

CABINET

13 April 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:

Councillors Banister, Cooper and Pearson

Others in attendance who did not address the meeting:

Councillors Godfrey and Mitchell

1. **MINUTES**

RESOLVED:

That the minutes of the previous meeting held on 16 March 2011, less exempt items, be approved and adopted.

2. **PUBLIC PARTICIPATION**

Mr M Biden (Chairman of St Giles Hill Residents' Association) spoke in relation to CAB2160 and his comments are summarised under the relevant agenda item below.

3. **LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

Councillor Hiscock reported on the success of the first Antiques and Collectors Sunday Market which was held recently and was intended to continue on a monthly basis. This was in addition to the fortnightly Sunday Winchester Farmer Market and the monthly Sunday Arts and Crafts Market.

Councillor Hiscock also congratulated the Council's Tourist Information Centre for winning a Gold Award for excellence in the South East region. The Centre

was shortlisted for a national award with ceremony to take place on 15 April 2011, to be attended by Councillor Evans.

Councillor Bell reported that a competition to redesign the roundabout at Easton Lane had been won by a Sparsholt College student. The funding for the planting and design would come from sponsorship of the roundabout and it was hoped that more redesigns could be created.

Councillor Learney stated that Council office accommodation moves were ongoing and congratulated the officers involved for their assistance in moving at short notice. The moves were to enable Winchester Area Community Action (WACA) to take over accommodation on the ground floor of the City Offices.

Councillor Learney also congratulated the Winchester Hat Fair on securing an increased grant from the Arts Council. She believed this award highlighted the importance of the event and demonstrated that the Council's funding was worthwhile.

4. **BARING ROAD IMPROVEMENT SCHEME**
(Report [CAB2160](#) refers)

Mr M Biden (Chairman of St Giles Hill Residents' Association) spoke in support of the Report's proposals and advised that of the 85 properties of St Giles Hill affected, 80 had already paid their first contribution towards the scheme. He highlighted that, as the Council also had a frontage along the road, residents believed the Council should pay its share and that there was a requirement for urgent action so that the developer's contributions could be secured. If approved, tenders for the work would be sought immediately and it was hoped work would commence in May 2011. He believed that the improvements would be a considerable benefit for the area as a whole and enable traffic to access the Hill via Baring Road, rather than the Northbrook Avenue access currently used. Finally, he thanked the officers involved for their assistance in progressing the scheme.

The Chairman welcomed the proposals and agreed it was a good opportunity for the Council to provide some funding in order to secure additional funding from other sources. It also removed a future potential liability.

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

RESOLVED:

1. That a contribution of up to £30,000 be made to the St Giles Hill Roads Company, on conditions to be settled by the Assistant Director (High Quality Environment) including that the contribution can only be used to carry out the improvements required to Baring Road on the condition that upon completion of the works it is adopted by Hampshire County Council.

2. That it be noted that this will be achieved by the allocation of up to £30,000 from the High Quality Environment commissioning budget for 2011/12, and that a request for this budget to be “topped up” will be included in the outturn report in June, for consideration in the context of the overall Council position.

5. **PROJECT INTEGRA 2011-2016 ACTION PLAN AND REVIEW**
(Report [CAB2136](#) refers)

Councillor Bell drew Cabinet’s attention to the additional responses to the Project Integra ‘Fit for Purpose’ Review (contained in Appendix 4 to the Report) as proposed by the Environment Scrutiny Panel and reproduced below (Report CAB2158 refers).

“That Cabinet be requested to consider amending the draft responses set out at Appendix 4 to include:

- i) (within the answer to Question 1) “That the Review should aim to increase the number of waste streams for recycling, including food, waste plastics and glass.”
- ii) That Project Integra should be encouraged to work at a national level to reduce waste creation.”

Councillor Bell proposed that these two additions be agreed. Furthermore, she suggested that a third addition to the proposed responses be agreed as follows:

- iii) “That Project Integra should increase their focus on residents’ aspirations for recycling.”

Cabinet agreed the additional responses i) to iii) as set out above.

The Assistant Director (High Quality Environment) highlighted recent statements by County Councillor Kendall regarding the possibility of examining additional methods of dealing with waste, including anaerobic digesters. The Corporate Director (Operations) advised that he had chaired the Review Panel and it was intended that Project Integra would move forward to consider additional methods of waste reduction and recycling.

The Chairman welcomed the proposals and noted that it was expected that the Plan would be amended next year to take account of developments mentioned above.

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

RESOLVED:

- 1. That the draft Project Integra Action Plan (AP) for 2011 – 2016 be approved.

2. That the joint Partner Implementation Plan be approved, as detailed in Appendix 2 of this report for inclusion in the 2011 - 2016 AP.

3. That the outcome of the Project Integra 'Fit For Purpose' Review be noted and the answers to the specific questions raised in Appendix 4 of the Report for feedback into the process be endorsed, subject to the inclusion of the three additional points outlined above (two recommended by the Environment Scrutiny Panel and one from Cabinet).

6. **PREVENTING HOMELESSNESS FUND – FUTURE FUNDING OPTIONS**
(Report [CAB2123](#) refers)

The Head of Strategic Housing emphasised that the proposed new "Winchester Lets" was not intended to compete with local letting agents, but to provide a one-stop shop for landlords who wish to let to the waiting list and homelessness applicants seeking housing.

The Corporate Director (Governance) advised that the Head of Legal Services considered that, where the proposals provided assistance with the provision or management of property to be privately let as housing accommodation, the proposals were covered a General Consent from the Secretary of State and it would not be necessary to make an application for Special Consent under Section 25 Local Government Act 1988.

Cabinet welcomed the Report's proposals as a positive means of providing additional accommodation.

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

RESOLVED:

1. That an Earmarked Reserve be created to ensure that the funding received specifically for Homelessness is applied for these purposes, across the financial years.

2. That the Preventing Homelessness Fund current expenditure and programme for 2011/12 be approved, including the transfers to Reserves, as set out in the Table at Paragraph 6.1 of the Report.

3. That the Head of Strategic Housing, in consultation with the Portfolio Holder for Communities, be authorised to establish "Winchester Lets".

4. That the Head of Strategic Housing, in consultation with Head of Estates, be authorised to lease or licence properties from

private landlords for the purpose of meeting the needs of homeless households.

7. **UPDATE ON CASH OFFICE SERVICE**

(Report [CAB2152](#) refers)

Cabinet noted that the cash office service had been considered by Social Issues Scrutiny Panel and Resources Scrutiny Panel at their meetings on 9 and 17 March 2011 respectively (Reports CAB2157 and CAB2159 below refer). Both Panels had supported the retention of the Cash Office in its current location.

The Head of Revenues advised that the majority of users of the cash office held bank accounts and could pay by other means, but they liked the method of payment and receipt in person, which some considered offered more control over their day to day finances, particularly for those on lower incomes.

Cabinet noted the provision of the service would be kept under review. The Chief Executive mentioned that the Head of Customer Services was also undertaking a more general review of the different means by which customers accessed Council services.

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

RESOLVED:

1. That the Cash Office Service continues in its current location but the position be kept under review and reconsidered should there be a material change in Council's financial position, the actual usage change or a suitable tenant be identified for that area of the City Offices.
2. That customers are advised on alternative methods of payment and encouraged to make payment by direct debit.
3. That the option for tenants and Council Tax customers to make payments via the post office continues to be provided.

8. **INTRODUCING A COMMISSIONING APPROACH**

(Report [CAB2153](#) refers)

At the invitation of the Chairman, Councillor Cooper addressed Cabinet and raised a number of comments/concerns, summarised below:

- Assurances sought that the decision of Council on 24 February 2011 regarding the award of grants would be implemented by 19 May 2011;
- Concern about the reasoning behind the choice of four early pilot projects outlined in Paragraph 2.4 of the Report;

- Concern that, after a year, there appeared to be little progress on the commissioning process and a lot of confusion, including among the voluntary sector;
- Concern that the process was more complicated, lacked a proper legal framework and imposed more restrictions on not-for-profit organisations than the previous grants process;
- Concern about the impact arising from the loss of part-time grants officer at the Council.
- Reports that many voluntary organisations were concerned about the new commissioning approach.
- A suggestion that under the new scrutiny process, two new Informal Scrutiny Groups be established as soon as possible: one to scrutinise the Commissioning Process and the second to scrutinise the work of the Winchester Area Community Action (WACA).

The Assistant Director (Economic Prosperity) acknowledged that Councillor Cooper's concerns primarily related to the change from the previous grants process to the new commissioning approach. She advised that the grants process was exclusive because there was rarely capacity to accommodate new clients, and largely based on historic allocations. It did not always enable the Council to focus on its key outcomes and objectives. Both the Assistant Director and the Chief Executive highlighted that the commissioning process was new and would necessarily evolve with experience. The pilot projects outlined in Paragraph 2.4 of the Report had selected to correspond with the Sustainable Community Strategy, agreed by Council.

The Chief Executive welcomed the suggestion to establish Informal Scrutiny Groups to assist Members in understanding and reviewing the new commissioning process and also the work of Winchester Area Community Action (WACA).

The Chairman confirmed that the Council decision of 24 February 2011 in relation to community grants was being progressed, but due process was required to ensure the Council took an equitable approach to the award of grants.

The Assistant Director and Chief Executive acknowledged that some concerns about the new proposals had been expressed by not-for-profit organisations who had traditionally looked to the Council for core funding. However, the Council was seeking to reassure organisations through continuing discussions and provision of additional support through WACA.

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

RESOLVED:

1. That the commissioning process outlined in Appendix 2 of the Report be approved, to be applied as outlined in Section 2 of the Report.

2. That a review of the process be brought back to Cabinet in October 2011.

9. **WINCHESTER MUSEUMS RESERVE COLLECTIONS**

(Report [CAB2147](#) refers)

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

RESOLVED:

1. That the proposals for collections rationalisation set out in Section 3 of the Report be approved, which will inform the revision of the Council's Collecting and Collections Management Policy, to be reported to Cabinet for adoption in June 2011.

2. That expenditure of up to £9,000 from the risk management budget be approved, to pay for valuations of the ethnography, art and civic silver collections as set out in paragraphs 3.3a and 3.5b of the Report.

3. That the proposal to increase the charge per box for archaeological deposits handed over the City Council by developers and their agents from £16 to £25 be approved with immediate effect (paragraph 3.5a refers).

10. **PROPOSED AMENDED TIMETABLE OF MEETINGS 2011/12**

(Report [CAB2155](#) refers)

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

RESOLVED:

That the amended Timetable of Meetings for the 2011/12 Municipal Year be agreed, as set out in Appendix 1 of the Report.

11. **MINUTES OF THE LOCAL ECONOMY SCRUTINY PANEL**

(Report [CAB2156](#) refers)

Cabinet noted the comments made by the Panel during discussion of the Draft Detailed Change Plan 2011/12 – Economic Prosperity. The Chairman clarified that comment (d) from the Panel: "That an action relating to LEPs be including in the Change Plan" related to an action in the Change Plan to ensure appropriate consideration of the rural economy in the evolving relationship with the Local Enterprise Partnerships (LEPs).

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

RESOLVED:

1. That the minutes of the Local Economy Scrutiny Panel held 8 March 2011 be received.
2. That the four issues raised by the Panel be noted, subject to the clarification outlined above.

12. **MINUTES OF THE SOCIAL ISSUES SCRUTINY PANEL HELD 9 MARCH 2011**

(Report [CAB2157](#) refers)

Cabinet noted that the recommendations relating to the Cash Office service had been considered under the relevant agenda item above (Report CAB2152 refers).

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

RESOLVED:

That the minutes of the Social Issues Scrutiny Panel held 9 March 2011 be received.

13. **MINUTES OF THE ENVIRONMENT SCRUTINY PANEL HELD 14 MARCH 2011**

(Report [CAB2158](#) refers)

Cabinet noted that the Panel's comments regarding the Project Integra Action Plan had been considered under Report CAB2136 above.

At the invitation of the Chairman, Councillor Banister addressed Cabinet with regard to the recommendations from the Tree Protection and Management Informal Scrutiny Group (Report EN109 refers) which she had chaired. Councillor Banister outlined the 16 recommendations of the Informal Scrutiny Group (ISG) as detailed in the Report. In particular it was considered essential that a new post of Tree Survey Officer be established to ensure the Council was effective in managing risk arising from trees on Council land.

Councillor Bell thanked Councillor Banister for the work of the ISG which was considered to be extremely useful and informative. Due to the resource implications of the recommendations of the ISG, she proposed that a further Report be submitted to a future Cabinet to consider the matters in more detail. This was agreed.

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

RESOLVED:

1. That the Tree Protection and Management Informal Scrutiny Group be thanked for their work and their recommendations be supported in principle.

2. That a Report be brought back to a future Cabinet in time to feed into the Budget process for 2012/13 to consider the resource implications and any detailed policy changes that would be required as a result of the ISG recommendations.

3. That the minutes of the Environment Scrutiny Panel held 14 March 2011 be received.

14. **MINUTES OF THE RESOURCES SCRUTINY PANEL HELD 17 MARCH 2011**

(Report [CAB2159](#) refers)

Cabinet noted that the recommendations relating to the Cash Office service had been considered under the relevant agenda item above (Report CAB2152 refers).

RESOLVED:

That the minutes of the Resources Scrutiny Panel held 17 March 2011 be received.

15. **MINUTES OF WINCHESTER TOWN FORUM HELD 23 MARCH 2011**

(Report [CAB2162](#) refers)

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

RESOLVED:

That the minutes of the Winchester Town Forum held 23 March 2011 be received.

16. **EXTRACT FROM MINUTES OF LICENSING AND REGULATION COMMITTEE HELD 28 MARCH 2011**

(Report [CAB2161](#) refers)

The Head of Legal Services explained that the minute extract had been referred to Cabinet to agree the Statement of Licensing Policy with respect to Hackney Carriage Drivers etc (Report LR363).

The Head of Legal Services clarified that the Policy had been relaxed from that previously adopted to stipulate that vehicles must be less than three years old, *when first licensed* (was previously two years old). In addition, when the Committee had delegated authority to the Head of Legal Services in consultation with the Chairman to amend the Policy in the specific

circumstances set out in the Committee's minute, it was a reference to the Chairman of Licensing and Regulation Committee.

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

RESOLVED:

That the Council's Statement of Licensing Policy with respect to Hackney carriage and Private Hire Vehicles, Drivers and Private Hire Operators be approved, subject to the amendments agreed by Licensing and Regulation Committee.

17. **INSTALLING SOLAR PHOTO VOLTAIC PANELS ONTO COUNCIL OWNED HOMES AND CORPORATE BUILDINGS (LESS EXEMPT APPENDIX)**
(Report [CAB2163](#) 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 advised that it was anticipated that the Council would be in a position to select an Approved Provider shortly. She therefore proposed that an additional recommendation be agreed that a further Report be submitted to Cabinet at its meeting on 19 May 2011 to agree the final lease arrangements. She continued that she was confident this would enable Panels to be installed by the end of 2011/12 and some of the money raised could be put towards energy efficiency measures which benefited residents of HRA properties that did not have the benefit of solar panels. Environmental improvement schemes could also be considered from this potential source of funding.

At the invitation of the Chairman, Councillor Pearson addressed Cabinet in support of the Report. He raised a number of detailed queries, as summarised below :

- Were the proposals still cost-effective having regarding estimated reduction in the number of suitable premises?
- Had discussion be held with A2 Housing following their installation of PV Panels on housing in Winnall?
- Query regarding the proposed minimum output of 1.8kw peak as he considered 2.5kw would be a more appropriate level for a three bedroomed house.

The Head of Landlord Services confirmed that the Council were not incurring any direct costs as these were met by the provider. In addition, he had met with the A2 Dominion Housing and their selected providers to gain knowledge from their experiences of the legal and technical issues. He also confirmed that the minimum output of 1.8kw output peak had regard to the profile of the Council's stock which included a number of 2 bedroom flats.

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

RESOLVED:

1. That the Head of Landlord Services, in conjunction with the Head of Estates and Portfolio Holders for Communities and Transformation and Resources, be authorised to negotiate lease arrangements with the provider that is best able to demonstrate value for money to the Council and the ability to support the Council through the legal and technical issues that need to be resolved to allow a solar PV solution to progress.

2. That a further Report be submitted to Cabinet at its meeting on 19 May 2011 to agree the final lease arrangements.

18. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

That the list of future items, as set out in the Forward Plan for April 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. **VOTE OF THANKS**

As this was the last meeting, on behalf of Cabinet, the Vice-Chairman thanked the Chairman for her work over the previous year. The Chairman reciprocated appropriately.

21. **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)
##	Exempt minutes of previous meeting) Information relating to the financial or business affairs
##	Joint Environment Services Contract – Tender Evaluation) of any particular person (including the authority holding that information). (Para 3 Schedule 12A refers)
##	Installing Solar PV Panels onto Council Owned Homes & Corporate Buildings – Exempt Appendix) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. (Para 5 Schedule 12A refers)

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

RESOLVED:

That the exempt minutes of the previous meeting held on 16 March 2011 be approved and adopted.

23. **INSTALLING SOLAR PHOTO VOLTAIC PANELS ONTO COUNCIL OWNED HOMES AND CORPORATE BUILDINGS (EXEMPT APPENDIX)**

(Report CAB2163 refers)

Cabinet considered the legal advice contained in the exempt appendix to the Report, as detailed in the exempt minute.

24. **JOINT ENVIRONMENTAL SERVICES CONTRACT – TENDER EVALUATION**

(Report CAB2154 refers)

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

RESOLVED:

That the Decision made under Section A.2 of the Scheme of Delegation to Officers, as detailed in Appendix 1 of the Report, and the outcome of the tender evaluation exercise be noted.

The meeting commenced at 9.30am and concluded at 12.00 noon

Chairman