

CABINET

9 February 2011

Attendance:

Councillor Learney - *Leader and Portfolio Holder for Transformation and Resources (Chairman) (P)*
Councillor Bell - *Portfolio Holder for High Quality Environment (P)*
Councillor Collin - *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:

Mr A Rickman (TACT)

Others in attendance who did not address the meeting:

Councillors Baxter, Beckett, Johnston, Pearson, Stallard, Tait and Wood

1. **MEMBERSHIP OF CABINET COMMITTEES ETC**

Cabinet noted that nominees were requested for an informal meeting with the County Council to discuss the results of the consultation of the Winchester Town Access Plan, prior to the final report to Cabinet in June/July 2011. Nominations had been received from Councillors Bell, Collin, Maynard and Godfrey.

RESOLVED:

That the following Councillors be nominated to attend an informal meeting organised by the County Council to discuss the consultation on the Winchester Town Access Plan:

Councillors Bell, Collin, Maynard, Godfrey and one other Conservative nominee (name to be confirmed).

2. **MINUTES**

RESOLVED:

That the minutes of the previous meeting held on 19 January 2011, less exempt items, be approved and adopted.

3. **PUBLIC PARTICIPATION**

Mr A Rickman (TACT) spoke in relation to Report CAB2128 and his comments are outlined under the relevant agenda below.

4. **LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

Councillor Learney reported that a 15 year lease for the Hyde Historic Resources Centre had been agreed with Adams Architects. She welcomed this opportunity to secure the future use of a valuable historic building and also the fact that approximately 80 architects and support staff would be employed on the premises, once the refurbishment had been completed.

Councillor Learney advised that the decision to jointly award the Environmental Services Contract with East Hants District Council had been considered by the Joint Committee, but she was not able to announce the name of the contractor, as the decision was subject to a short period of scrutiny and challenge. She emphasised that the contract award would achieve significant savings for both Councils and was a good example of joint working.

Councillor Thompson reported that the Government had recently announced draft Debt Settlement figures for Housing Finance reform for Winchester of £161 million, which was slightly higher than expected. Officers were examining the detail of the Localism Bill and would report back to Cabinet accordingly.

The Chief Executive advised that a Localism Briefing had been arranged for all Councillors on 15 March 2011 and he encouraged as many as possible to attend. He also hoped to arrange a second briefing for any Members unable to attend this first session.

5. **ADOPTION OF CHANGE PLANS**

(Report [CAB2119](#) refers)

Cabinet welcomed the adoption of Change Plans as an important step towards achieving the Local Strategic Partnership agreed outcomes and as a move towards the new commissioning approach to providing Council services. Members congratulated the Assistant Directors for their work in producing the documents.

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

RECOMMENDED:

THAT THE FOUR CHANGE PLANS AT APPENDIX 1 TO REPORT CAB2119 BE ADOPTED, SUBJECT TO ANY FINAL MINOR AMENDMENTS TO BE UNDERTAKEN BY THE RELEVANT ASSISTANT DIRECTOR, IN CONSULTATION WITH THE PORTFOLIO HOLDER.

RESOLVED:

1. That the revised Council Business Planning Process set out in paragraph 5 of the Report be approved.

2. That the Scheme of Delegation to Portfolio Holders (as set out in Part 3 of the Council's Constitution) be amended by the replacement of the following (changes shown in tracking):

" To approve relevant ~~business plans~~ **Change Plans** designed to deliver the Council's policy framework within the agreed budget.

4. That the Scheme of Delegation to Officers (as set out in Part 3 of the Council's Constitution) be amended by the replacement of the following (changes shown in tracking):

"Subject to discussion with the relevant Portfolio Holder, to agree changes to approved ~~business plans~~ **Change Plans**, provided that the amended ~~business plan~~ **Change Plan** will continue to deliver the Council's policy framework within the agreed budget."

6. **HOUSING REVENUE ACCOUNT BUDGET AND RENT SETTING 2011/12 – UPDATE (LESS EXEMPT APPENDIX)**
(Report [CAB2128](#) refers)

Cabinet noted that Report CAB2128 updated and replaced CAB2116 which was considered by Social Issues Scrutiny Panel at its meeting on 1 February 2011, where Members had no comments they wished to feed back to Cabinet.

Members noted the comments made by Mr A Rickman (TACT) during the public participation period and summarised below.

Mr Rickman drew Cabinet's attention to TACT's comments outlined in Paragraph 13 of the Report. In summary, he believed that the Government was out of touch with what tenants could realistically afford to pay in rents and this would ultimately lead to the end of affordable housing provision. However, TACT reluctantly accepted the proposals set out in the Report as they believed there was no other option available to the Council at the current time.

The Chairman thanked Mr Rickman for his contribution and advised that she agreed with his views, on the whole. She was concerned that the Government

expected councils to converge with housing association rent levels, which were themselves rising. It was hoped that the proposed Housing Finance Reform might offer a greater deal of freedom for councils, but this was not guaranteed.

Councillor Thompson highlighted the difficulties faced in putting forward the rent increases proposed in the Report and the concern about the potential impact on tenants. However, given the options available from the Government at the current time, it was considered the Council had no realistic alternative.

However, Councillor Thompson emphasised some positive changes outlined in the Report, including the reduction in re-letting times for void properties.

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

RECOMMENDED:

1. THAT THE HEAD OF LANDLORD SERVICES BE AUTHORISED TO IMPLEMENT THE HOUSING RENTS FOR 2011/12 INCREASE IN LINE WITH THE GOVERNMENT GUIDELINE, AS SET OUT IN PARAGRAPH 3 OF REPORT CAB2128, RESULTING IN AN OVERALL AVERAGE INCREASE OF 6.47%.

2. THAT THE HOUSING REVENUE BUDGET AS DETAILED IN APPENDIX 1 BE APPROVED.

3. THAT GARAGE RENTS BE INCREASED BY 4% IN LINE WITH THE INFLATION PROVISION INCLUDED IN THE INCREASE FOR DWELLING RENTS.

4. THAT ALL SERVICE CHARGES CONTINUE TO BE BASED ON ACTUAL COSTS INCURRED, BUT THAT ANY INDIVIDUAL INCREASES BE SUBJECT TO A MAXIMUM INCREASE OF RPI AT 4.6% + £2 AND THE HEAD OF LANDLORD SERVICES BE AUTHORISED TO IMPLEMENT THE CHANGES.

5. THAT A CAPITAL GROWTH BID OF £80,000 BE INCLUDED IN THE CAPITAL PROGRAMME FOR THE PURCHASE OF AN ASSET MANAGEMENT SYSTEM FOR HOUSING AND THAT THIS IS FUNDED BY A REVENUE CONTRIBUTION TO THE CAPITAL PROGRAMME AS SET OUT IN PARAGRAPH 6 OF THE REPORT.

RESOLVED:

7. That the Head of Landlord Services be authorised to extend the existing service contracts with Serco (Responsive

Maintenance) and JAD (Void Property Reinstatement) for up to a maximum of five months (subject to the final tender award date) at tendered rates set out in the exempt Appendix 4.

7. **CAPITAL PROGRAMME 2010/11 TO 2013/14**
(Report [CAB2112](#) refers)

The above Report 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, due to the need to consider the matter prior to its discussion by Principal Scrutiny Committee and Council on 14 and 24 February 2011 respectively.

The Chairman drew Cabinet's attention to the following proposed growth items of the Capital Programme (as set out in Paragraph 4 of the Report):

- Kerbside Glass Collection – this was a new item, included as part of the new Joint Environmental Services Contract, and would enable monthly kerbside glass collection which should increase recycling rates by approximately 3% and offer an improved service for customers;
- Street care vehicles and equipment – another new item required to support the new Environmental Services in-house arrangements;
- Hockley Viaduct - discussions ongoing with Sustrans to enable transfer of ownership of the Viaduct and the provision of a cycle path;
- The Square, Winchester – funding identified from LAGBI reserves to contribute to enhancement and refurbishment.
- Provision for essential works to car parks and of replacement of ICT equipment.

The Chairman advised that it was proposed to remove the budget provision for St Georges Street Improvements, because the amount previously identified was considered insufficient to cover the works identified. In addition, the future use of the Casson Block was uncertain at the current time and it would be preferable to make a decision once this situation was clarified.

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

RESOLVED:

1. That the proposed capital programme for 2010/11 to 2013/14 (Appendix A of the Report) be approved to be included in the Budget for consideration by Council in February and, notes the proposed financing of the programme, (also noting that individual schemes within the Capital Programme each require appropriate approval by Cabinet or under the scheme of delegation involving Portfolio Holders in accordance with Financial Procedure Rules before any funds are committed), and

2. That the deferral of capital projects listed at Appendix B of the Report be approved.

8. **BUDGET AND COUNCIL TAX 2011/12**
(Report [CAB2125](#) refers)

The above Report 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, due to the need to consider the matter prior to its discussion by Principal Scrutiny Committee and Council on 14 and 24 February 2011 respectively.

The Chairman emphasised the difficulties faced by the Council in achieving a balanced budget, due to the reduction in Revenue Support Grant from £7 million in the current year to £4.6 million in 2011/12. She acknowledged the difficult decisions that had to be made regarding reduction in staffing. However, the proposed budget did allow an increase in support for the Council's partners, with no increase in Council Tax. The Chairman also highlighted the significant savings achieved through joint working on various Council services, including IT and the Environmental Services Contract.

The Head of Finance reported that revised provisional settlement figures for 2012/13 had been received from the Department of Communities and Local Government (DCLG). These provisional figures were for an increase in Revenue Support Grant from £4.126 million to £4.165 million in 2012/13, for which the consequence would be an increase in the transfer to the Major Investment Reserve from £144,000 to £183,000. This announcement did not affect the budget proposals for 2011/12 and would be considered further, when decisions about the 2012/13 budget were made later in the year.

Cabinet congratulated officers for their work in producing the budget. Members confirmed that the proposals set out in Appendices D and E of the Report contained Cabinet's recommendations for proposed growth and savings.

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

1. THAT THE LEVEL OF GENERAL FUND BUDGET FOR 2011/12 BE RECOMMENDED AS THE FOLLOWING:

	<u>2011/12</u> £
<u>GROSS BUDGET FOR GENERAL FUND SERVICES</u>	14,152,976
LESS	
CAPITAL FINANCING	(1,626,293)
TRANSFERS TO/(FROM) RESERVES	(272,304)
CONTRIBUTIONS TO/(FROM) WINCHESTER TOWN ACCOUNT	31,957

<u>TOTAL</u>	----- 12,286,337
<u>LESS CHARGES ON WINCHESTER TOWN ACCOUNT</u>	(868,165) -----
<u>TOTAL CITY NET EXPENDITURE</u>	<u>11,418,172</u>

2. THAT THE BUDGET OPTIONS AS SET OUT IN APPENDICES D AND E BE APPROVED.

3. THAT THE CAPITAL PROGRAMME SET OUT IN APPENDICES G AND H BE CONFIRMED.

4. THAT THE POLICY AS PREVIOUSLY AGREED BY THE COUNCIL ON 14 JULY 1999 (MIN 186 REFERS) BE CONFIRMED TO TREAT ALL EXPENSES OF THE COUNCIL AS GENERAL EXPENSES OTHER THAN THOSE SPECIFICALLY IDENTIFIED AND ITEMISED IN THE WINCHESTER TOWN ACCOUNT. IN CONSEQUENCE OF WHICH THE SUM OF £858,136 BE TREATED AS SPECIAL EXPENSES UNDER SECTION 35 OF THE LOCAL GOVERNMENT FINANCE ACT 1992 IN RESPECT OF THE WINCHESTER TOWN AREA, APPENDIX K.

5. THAT THE COUNCIL TAX FOR THE SPECIAL EXPENSES IN THE WINCHESTER TOWN AREA AT BAND D FOR 2011/12 TO BE FROZEN AT 2010/11 LEVELS; £61.32.

6. THAT THE BALANCE ON THE COLLECTION FUND CALCULATED AT 17 JANUARY 2011 OF ZERO FOR COUNCIL TAX, BE APPROVED.

7. THAT MEMBERS RECOMMEND THE LEVEL OF COUNCIL TAX AT BAND D FOR CITY COUNCIL SERVICES FOR 2011/12 TO BE FROZEN AT 2010/11 LEVELS; £126.27.

8. THAT PARISH COUNCIL TAXES BE NOTED AS IN APPENDIX L.

9. **TREASURY MANAGEMENT STRATEGY 2011/12**
(Report [CAB2117](#) refers)

The above Report 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, due to the need to consider the matter prior to its discussion by the Principal Scrutiny Committee and Council on 14 and 24 February 2011 respectively.

With reference of Paragraph of 13.2 of the Report, the Head of Finance updated Members that three responses had now been received and would be considered with a view to renewing the contract from 1 April 2011.

The Head of Finance confirmed that the proposed changes to the Strategy maintained a cautious approach to the Council's investments, whilst seeking to optimise returns within this approach.

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

RECOMMENDED

1. THAT THE TREASURY MANAGEMENT STRATEGY 2011/12 AS SET OUT IN REPORT CAB2117 BE APPROVED, INCLUDING:

- A) THE ADOPTION OF THE PRUDENTIAL INDICATORS 2011/12-2013/14 SETTING OUT THE EXPECTED CAPITAL ACTIVITIES (AS REQUIRED BY THE CIPFA PRUDENTIAL CODE FOR CAPITAL FINANCE IN LOCAL GOVERNMENT) AND THE TREASURY MANAGEMENT PRUDENTIAL INDICATORS THAT ARE NOW IN CIPFA TREASURY MANAGEMENT CODE OF PRACTICE.**
- B) A REVISION OF THE CAPITAL FINANCING REQUIREMENT FOR 2010/11 (CURRENT YEAR).**
- C) THE MINIMUM REVENUE PROVISION (MRP) STATEMENT WHICH SETS OUT THE COUNCIL'S POLICY ON MRP WHICH SETS OUT HOW THE COUNCIL WILL PAY FOR CAPITAL ASSETS THROUGH REVENUE EACH YEAR.**
- D) THE INVESTMENT STRATEGY 2011/12 CONTAINED IN THE TREASURY MANAGEMENT STRATEGY, AND THE DETAILED CRITERIA INCLUDED IN APPENDIX A.**

2. THAT THE STRATEGY BE KEPT UNDER REGULAR REVIEW TO TAKE ACCOUNT OF ANY CHANGES IN THE CURRENT GLOBAL ECONOMIC SITUATION.

10. VOLUNTARY SECTOR ACCOMMODATION
(Report [CAB2126](#) 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.

The Chairman outlined the difficulties facing Winchester Area Community Action (WACA) because of decreasing funding available for itself and tenants of the Winchester Centre building. WACA's role as landlord of the Winchester

Centre was also beginning to impact on its ability to undertake other aspects of its work, across the Winchester District. The Council was therefore working closely with WACA to try and find the best solution to the current situation.

The Chairman emphasised that the Report set out the current position, but circumstances were changing daily and it might, therefore, be necessary for the Chief Executive to use his emergency powers regarding a decision on the Winchester Centre. If that proved necessary, such a decision would be taken following consultation with the Chairmen of Cabinet and Principal Scrutiny Committee and other Group Leaders.

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

RESOLVED:

1. That Cabinet signals an intention to continue vital support for key voluntary organisations providing services based in Winchester.
2. That officers be authorised to continue to draw up and cost options for decision by Cabinet on 16 March 2011.
3. That a growth item be included in the 2011/12 budget for £100,000 to cover potential costs which may be incurred through the future implementation of options taken forward.

11. **PUBLIC HEALTH WHITE PAPER: HEALTHY LIVES, HEALTHY PEOPLE – IMPLICATIONS FOR THE COUNCIL**
(Report [CAB2120](#) refers)

Councillor Thompson suggested that the proposed response to the Public Health White Paper consultation questions should be amended, to emphasise more the huge influence District Councils had on health through a wide number of its services; in particular through the provision of affordable housing.

The Chief Executive highlighted that it was important that Primary Care Trusts (PCTs) consult with local partners, such as District Councils, before taking any budget decisions that might affect Council services.

Cabinet also emphasised the important role District Councils would have in terms of scrutiny.

Members agreed that the formal response to the Government's consultation be amended to include the various points outlined above.

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

RESOLVED:

1. That the City Council's formal response to the Public Health White Paper consultation questions be endorsed, as set out in Paragraphs 3.4a) to d) of the Report, subject to the amendments outlined above.

2. That authority be given to the Chief Executive, in consultation with the Leader and Portfolio Holder for Communities, to agree the text of the final response to the Public Health White Paper consultation, along the lines set out in this Report.

12. **HOUSING SEWAGE TREATMENT WORKS IMPROVEMENTS**
(Report [CAB2114](#) refers)

The Head of Access and Infrastructure advised that, since the Report was published, the option of leasing a tanker had been found to be possible, whereas it was previously thought it would be necessary to purchase it. The financial implications of the different approaches would be analysed further with the Head of Finance.

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

RESOLVED:

1. That the Head of Access and Infrastructure, in consultation with the Head of Landlord Services, be authorised to progress the programme for 2011/12 as outlined in the Report, subject to funding being included in the Capital Programme.

2. That in accordance with Financial Procedure Rule 6.4, authority be given for release of expenditure for the Schemes in the proposed capital programme as set out in paragraph 4.1 of the Report.

3. That the Head of Access and Infrastructure be given delegated authority to make minor adjustments to the programme (including the bringing forward of identified reserve schemes) to meet the maintenance and operational needs of the City Council Sewage Treatment Works as required in consultation with the Head of Finance and Head of Landlord Services.

13. **PLAYGROUND FIVE YEAR REFURBISHMENT PLAN – UPDATE**
UPDATE ON THE WINCHESTER OPEN SPACE FUND
(Reports [CAB2118](#) and [WTF149](#) refers)

Cabinet noted that both Reports had been considered by the Winchester Town Forum at its meeting on 26 January 2011 and the minutes of that meeting were contained as Report CAB2127 below. Members agreed the recommendation of Forum, regarding the capital growth budget for play areas,

that the possibility of some flexibility from the allocations set out in the Report should be retained.

Members noted the current financial position of the Winchester Play and Sport pots of the Winchester Open Space Fund and the implications for the Play Area Refurbishment Plan, as set out in Report WTF149.

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

RESOLVED:

1. That release of Open Space Fund monies and proposed revenue budget expenditure for the schemes outlined in the Report over the next four years be approved, subject to annual review of the programme as part of the business planning process, accepting that there should be the possibility of some flexibility from the allocations set out in the Report.
2. That, in principle, approval be given to the transfer of Council-owned play areas in the Parished areas of the District to the respective Parish Councils detailed in Appendix 5 of the Report.
3. That, in principle, approval be given to the transfer of Council-owned play areas in Whiteley Parish and Meadowside Recreation Ground to the Whiteley Parish Council (detailed in Appendix 4 of the Report).
4. That the requirement for additional revenue funds of £16,000 for the works required convert play areas at Sarum Close to amenity landscaping and Firmstone Road to allotments (detailed in Appendix 2 of the Report) be agreed.
5. That the potential requirement for additional revenue funds of up to £24,300 for the conversion of play areas to amenity landscaping in the event that they were not transferred to the respective Parish Councils be noted.
6. That a report be brought to either Cabinet or through the Portfolio Holder Decision Making Scheme, to authorise entering into any joint procurement arrangements with other councils, in accordance with the Council's Contracts Procedure Rules, to deliver the play area refurbishment programme.
7. That, in accordance with Financial Procedure Rule 6.4, authority be given to incur capital expenditure in accordance with Recommendation 1 above (subject to Council approval of the Budget).

8. That public advertisement be made regarding:
 - a) the proposed appropriation of Firmstone Road Play Area from open space to allotments;
 - b) the proposed disposal of Meadowside Recreation Ground and Whiteley play areas; and
 - c) (following consultation with the parish councils involved) the possible disposal of the five play areas referred to in Appendix 5 of the Report.

9. That a final decision on the appropriation/disposal/future management (as appropriate) of the areas in Resolution 8 above, taking into account any representations received, be taken either by the Leader through the Portfolio Holder Decision Making Scheme or by Cabinet.

14. **ANNUAL GOVERNANCE STATEMENT – EMERGING ISSUES 2010/11 UPDATE ON PROGRESS**
(Report [PS433](#) refers)

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

RESOLVED:

That the progress being made against the current emerging issues be noted.

15. **MINUTES OF CABINET (TRAFFIC AND PARKING) COMMITTEE HELD 18 JANUARY 2011**
(Report [CAB2124](#) refers)

Cabinet received the minutes of the Cabinet (Traffic and Parking) Committee held 18 January 2011 (attached as Appendix A to these minutes).

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

RESOLVED:

That the minutes of the Cabinet (Local Development Framework) Committee held 18 January 2011 be received.

16. **MINUTES OF WINCHESTER TOWN FORUM HELD 26 JANUARY 2011**
(Report [CAB2127](#) refers)

Cabinet received the minutes of the Winchester Town Forum held 26 January 2011 and noted that some recommendations had been dealt with under CAB2118 above.

Members noted that the Town Forum had raised concerns regarding the Winchester Residents' Parking Scheme Review (Report WTF154 refers) and

agreed that these be referred to the Cabinet (Traffic and Parking) Committee, to take into account during its consideration of the Review.

With regard to the recommendations about increased representation on the Air Quality Management Informal Member/Officer Working Group, Cabinet agreed that this be considered when in May 2011, as part of the annual Report to establish Working Groups.

Cabinet noted that the Forum's recommendations on the Winchester Town Account Budget 2011/12 were included within consideration of Reports CAB2125 and CAB2112 above.

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

RESOLVED:

That the minutes of the Winchester Town Forum held 26 January 2011 be received and the following recommendations be agreed:

1. That Cabinet (Traffic and Parking) Committee be requested to take account of the Forum's concerns raised during its consideration of the Winchester Residents' Parking Scheme Review.

2. That the possibility of extending membership of the Air Quality Management Informal Member/Officer Working Group to include Councillors Hutchison and Mitchell as representatives of the Forum be considered as part of the annual appointments made by Cabinet at its meeting in May 2011.

17. MANAGEMENT OF WINCHESTER MARKET (LESS EXEMPT APPENDIX)
(Report [CAB2100](#) refers)

The above Report 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, to enable a decision on the future management of Winchester Market to be made without delay.

Councillor Hiscock reported on the success of the various Sunday markets now being held, in addition to trialling of a local food and produce market from new stalls along Winchester High Street on Wednesdays.

Whilst noting their success, one Member suggested that advertising of the days of the different markets be improved, particularly in the rural areas of the District.

Cabinet welcomed the Report and agreed in principle to its recommendations, subject to consideration of the information contained in the Exempt Appendix 3.

RESOLVED:

That the Report's recommendations be agreed in principle, subject to consideration of the information contained in Exempt Appendix 3 of the Report.

18. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

That the list of future items, as set out in the Forward Plan for January 2011, be noted.

19. **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.

20. **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))) 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)
##	HRA Budget & Rent Setting 2011/12 (Exempt appendix)	)	Information relating to the
		)	financial or business affairs
##	Management of Winchester Market (Exempt Appendix)	)	of any particular person
		)	(including the authority
		)	holding that information).
		)	(Para 3 Schedule 12A refers)
##	Joint Environmental Services Contract – Service Options)	
)	
##	Management of Winchester Market (exempt appendix)		Information which reveals that the authority proposes:-
		(a)	to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
		(b)	to make an order or direction under any enactment. (Para 6 Schedule 12A refers)

21. **EXEMPT MINUTES OF THE PREVIOUS MEETINGS**

RESOLVED:

That the exempt minutes of the previous meeting held on 19 January 2011 be approved and adopted.

22. **HOUSING REVENUE ACCOUNT BUDGET AND RENT SETTING 2011/12 – UPDATE (EXEMPT APPENDIX)**
(Report CAB2128 refers)

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

RESOLVED:

That the contents of the Exempt Appendix to the Report be noted.

23. **MANAGEMENT OF WINCHESTER MARKET - EXEMPT APPENDIX**
(Report CAB2100 refers)

The Head of Estates and Corporate Director (Governance) responded to questions regarding the financial and legal implications of the proposals, as contained in the exempt Appendix to the Report (further details set out in exempt minute).

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

RESOLVED:

1. That an incentive based management agreement be entered into for a period of one year from 1 May 2011 with Southern market Traders Co-operative Ltd (SMTC) for the management and operation of the Weekly, Art and Antiques Markets and that a direction be made under Contracts Procedure Rule 2.4a accordingly.

2. That the Head of Estates be authorised to conclude negotiations for the detailed terms of a management agreement with SMTC, based on the terms set out in the Report and the exempt Appendix 3.

3. That the purchase of 40 “pop up Gazebos” to replace the existing outdated heavy steel framed stalls be agreed.

4. That the contract with the existing Stall Erectors be terminated.

5. That the principle of operating a Weekly Market over the areas shown on plan A 1 and A3 or A4 and specialist Sunday markets over the areas shown on plan Plans A1, 2 and 3 or 4 be agreed, and a report be made to the Licensing and Regulation Committee to implement the necessary street trading controls to facilitate this on a permanent basis.

6. That pending the adoption of the new street trading controls, road closure orders be made under the Town Police Clauses Act 1847 to allow markets to be run on an experimental basis on the

land identified in plan A1 for a weekly market every Wednesday and for speciality markets over plans A1, 2 and 3 or 4 for the speciality markets.

7. That the revised Market Revenue Budget be agreed in accordance with the details set out in the report from the date that the new market arrangements are authorised.

8. That the new market Rules and charges set out in Appendix 2 be adopted with effect from 1 May 2011.

9. That the recommendations in the exempt Appendix 3 of the Report be approved.

24. **JOINT ENVIRONMENTAL SERVICES CONTRACT – SERVICE OPTIONS**
(Report CAB21220 refers)

The Assistant Director (High Quality Environment) advised that the Report had been considered by Environmental Scrutiny Panel, at its meeting on 8 February 2011, and Members had not made any comments for Cabinet to consider.

He confirmed that existing bring sites for glass recycling would be retained as the introduction of kerb-side collection of glass was not expected to reduce their use.

Cabinet considered the above Report which set out more detail regarding the Joint Environmental Services Contract, which could not be made public at the current time, pending the scrutiny and review period following the contract award (further discussions and resolutions contained in exempt minute).

The meeting commenced at 9.30am and concluded at 11.40am

Chairman