

CABINET**13 October 2010****Attendance:**

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

Others in attendance who addressed the meeting:

Councillors Beckett, Godfrey, Pearson, Stallard and Tait

Mr A Rickman (TACT)

Others in attendance who did not address the meeting:

Councillors Banister, Cooper, Hammerton and Mitchell

1. MINUTES**RESOLVED:**

That the minutes of the previous meetings held on 15 September 2010, less exempt items, be approved and adopted.

2. PUBLIC PARTICIPATION

Mr A Rickman (TACT) spoke regarding Report CAB2068 and his comments are summarised under the relevant agenda item below.

Mrs C Holloway (WinACC) spoke regarding a number of items and her comments are summarised as follows. She welcomed the inclusion of addressing climate change within the Sustainable Community Strategy (CAB2069 refers) and also welcomed the proposals regarding Solar Panels as contained within Report CAB2068. With regard to Report CAB2061, she agreed with the proposals to introduce car parking charges on Sundays as a measure that could help reduce private vehicle journeys. However, WinACC Transport Group would welcome the opportunity to discuss future proposals

regarding the parking fee structure, in order to offer their ideas on how income can be maintained whilst reducing carbon production.

The Chairman thanked Mrs Holloway for her support. The Chief Executive emphasised that if approved, the car parking charges proposals would be subject to a statutory consultation period, which WinACC could contribute to.

3. **LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

Councillor Hiscock reported on the success of the once-monthly Sunday Art Market in Winchester, which could be extended into further stalls along the High Street. With the successful Farmers Market taking place fortnightly on a Sunday, it was intended that the remaining Sunday possibly be utilised for a Rural Crafts and Foods Market.

4. **ADOPTION OF THE WINCHESTER DISTRICT SUSTAINABLE COMMUNITY STRATEGY**

(Report [CAB2069](#) refers)

The Assistant Director (High Quality Environment) advised that since the Report was published, the Equalities Impact Assessment and Sustainable Impact Assessment had been completed. However, they did not require any significant amendments to the Strategy and he therefore suggested that this be dealt with under delegated powers. The Assistant Director explained that the forthcoming Change Plans would contain the mechanisms by which the Strategy's objectives would be achieved.

The Chairman emphasised the degree of consultation that had been undertaken on the proposed Strategy and in particular that it had been endorsed by the Winchester District Strategic Partnership (WDSP) as it was essential that the Council worked with its partners in its delivery.

At the invitation of the Chairman, Councillors Godfrey, Pearson and Stallard spoke regarding this item and raised a number of queries and general comments, of which the main points are summarised below:

- Some concern about what action the Council's partners would take in practice to assist in delivering the Strategy's objectives;
- Disappointment about the perceived lack of priority for a prosperous economy;
- Welcome for the aim to use plain english, but concern that the terms "sustainability" and "sustainable" should be clearly defined;
- Questions regarding how support for elderly people and provision of affordable housing would be achieved;
- Questions regarding the commissioning process;
- Concern that there was a possible conflicting vision between ensuring a good quality of life and imposing housing developments;
- Concern regarding the continuing lack of public transport connections between the Southern Parishes and Winchester and how this would be addressed within partnership action plans.

Cabinet noted that the Council was required by Government to produce a “*Sustainable Community Strategy*”, although the possibility of defining the term was acknowledged.

The Assistant Director emphasised that the Change Plans were being developed in conjunction with the Council’s partners and the priority of a prosperous economy was clearly stated in the Strategy.

The Assistant Director advised that work had already commenced on addressing elderly peoples’ requirements and the Chairman highlighted that the ongoing “Blueprint” consultation should also provide more information on this subject. This consultation would also involve local communities in proposing whether development was appropriate in their area and if so, suggesting where and at what level.

The Chairman stated that various comments highlighted the importance of the Council working with its partners to achieve its stated aims and she welcomed the future scrutiny by all Members of the Change Plans. It would be essential for the Council to prioritise its aims as it was acknowledged that it would not be possible to achieve all objectives at once.

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

RECOMMENDED:

THAT THE WINCHESTER DISTRICT SUSTAINABLE COMMUNITY STRATEGY 2010-2020 BE ADOPTED, AS ATTACHED AS APPENDIX 1 TO REPORT CAB2069, SUBJECT TO ANY FINAL MINOR AMENDMENTS TO BE UNDERTAKEN BY THE ASSISTANT DIRECTOR FOR ECONOMIC PROSPERITY, IN CONSULTATION WITH THE LEADER OF THE COUNCIL.

5. **CAPITAL STRATEGY AND PROGRAMME 2010/11 – 2013/14**
(Report [CAB2056](#) refers)

The above Report was not 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, due to the need to consider the matter prior to its discussion at Principal Scrutiny Committee on 18 October 2010 and Council on 3 November 2010.

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

RECOMMENDED:

1. THAT THE DRAFT CAPITAL STRATEGY FOR 2010 BE APPROVED.

2. THAT THE UPDATED CAPITAL PROGRAMME FOR 2010/11 TO 2013/14 BE NOTED.

RESOLVED:

That the updated capital programme for 2010/11 to 2013/14 be approved (noting that individual schemes within the Capital Programme each require appropriate approval by Cabinet or Portfolio Holders, in accordance with Financial Procedure Rules, before any funds are committed).

6. **VALUE FOR MONEY (VFM) FORWARD LOOK 2010/11**

(Report [CAB2065](#) refers)

The Chairman congratulated Officers on achieving the VfM gains as outlined in the Report. She highlighted that the requirement to produce and report targets in this area had been removed by the Coalition Government, but the Council would still work towards achieving efficiencies.

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

RESOLVED:

That the NI179 target VfM Gains for 2010/11 be set at £1.8m.

7. **INSTALLING SOLAR PHOTO VOLTAIC (PV) PANELS ONTO COUNCIL OWNED HOMES**

(Report [CAB2068](#) refers)

Under the Council's Constitution Access to Information Procedure Rules (Rule 15.1 – General Exception), this was a key decision which was included in the Forward Plan for a later meeting. Under this procedure, the Chairman of Principal Scrutiny Committee had been informed.

During the public participation period, Mr A Rickman (TACT) spoke in support of the proposals.

At the invitation of the Chairman, Councillors Pearson, Beckett and Stallard spoke regarding this item and raised a number of queries and general comments, of which the main points are summarised below:

- General support for the proposals, but concern that the Report did not contain sufficient detail on which to make a decision;

- Comments regarding the possible practical difficulties of installation, including planning and building controls, and the likely lifespan of the panels;
- Query regarding the deadline for feed-in tariffs submission;
- Concern that press releases appeared to suggest that the proposals would definitely go ahead;
- Concern that the Report did not contain adequate information to enable delegated authority to be granted to officers, as proposed in Recommendation 4, particularly with regard to the potential risks and liabilities to the Council involved. Consequently, it was requested that a further Report be submitted to Cabinet and Council before these decisions be made. Otherwise, Principal Scrutiny Committee should be asked to “call-in” the decision.

Councillor Bell confirmed that the practical difficulties raised were being examined. The Assistant Director (High Quality Environment) advised that the estimated lifespan of the panels was 25 years, but any partner selected by the Council to supply the panels would be responsible for their maintenance and/or replacement.

Cabinet noted that the proposed negotiations would provide further information about possible future income from the proposals, but no commitments could be made regarding how any additional monies could be spent at this stage.

The Corporate Director (Governance) advised that the selection of the contract process and the future award of any contract was a matter for Cabinet, not Council, and could not be subject to formal “call-in” by Principal Scrutiny Committee.

However, to address concerns raised by non-Cabinet Members above, Cabinet agreed to defer Recommendations 4 b) to d) until a future Cabinet meeting with a further Report giving additional information.

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

RESOLVED:

1. That tenders be sought in accordance with the Public Contracts Regulations 2006 for the rights to place solar PV cells on relevant properties in the Council’s housing stock, such tenders to be evaluated on the basis of the most economically advantageous tender;
2. That the tender be sufficiently flexible to test best value and allow, but not commit to, the inclusion of Solar PV provision in the Council’s corporate stock.
3. That the opportunity be advertised in the OJEU, the Council’s website, and other publications as determined by the Head of Landlord Services.

4. That delegated authority be given to the Head of Landlord Services, in consultation with the Portfolio Holder for Communities, to determine the choice of tender process (Open or Restricted);

5. That a report be made to Cabinet regarding:

- a) (If the Restricted Procedure is chosen) selection of tenderers from those expressing interest and completing a pre-qualification questionnaire;
- b) Approval of the specification and other contract terms;
- c) Approval the detailed evaluation model, subject to a minimum of 80% in the price:quality assessment being based on price.

Subject to the adopted approach, approval any shortlist and be responsible for the evaluation process.

6. That a further report be made to Cabinet recommending Contract Award.

8. **CAR PARK CHARGES AND OPERATION REVIEW**

(Report [CAB2061](#) refers)

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

Councillor Bell emphasised that the proposed increases in some car park charges outlined in the Report was necessary in order to cover a projected shortfall in income.

At the invitation of the Chairman, Councillors Beckett, Godfrey, Pearson Stallard and Tait spoke regarding this item and raised a number of queries and general comments, of which the main points are summarised below:

- Queries whether the Management of the Farmers Market had been consulted regarding the proposal to introduce Sunday car park charges and whether the City Centre Management had been consulted regarding the removal of half hour free car parking within Winchester City Centre;
- Concern regarding the potential negative impact on Winchester businesses resulting from the proposed changes;
- Concern that the projected income from Sunday car park charges could not be accurately predicted and also whether there would be adequate staff to monitor the additional charges;
- Query whether comparison had been made with charges at the railway station for parking;
- Question about whether city centre residents parking in the central car parking would be adversely affected by the changes;
- Query whether reduced charges for low emission vehicles would be introduced

- Disagreement with the statement that the free half hour parking increased the amount of traffic flow around the city centre;
- Comments regarding parking in Barfield Close (it was noted that this was not a matter relating to the Report and as such would be dealt with outside of the meeting);
- Concern that a recent press release gave the impression that the increased car parking charges had already been agreed.

The Corporate Director (Operations) advised that the County Council had previously opposed the introduction of the half hour free car parking spaces and this remained their position. The Head of Access and Infrastructure stated that Winchester Town Access Plan surveys had indicated that approximately 50 to 60% of vehicle journeys within the city centre were of a circulatory nature, although this could not be definitely attributed to drivers looking for free parking spaces.

The Head of Access and Infrastructure confirmed that the proposed changes would be subject to a statutory consultation period, and the results of this would be reported for decision to a Cabinet (Traffic and Parking) Committee on 1 December 2010. He confirmed that all local businesses had been contacted as part of this consultation.

The Head of Access and Infrastructure advised that a survey of current car parking usage on Sundays had been undertaken and the projected income based on this, although he acknowledged that the charges might result in a change in use. In addition, he confirmed that the cost of additional enforcement had been factored into the proposals.

The Head of Access and Infrastructure advised that as there were no proposals to increase weekday parking charges within Winchester, comparison had not been undertaken with the railway station. He confirmed that city centre residents who were currently able to use central car parks on Saturdays, would continue to be able to use them on Sundays following the proposed introduction of Sunday charging.

Councillor Hiscock acknowledged that traders might be concerned regarding the proposals, but did not believe that the introduction of Sunday car parking charges in the most central car parks only would have a negative impact. He highlighted the positive impacts for local businesses resulting from various Council initiatives, in particular the fortnightly Farmers Market and monthly Arts Market, held on Sundays.

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

RESOLVED:

1. That there be no increase in the level of weekday and Saturday parking charges for the off street car parks and park and ride in Winchester Town, with the exception of recommendation 5 below.

2. That charges for parking on a Sunday in the Winchester Town 'core' short stay car parks (The Brooks, Middle Brook Street, Colebrook Street, Friarsgate, Jewry Street, Cossack Lane, Upper Brook Street and St Peters) be introduced on a 'flat-rate' basis of £2 per visit between 10am and 4pm and that a £2 flat rate fee is also introduced in metered on-street parking bays on Sundays for bays in the vicinity of these central car parks as set out in paragraph 2.4 of the report.

3. That the 'free half-hour' on-street parking in Winchester town centre be removed, and that the minimum charge period be set at half hour and that payment for such minimum charge period be set at 50p.

4. That parking charges for short stay visits to towns in the rural area of the District are increased by 20p per hour for 1 hour, 2 hour and 3 hour stays, as shown in Appendix 1 to the report.

5. That the cost of all-day parking in the River Park Leisure Centre be increased from £8 to £10 Monday to Friday (with no change to the existing charges for Saturdays).

6. That the Head of Legal Services be authorised to give public notice of the necessary orders under the Road Traffic Regulation Act 1984 (as amended) required to give effect to these changes and (if no responses are received within the statutory consultation period) to make such orders for implementation from 1 January 2011.

7. If relevant responses to the proposals are received within the statutory consultation period, that a further report be taken to a Cabinet (Traffic and Parking) Committee in December 2010 to consider such responses to the Variation Notice and to agree the charges for implementation in January 2011.

8. That the revenue budgets for 2010/11 and the 2011/12 baseline be adjusted to reflect the additional expenditure and changes to income as detailed in Paragraph 6.1, Table 1 of the Report.

9. **LEADERSHIP ARRANGEMENTS – OUTCOME OF CONSULTATION**
(Report [CAB2067](#) and [Addendum](#) refer)

The above Addendum was not 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, as it contained updated information from public consultation regarding preferences stated regarding executive arrangements. The consultation indicated that 72.3% of respondents expressed a preference for a strong Leader with Cabinet model.

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

RECOMMENDED (TO SPECIAL COUNCIL ON 3 NOVEMBER 2010):

THAT SUBJECT TO ANY FURTHER REPRESENTATIONS BEING RECEIVED ON THE CONSULTATION EXERCISE:

1. THAT THE OUTCOME OF THE CONSULTATION EXERCISE BE NOTED AND CONSEQUENTLY THE COUNCIL DOES NOT HOLD A REFERENDUM ON THE OPTIONS FOR ITS FUTURE EXECUTIVE ARRANGEMENTS.

2. THAT THE COUNCIL ADOPTS THE STRENGTHENED LEADER WITH CABINET MODEL FOR ITS EXECUTIVE ARRANGEMENTS, IN ACCORDANCE WITH THE LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007, WITH EFFECT FROM THE 2011/12 MUNICIPAL YEAR.

3. THAT A REPORT BE PRESENTED TO CABINET AND COUNCIL ON THE CONSEQUENTIAL CHANGES TO THE CONSTITUTION PRIOR TO THE INTRODUCTION OF THE NEW EXECUTIVE ARRANGEMENTS IN MAY 2011.

10. **PARTNERSHIP FOR URBAN SOUTH HAMPSHIRE (PUSH) QUALITY PLACES CHARTER**

(Report [CAB2050](#) refers)

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

RESOLVED:

1. That the content of the PUSH Quality Places Charter be endorsed.

2. That the Council commit to sign the statement of intent contained within the Charter.

11. **REPRESENTATION ON OUTSIDE BODIES**

Cabinet noted that since the Report was published, a further nomination had been received from Councillor Higgins.

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

RESOLVED:

That Councillor Higgins be appointed as the representative on the Winchester Charity School Education Foundation until October 2013.

12. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

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

13. **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.

14. **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 the financial or business affairs of any particular person (including the authority holding that information). (Para 3 Schedule 12A refers)
##	Depot Update)
##	Abbey Mill, Winchester)
##	Organisational Development – Initial Phase) Information relating to any individual. (Para 1 Schedule 12A refers)
##	IMT: Collaborative working with Test Valley Borough Council) Information which is likely to reveal the identity of an individual. (Para 2 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 4 Schedule 12A refers)

15. **EXEMPT MINUTES**

RESOLVED:

That the exempt minutes of the previous meeting, held on 15 September 2010, be approved and adopted.

16. **DEPOT UPDATE – PROPOSED RELOCATION TO BARFIELD CLOSE**
 (Report CAB2072 refers)

The above Report was not 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, due to the need to consider the matter prior to its discussion at Principal Scrutiny Committee on 18 October 2010.

Cabinet noted the above Report which set out proposals regarding the relocation of the existing Depot site to Barfield Close, Winchester (detail in exempt minute).

17. **ABBEY MILL, WINCHESTER**
 (Report CAB2071 refers)

Cabinet considered the above Report which contained proposals regarding Abbey Mill, Winchester (detail in exempt minute).

18. **WINCHESTER CITY COUNCIL ORGANISATIONAL DEVELOPMENT – INITIAL PHASE**
 (Report PER180 refers)

Under the Council's Constitution Access to Information Procedure Rules (Rule 15.1 – General Exception), this was a key decision which was not included in the Forward Plan. Under this procedure, the Chairman of Principal Scrutiny Committee has been informed.

Cabinet considered the above Report which contained proposals regarding the initial phase of the Council's organisational development (detail in exempt minute).

19. **INFORMATION MANAGEMENT AND TECHNOLOGY: COLLOBORATIVE WORKING WITH TEST VALLEY BOROUGH COUNCIL**

(Report CAB2070 refers)

Cabinet considered the above Report which contained proposals regarding joint working with Test Valley Borough Council on IMT (detail in exempt minute).

The meeting commenced at 9.30am and concluded at 12.30pm

Chairman