**
(Report [CAB2030](#) refers)

At the invitation of the Chairman, Councillor Coates queried whether the customer satisfaction survey had been restricted to those who had been successful in receiving accommodation. In addition, he commented that Test Valley Borough Council had transferred its housing stock. He drew attention

to the fact that the number of people on housing waiting lists was increasing and also expressed concern about the refusal rates. He emphasised the difficulties caused by lack of affordable housing in rural areas and hoped that the Council would aim to encourage rural exception sites wherever possible. He suggested that the Council undertake a survey of the preferred location of accommodation of those on the waiting list to assist in planning future housing provision.

The Head of Strategic Housing noted the comments made and advised that the Social Issues Scrutiny Panel would be examining the increase in waiting list numbers in more detail. The Council was also taking steps to address the high level of refusals by, for example, improving the advertising of accommodation.

One Member expressed concern about the requirement to maintain access to the service for those applicants without IT access. She also queried whether it was possible to extract from the survey results those respondents who lived in rural areas. Councillor Thompson agreed to investigate these points further.

The Chief Executive highlighted that Home Choice was a good example of the Council working in partnership to improve the service offered, at the same time as generating efficiency savings.

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

RESOLVED:

1. That the Annual Report be noted.
2. That the Portfolio Holder for Communities, be authorised to make any changes to the Hampshire Home Choice Allocations Framework under the Portfolio Holder Decision Making Scheme.
3. That, subject to Test Valley Borough Council making a formal application to join Hampshire Home Choice, they be accepted as part of the sub-regional partnership.

8. **CHIEF EXECUTIVE EMERGENCY POWERS – FRIARSGATE CAR PARK ESSENTIAL REPAIRS**
(Report [CAB2033](#) refers)

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

RESOLVED:

1. That the recommendations of the structural appraisal, carried out by Upton McGougan, be noted.

2. That a full appraisal of the car park be undertaken on an annual basis and incorporated into the Council's Asset Management Plan.

3. That the following exercise by the Chief Executive of emergency powers in accordance with the Scheme of Delegation to Officers be noted:-

- (i) To approve, in accordance with Financial Procedure Rule 7.3, a supplementary revenue estimate of £32,000 to be funded from the Car Park Property Reserve in order that remedial repairs to these areas of the Friarsgate car park be undertaken immediately;
- (ii) To make a direction under Contracts Procedure Rule 3.3(a) authorising the negotiation of a contract with Brymor Contractors Ltd.

9. **SOUTH DOWNS NATIONAL PARK - DELEGATION OF PLANNING DECISIONS TO LOCAL AUTHORITIES**
(Report [CAB2024](#) refers)

At the invitation of the Chairman, Councillor Godfrey spoke in general support of the principles outlined in the Report. However, he expressed concern that the funding from the South Downs National Park Authority (SDNPA) might not fully meet the costs the Council would face in undertaking the required work. He also raised questions regarding the treatment of cross-boundary applications and the definition of what applications would be defined as "significant." Finally, he expressed concern about how the "call-in" process would operate in practice.

The Head of Planning Management emphasised that with effect from April 2011, the SDNPA would be the local planning authority, and consequently any decisions made by the Council under the delegated arrangements would be issued in the Authority's name. He advised that cross-boundary planning applications would be dealt with in the same manner as at the current time. The definition of "significant" had been raised with the SDNPA and was still under consideration. He confirmed that the SDNPA would reserve the right to "call-in" decisions which would otherwise have been made under the delegated arrangements and would provide link officers for each local authority.

Cabinet noted that the proposals regarding funding were set out in the Report. The Head of Planning Management highlighted that the SDNPA would ultimately be seeking harmonisation regarding the levels of services provided and costs charged by the 15 local authorities within the Park area. It was also noted that the Government had indicated it might provide more flexibility to local authorities regarding planning application fees charged in general.

The Corporate Director (Operations) explained that the position regarding the SDNPA's own Local Development Framework Core Strategy (which would cover the Park area) was still uncertain, due to the Government's recent abolition of Regional Strategies. As the City Council's Core Strategy had not yet been adopted, the Council (in discussions with the SDNPA) would have to decide how to proceed in respect of including or excluding the Park area in the Winchester District Core Strategy. It was noted that the options available depended on whether the Council's own Core Strategy had been submitted for examination by April 2011.

The Chairman indicated that she had recently met the Chairman of the SDNPA, who had indicated that the Authority wished to work in collaboration with the existing local authorities.

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

RECOMMENDED:

1. THAT THE DELEGATION TO THE CITY COUNCIL FROM THE SOUTH DOWNS NATIONAL PARK AUTHORITY OF ITS PLANNING MANAGEMENT FUNCTIONS IN THAT PART OF ITS AREA WITHIN THE WINCHESTER DISTRICT (AS OUTLINED IN THE REPORT) BE ACCEPTED, SUBJECT TO THE AGREEMENT OF THE HEAD OF PLANNING MANAGEMENT AND HEAD OF FINANCE (IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR HIGH QUALITY ENVIRONMENT) OF THE FINAL TERMS OF:

- i) THE DETAILED DELEGATION PROPOSALS;**
- ii) THE FUNDING ARRANGEMENTS.**

2. THAT THE HEAD OF LEGAL SERVICES BE AUTHORISED TO ENTER INTO AN INTERIM AGREEMENT, BASED ON THE FORM OF AGREEMENT IN APPENDIX 5 OF THE REPORT, FOR THE CITY COUNCIL TO PROVIDE THE PLANNING MANAGEMENT FUNCTIONS FOR ONE YEAR FROM 1 APRIL 2011, WITH THE NATIONAL PARK AUTHORITY MEETING THE COUNCIL'S REASONABLE COSTS OF DOING SO.

3. THAT THE HEAD OF LEGAL SERVICES (IN CONSULTATION WITH THE HEAD OF PLANNING MANAGEMENT AND THE PORTFOLIO HOLDER FOR HIGH QUALITY ENVIRONMENT) BE AUTHORISED TO AGREE THE TERMS OF A FINAL AGREEMENT UNDER SECTION 101 OF THE LOCAL GOVERNMENT ACT 1972, IN RESPECT OF THE DELEGATION OF THE PLANNING MANAGEMENT FUNCTIONS FOR THE THREE YEARS FROM 1 APRIL 2011.

10. **LEADERSHIP ARRANGEMENTS AND ELECTORAL CYCLE**
(Report [CAB2025](#) refers)

The Chairman advised that, since the Report was prepared, the Minister for Housing and Local Government had written to all district councils indicating that the Government would in due course remove the current requirements on governance arrangements in the 2007 Act. This could include an option to return to the committee system and remove the necessity to appoint a leader for their remaining term of office as a councillor. However, these changes required primary legislation and may not take effect until 2012. In the meantime councils were still required under the 2007 Act to consider changing the system by which they take decisions. Until this requirement was officially removed, the Minister was emphasising that councils should take a 'light touch' approach to consulting on the current proposals outlined in the Report. The Chairman stated that the Report already proposed minimal consultation and this approach was now reinforced by the Government's statement.

On a related matter, the Chairman stated that if the Local Government Boundary Commission initiated a future Electoral Review, the Council might choose to request that the Commission undertake a review of its wards, with a review to reducing the number of Councillors and improving the efficiency of the Council.

At the invitation of the Chairman, Councillor Beckett highlighted that the Minister for Housing and Local Government had indicated that the Government might allow local authorities to revert to the previous Committee system of decision-making. He suggested that this option should be included within the proposed consultation. He also requested that the consultation should state that the Council did not express any preference towards any of the options contained within the proposals.

The Corporate Director (Governance) explained that the option of returning to a committee style system could not be consulted upon at this stage, as it had not yet been included in the legislative framework. However, the explanatory text could highlight recent Government announcements and mention it as a possible future option.

The Corporate Director (Governance) confirmed that it was the intention that the consultation would make it clear that the Council was not indicating a preference for any of the proposals at this stage. Cabinet agreed that the recommendations be amended as outlined below to take account of this:

Additional sentence at the end of Recommendation 1: "That the Council does not express a preference at this stage."

With regard to the possibility of including a review of the electoral cycle within the consultation, the Chairman suggested that in view of the cost of such a review, the current uncertainty regarding Government proposals, and the possible Commission future requirement for a boundary review, it was not appropriate at the current time. This was agreed.

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

RECOMMENDED:

1. THAT THE CORPORATE DIRECTOR (GOVERNANCE), IN CONSULTATION WITH THE LEADER, THE LEADER OF THE OPPOSITION AND CHAIRMAN OF PRINCIPAL SCRUTINY COMMITTEE, BE AUTHORISED TO UNDERTAKE PUBLIC CONSULTATION ON THE EXECUTIVE OPTIONS IN THE 2007 ACT AS FOLLOWS:

- (A) LEADER WITH CABINET OR**
- (B) ELECTED MAYOR WITH CABINET.**

AND THAT THE COUNCIL DOES NOT EXPRESS A PREFERENCE AT THIS STAGE.

2. THAT THE COUNCIL USE THE SEPTEMBER 2010 EDITION OF 'PERSPECTIVES' TO CONSULT WITH RESIDENTS.

3. THAT THE COUNCIL'S WEBSITE BE USED IN THE CONSULTATION AND PARTNERS IN THE LOCAL STRATEGIC PARTNERSHIP ALSO BE INVITED TO COMMENT.

4. THAT CABINET AND PRINCIPAL SCRUTINY COMMITTEE REPORT BACK TO COUNCIL ON 3 NOVEMBER 2010 WITH A RECOMMENDED COURSE OF ACTION FOLLOWING THE CONSULTATION.

5. THAT THE COUNCIL DOES NOT INCLUDE A REVIEW OF ITS ELECTORAL CYCLE IN THE CONSULTATION.

11. LOCAL DEMOCRACY, ECONOMIC DEVELOPMENT AND CONSTRUCTION ACT 2009 - PETITIONS

(Report [CAB2036](#) refers)

The Corporate Director (Governance) confirmed that under the proposed new arrangements, petitions that met the current threshold of 10 signatures, but that did not meet the new proposed higher thresholds for debate at full Council, could still be referred to the most appropriate body (for example, Cabinet or a scrutiny panel).

Councillor Evans requested that the wording of the Petitions Scheme was amended to ensure it was easily understandable to the public. The Corporate Director (Governance) confirmed that the wording of the DCLG Model Petitions Scheme would be adapted and he welcomed any suggestions for improvements.

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

RECOMMENDED:

1. THAT THE COUNCIL'S PETITIONS SCHEME SHOULD INCLUDE THE FOLLOWING ELEMENTS:

(A) THE THRESHOLD FOR A PETITION FOR DEBATE AT FULL COUNCIL SHOULD BE:

(I) FOR AN ISSUE WHICH MAINLY RELATES TO A SINGLE WARD:

100 HUNDRED SIGNATURES – 1 MEMBER WARD; 200 SIGNATURES – 2 MEMBER WARD; AND 300 SIGNATURES – 3 MEMBER WARD.

(II) FOR AN ISSUE WHICH AFFECTS TWO OR MORE WARDS:

500 SIGNATURES.

(B) THE THRESHOLD FOR PETITIONS TO HOLD AN OFFICER TO ACCOUNT SHOULD BE:

300 SIGNATURES.

(C) THAT FOR THE PURPOSE OF PETITIONS TO HOLD AN OFFICER TO ACCOUNT, THE LOCAL DEFINITION IS THAT IT APPLIES TO CORPORATE MANAGEMENT TEAM AND HEADS OF TEAMS REPORTING DIRECTLY TO THE CHIEF EXECUTIVE OR CORPORATE DIRECTORS.

(D) THAT NO MORE THAN TWO PETITIONS BE ALLOWED ON THE AGENDA OF ANY MEETING OF FULL COUNCIL.

2. THAT THE ADOPTION OF A PETITIONS SCHEME, BE DELEGATED TO THE CORPORATE DIRECTOR (GOVERNANCE), IN CONSULTATION WITH THE LEADER AND CHAIRMAN OF PRINCIPAL SCRUTINY COMMITTEE, TO TAKE ACCOUNT OF THE DECISIONS IN RECOMMENDATION 1 ABOVE AND THE MODEL SCHEME AS SET OUT IN APPENDIX B TO THIS REPORT.

3. THAT THE CORPORATE DIRECTOR (GOVERNANCE) BE AUTHORISED TO MAKE ALL CONSEQUENTIAL CHANGES ARISING FROM ADOPTION OF THE PETITIONS SCHEME TO OTHER PARTS OF THE COUNCIL'S CONSTITUTION.

4. THAT THE CORPORATE DIRECTOR (GOVERNANCE) BE AUTHORISED TO DETERMINE WHETHER ANY PETITIONS

SHOULD BE RULED OUT AS VEXATIOUS OR OTHERWISE CONTRARY TO THE PROVISIONS OF THE LOCAL DEMOCRACY, ECONOMIC DEVELOPMENT AND CONSTRUCTION ACT 2009 AND ITS RELATED GUIDANCE SUBJECT TO:

- (A) CONSULTATION WITH THE LEADER ON EXECUTIVE MATTERS; OR**
- (B) CONSULTATION WITH THE CHAIRMAN OF PRINCIPAL SCRUTINY COMMITTEE ON NON- EXECUTIVE MATTERS.**

RESOLVED:

That discussions with neighbouring local authorities and external providers continue, to establish the best approach for introducing the e-petition scheme, either via the Council's website or through a third party host, by 15 December 2010, and a further report be made to Cabinet in due course.

12. **APPOINTMENT OF SPECIAL COMMITTEE RE: MEMBERS ALLOWANCES INDEPENDENT REMUNERATION PANEL**
(Report [CAB2034](#) refers)

Cabinet noted that nominations for the Special Committee had been received as follows:

Liberal Democrat: Councillors Collin, Banister and Mitchell
Conservative: Councillors Beckett and Humby

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

RECOMMENDED:

THAT COUNCIL APPOINTS A SPECIAL COMMITTEE (MEMBERS ALLOWANCES INDEPENDENT REMUNERATION PANEL) CONSISTING OF THE FOLLOWING MEMBERS:

COUNCILLORS COLLIN, BANISTER, MITCHELL, BECKETT AND HUMBY

AND WITH THE FOLLOWING TERMS OF REFERENCE:

“TO CONSIDER ALL APPLICATIONS RECEIVED FOR MEMBERSHIP OF THE MEMBERS ALLOWANCES INDEPENDENT REMUNERATION PANEL AND TO DETERMINE THE APPOINTMENTS.”

13. **REVIEW OF THE CONSTITUTION - CONTRACTS PROCEDURE RULES**
(Report [CAB1997](#) refers)

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

RECOMMENDED:

THAT THE CONTRACTS PROCEDURE RULES SET OUT AT APPENDIX 1 OF REPORT CAB1997, BE APPROVED AND INCLUDED IN THE COUNCIL'S CONSTITUTION.

14. **MINOR AMENDMENTS TO THE CONSTITUTION**

(Report [CAB2031](#) refers)

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

RECOMMENDED:

1. THAT THE AMENDED PORTFOLIO HOLDER DELEGATION SCHEME BE APPROVED, AS SET OUT IN APPENDIX 1 OF REPORT CAB2031 (PART 3 OF THE CONSTITUTION, SECTION 3).

2. THAT THE CHANGES TO THE COUNCIL'S PROCEDURE RULES BE APPROVED AS SET OUT IN APPENDIX 2 OF REPORT CAB2031.

15. **COMMUNAL AERIAL DIGITAL UPGRADE – TENDER REPORT AND ASSOCIATED ISSUES (LESS EXEMPT APPENDIX)**

(Report [CAB2029](#) refers)

The Head of Landlord Services confirmed that the emergency alarm system operated completely separately to the digital aerial system.

The Head of Landlord Services advised that the project planning stage would commence following approval of the above Report, and this would include agreeing the proposed programme together with tenant/leaseholder liaison activities. It was expected that the contractor would begin work in October 2010 and applicants would be able to apply on-line (although applications could also be made via the telephone and in writing).

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

RESOLVED:

1. That subject to contract and programme, the Head of Landlord Services be authorised under Financial Procedure Rule 6.4 (authority to incur capital expenditure) to procure a contract for the

replacement of communal aerial networks, and servicing thereafter, as set out within Exempt Appendix A of Report CAB2029.

2. That a Direction be made under Contracts Procedure Rule 2.1 to authorise the procurement process set out in Report CAB2029.

3. That the use of framework agreements procured by the Northern Housing Consortium be approved for the purpose of Contracts Procedure Rule 3.3 (b).

4. That the principle of recovering the cost of works through tenant and leaseholder service charges be agreed and that tenants and leaseholders be consulted on the options as to how this could be administered.

5. That the Head of Landlord Services be authorised to institute any necessary changes to tenancy conditions and service charge provisions to implement Recommendation 4 above.

16. **ENVIRONMENTAL SERVICES CONTRACT – PROGRESS REPORT AND TENDER EVALUATION FRAMEWORK (LESS EXEMPT APPENDIX)**
(Report [CAB2032](#) refers)

The Head of Environment explained that the Report proposed that the Pest Control service be brought in-house in order that the Council could provide a more proactive and preventative service. In addition, the introduction of charges for rats and mice treatments would be pursued, although consideration would be given to reduce costs for customers in financial need.

With regard to refuse collection, one Member requested that the contract specification emphasise the importance of respecting the historic town centre of Winchester. The Head of Environment noted this comment for consideration as the contract specification was prepared.

The Chairman reported that it had been agreed that an output specification approach be adopted with regard to street cleaning, which should allow for more innovative methods regarding service provision. This was to address ongoing issues regarding street cleaning in areas where there were vehicles permanently parked.

In response to concerns raised, the Head of Environment confirmed that the Joint Project Board would examine such matters as appropriate signage on refuse vehicles.

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

RESOLVED:

1. That the tender evaluation scheme be agreed as outlined in the Report.

2. That Pest Control services be brought back in-house (Option 4, in-house with charging for all services) in time for the commencement of services on 1 October 2011, with the Head of Organisational Development applying the TUPE Regulations requirements to enable the transfer of the relevant staff to Winchester City Council employment.

3. That delegated authority be given to the Head of Finance and Assistant Director (High Quality Environment) in consultation with the Portfolio Holder for High Quality Environment to decide upon appropriate charges for treatments and that the results be included with the 2011/12 budget setting process.

17. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

That the list of future items, as set out in the Forward Plan for July 2010, be noted.

18. **DECISIONS TAKEN BY PORTFOLIO HOLDERS UNDER THEIR DELEGATED POWERS**

RESOLVED:

That the decisions taken by Portfolio Holders under their delegated powers since the last Cabinet meeting, as set out on the agenda sheet, be noted.

19. **EXEMPT BUSINESS**

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. 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) Information relating to any individual. (Para 1 Schedule 12A refers)
) Information which is likely to reveal the identity of an individual. (Para 2 Schedule 12A refers)
##	Exempt minutes of the previous meeting) 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 4 Schedule 12A refers)
##	Environmental Contract Services – Progress Report & Tender Evaluation Framework (exempt appendices)) Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Para 3 Schedule 12A refers)
##	Depot Update)
##	Digital Aerial Works to Communal Housing – Contract Award (Exempt Appendix))
##	Digital Aerial Works to Communal Housing – Contract Award (Exempt Appendix)) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. (Para 5 Schedule 12A refers)

20. **EXEMPT MINUTES**

RESOLVED:

That the exempt minutes of the previous meeting, held on 9 June 2010, be approved and adopted.

21. **COMMUNAL AERIAL DIGITAL UPGRADE – TENDER REPORT AND ASSOCIATED ISSUES - EXEMPT APPENDIX**

(Report CAB2029 refers)

Cabinet considered Exempt Appendix A of the Report which contained information regarding the provisional procurement process and cost analysis for the proposal.

Cabinet agreed to the following for the reasons set out in the Report.

RESOLVED:

That the information contained within the Exempt Appendix be noted.

22. **ENVIRONMENTAL SERVICES CONTRACT – PROGRESS REPORT AND TENDER EVALUATION FRAMEWORK - EXEMPT APPENDIX**

(Report CAB2032 refers)

Cabinet considered Exempt Appendix C of the Report which contained the financial implications of the Pest Control service proposals.

Cabinet agreed to the following for the reasons set out in the Report.

RESOLVED:

That the information contained within the Exempt Appendix be noted.

23. **DEPOT UPDATE**

(Report CAB2027 refers)

Cabinet noted that this Report had not been notified for inclusion within the statutory deadline. The Chairman agreed to accept this item onto the agenda, as an item requiring urgent consideration, in order that the matter could be discussed prior to its consideration by Principal Scrutiny Committee on 12 July 2010, and the proposals could be progressed as soon as possible.

Cabinet considered the above Report which provided an update on the Depot Site, Bar End (detail in exempt minute).

The meeting commenced at 9.30am and concluded at 1.35pm. Chairman