

CABINET**12 October 2011****Attendance:**

Councillor Beckett -	<i>Leader and Portfolio Holder for Local Economy and Tourism (Chairman) (P)</i>
Councillor Cooper -	<i>Deputy Leader and Portfolio Holder for Communities, Safety and Public Health (P)</i>
Councillor Coates -	<i>Portfolio Holder for Strategic Housing and Landlord Services (P)</i>
Councillor Godfrey -	<i>Portfolio Holder for Administration, Innovation and Improvement (P)</i>
Councillor Humby -	<i>Portfolio Holder for Planning and Enforcement (P)</i>
Councillor Stallard -	<i>Portfolio Holder for Culture, Heritage and Sport (P)</i>
Councillor Weston -	<i>Portfolio Holder for Environment and Transport (P)</i>
Councillor Wood -	<i>Portfolio Holder for Finance and Estates (P)</i>

Others in attendance who addressed the meeting:

Councillor Hutchison
Mr A Rickman (TACT)

Others in attendance who did not address the meeting:

Councillors Banister, Evans, Higgins, Johnston, Mitchell, Tait and Thompson

1. MEMBERSHIP OF CABINET COMMITTEES

Cabinet noted that the proposed changes to the North of Whiteley Forum were circulated with the agenda for the meeting.

In addition, the Corporate Director (Governance) requested an amendment to the membership of the Housing Strategy Informal Policy Group, to correct appointments made at the last Cabinet meeting on 14 September by replacing Councillor Ruffell with Councillor Jeffs. This was agreed.

RESOLVED:

1. That the following changes to the North of Whiteley Forum be agreed (changes shown in bold):

Winchester City Council: Councillors: Ruffell (Chairman), Achwal, Evans, Humby, McLean and Newman-McKie (6) (no deps)

Fareham Borough Council: Councillor David Swanbrow (1) (deputy to attend to be advised in advance of Forum meetings)

Hampshire County Council: County Councillors Frederick Allgood (Vice Chairman) and Sean Woodward (2) (deputy(s) to attend to be advised in advance of Forum meetings)

Curdrige Parish Council: Parish Councillor Kevan Bundall (1) (no depts)

Whiteley Parish Council: Parish Councillor Mike Evans; Deputy – Parish Councillor David Jenkins

Botley Parish Council: Representative to be confirmed

2. That Councillor Jeffs replace Councillor Ruffell as a member on the Housing Strategy Informal Policy Group (full membership would therefore be: Councillors Coates (Chairman), Jeffs, Tait, Izard and Thompson).

2. **MINUTES**

Cabinet noted a minor correction to the minute on Report CAB2222 to insert the words “be taken” after “report” in the second resolution.

RESOLVED:

That, subject to the above amendment, the minutes of the previous meeting held on 14 September 2011, be approved and adopted.

3. **PUBLIC PARTICIPATION**

Mr A Rickman (TACT) advised that he had been invited to the House of Lords to discuss Council housing issues and queried whether he could share the information contained within the Council’s Capital Strategy and Programme (Report CAB2212 below refers). The Head of Finance confirmed that the Report and subsequent minute were open to the public.

Frau A Reinewald (Chairman of the German Giessen/Winchester twinning society) reported that it was the fiftieth anniversary of the twinning society in 2012. Over these years, the society had assisted in maintaining contact between the two cities and in fostering a mutual understanding. She hoped that the Council could offer some support to celebrating this anniversary.

The Chairman thanked Frau Reinewald for her comments and stated that he would discuss the request with Councillor Johnston and respond further outside of the meeting.

Cabinet noted that Mrs C Slattery, Mr M Slinn and Mr J Beckett had all registered to speak under Report CAB2234 and their comments are summarised under the relevant agenda item below.

4. **LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

Councillor Cooper thanked those involved in the recent Older Person's Information day for organising a successful event which was attended by over 100 people.

Councillor Godfrey congratulated the Finance and the Human Resources Teams for achieving the customer service accreditation.

Councillor Stallard reported on a successful event held the previous week informing local sports clubs about how they could become involved in preparations for the 2012 Olympic Games.

Councillor Beckett announced that a public meeting had been organised to discuss the way forward following the recent Secretary of State decision on the Cala Homes planning application for a major development at Barton Farm. This meeting would take place on Thursday 27 October 2011 at the Theatre Royal, Winchester and would be chaired by an independent person, although he and other leading Councillors and officers would attend and respond to questions.

Councillor Beckett also announced that Cabinet would be asked to consider an additional urgent oral report in the exempt session regarding an update on 75 Hyde Street, Winchester.

5. **DRAFT NATIONAL PLANNING POLICY FRAMEWORK CONSULTATION**
(Report [CAB2234](#) refers)

The Chairman highlighted that the Government had already received over 11,000 responses to this consultation and in particular, concern had been expressed nationally regarding the presumption in favour of "sustainable development" without a clear definition of what this phrase meant. He stated that he was also the Council's representative on the Partnership for Urban South Hampshire (PUSH) and the South East England's Council (SEEC) and he believed that the response proposed in the Report did not conflict with the views of these organisations.

The Head of Strategic Planning emphasised that the proposed response only addressed those matters considered to be of particular relevance to the District. The Government intended the National Planning Policy Framework (NPPF) to be approved by April 2012 and had yet to announce any transitional arrangements for Councils from this date until their Core Strategies were approved. Recent announcements had indicated that although Planning Policy Guidance notes would cease, much of the technical detail beneath these would remain in force. This was welcomed, although there remained concern regarding the future-proofing of these technical papers.

Cabinet noted that the Government had recently stated that there would be some transitional arrangements. However, concern was expressed about the lack of information on transitional arrangements, particularly the significant risks between the date of approval of the NPPF and the adoption of the Core Strategy and requested that this be included in its response.

Some Members expressed concern about the removal of the concept of rural exception sites from the NPPF. The Head of Strategic Planning advised that this did not appear to preclude the Council from maintaining its own exception site policy, although the Council would need to provide justification for such a step in response to any challenges (if it was not included within the NPPF).

One Member expressed concern that the NPPF did not include reference to the importance of culture and arts. It was agreed that this concern be included in the Council's response.

In response to questions, the Head of Strategic Planning confirmed that as the emerging Core Strategy had been based on existing planning policy guidance and as a result of extensive public consultation through the Blueprint exercise, he considered it would generally comply with the new NPPF.

The Head of Strategic Planning confirmed that the Core Strategy contained a policy on flooding and the Council had undertaken a flood risk assessment. The issue of flooding was also mentioned in the NPPF.

Mrs C Slattery (CPRE), Mr M Slinn (WinACC) and Mr J Beckett spoke during public participation and their comments are summarised below.

Mrs Slattery (CPRE) supported the proposed Council response as contained in the Report. In particular, the CPRE wished that the principle of "brownfield first" be retained and sustainable development should be defined and should include economic, environmental and social considerations. The CPRE were concerned with the requirement of the NPPF that an additional 20% housing be provided above that already required in the five-year supply. Finally, Mrs Slattery requested that the Core Strategy not be ratified by the Council until the NPPF had been agreed.

The Chairman thanked Mrs Slattery for her support. With regard to the last point, the Head of Strategic Planning advised that the current programme was that the Core Strategy be adopted by December 2012 (ie after the intended NPPF adoption date of April 2012). However, he considered that there were potential risks to the Council in this interim period between April and December as there would be a presumption in favour of sustainable development. It was therefore considered essential for the Core Strategy to be approved as soon as possible, not delayed.

Mr M Slinn (WinACC) requested that the Council support the Chartered Institute of Highways and Transportation's response to the NPPF (copies of which had been circulated to Cabinet Members prior to the meeting). In

particular, he highlighted the Institute's comments regarding the lack of recognition of an integrated approach to transport and development in the NPPF.

The Leader agreed to examine the Institute's comments in order to ascertain whether any additional elements of particular importance in the local context should be added to the Council's own response.

Mr J Beckett spoke as a long-term resident of Winchester and emphasised the historic and cultural importance of the City and its setting. He recognised the requirement for more affordable housing but believed this should be accommodated on brownfield sites first.

The Chairman drew attention to (iii) of the Report's recommendations and advised that even if it was not included in the NPPF, the Council would seek to include a "brownfield first" policy within its own local policies.

At the invitation of the Chairman, Councillor Hutchison spoke on behalf of the Liberal Democrat Group and highlighted the response to the Report already circulated to Cabinet by Councillor Learney. He believed that the issue regarding the lack of definition of sustainable development was critical and that the Council's proposed response should be strengthened. The Government should provide information on how sustainability should be assessed, over what sort of timescale and should give examples of what would be considered to be unsustainable. Councillor Hutchison also requested that a Member training session be organised regarding the principles of localism and sustainable development.

The Chairman noted the last request for further consideration. He agreed to consider whether bullet point 8 of the Report's recommendations relating to the definition of sustainable development could be strengthened and would share any proposed changes with Councillor Hutchison.

Following discussion, Cabinet agreed to the following amendments to the recommendations as set out in the Report:

- Additional first recommendation to welcome the principle of the NPPF;
- Comment regarding the importance of transitional arrangements for Councils between approval of the NPPF and adoption of their Core Strategies. Cabinet requested that a further report on this matter be submitted to the Cabinet (Local Development Framework) Committee;
- Concern that the NPPF should recognise the importance of culture.
- That delegated authority be granted to the Head of Strategic Planning *in consultation with the Leader* to approve the final response to the Government.

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

RESOLVED:

1. That the Council welcomes in principle the draft National Planning Policy Framework and the freedom it offers to communities to develop a truly local plan to meet truly local needs.

2. That in response to the draft National Planning Policy Framework the Council objects to the following matters as detailed in the Report, and additional responses (xi) and (xii) following from discussions outlined above:

- (i) the need to prepare a 'local plan' which includes the unmet development and infrastructure requirements from neighbouring authorities;
- (ii) lack of any reference or guidance relating to technical and detailed matters such as pollution control, noise issues, enforcement, specialised rural housing (rural workers accommodations) and listed buildings. It is recommended that the NPPF be underpinned by more specific guidance in these more specialised areas.
- (iii) Removal of references to brownfield land;
- (iv) Removal of policy protection to retain employment land and floorspace;
- (v) focus on urban areas with only passing reference to rural matters; .
- (vi) requirement to provide an additional 20% of specific deliverable sites within a 5 year housing supply to allow for choice and competition;
- (vii) removal of the concept of rural exception sites to specifically promote affordable housing for local people;
- (viii) lack of a clear definition of sustainable development (exact wording to be agreed by the Head of Strategic Planning in consultation with the Leader) ;
- (ix) lack of clarity as to the role and status of 'local green space';
- (x) lack of guidance in relation to permitting isolated houses in the countryside.
- (xi) lack of recognition of the importance of facilities for culture and art in economic development or as a part of sustainable communities;
- (xii) lack of adequate provision and guidance on transitional arrangements, particularly the significant risks between the date of approval of the NPPF and the adoption of the Core Strategy.

3. That delegated authority be given to the Head of Strategic Planning, in consultation with the Leader, to respond to the Department of Communities and Local Government (DCLG) consultation accordingly by 17 October 2011.

6. **CAPITAL STRATEGY & PROGRAMME 2011/12 – 2014/15**
(Report [CAB2212](#) refers)

Cabinet noted that the Report would also be considered by The Overview and Scrutiny Committee at its meeting on 18 October 2011.

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

RECOMMENDED:

1. THAT THE CAPITAL STRATEGY FOR 2011 BE APPROVED AS SET OUT IN REPORT CAB2212 (APPENDIX A).

2. THAT THE UPDATED CAPITAL PROGRAMME, AS SET OUT IN THE REPORT, BE NOTED.

RESOLVED:

That the updated Capital Programme for 2011/12 to 2014/15 as provided at Appendix B of the Report 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).

7. **MEADOWSIDE LEISURE CENTRE - UPDATE**
(Report [CAB2213](#) refers)

The Chairman advised that he had clarified to Whiteley Parish Council that the Council's Capital Programme included provision for £50,000 to be allocated to Meadowside Leisure Centre, but no further provisions of funding had been made.

The Corporate Director (Operations) advised that a decision on the appropriate rent level would take account of the fact that the facility had been provided through a Section 106 contribution.

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

RESOLVED:

1. That approval be given under Financial Regulation 6.4 for the provision of £50,000 contained within the Capital Programme to be allocated as described in the Report in relation to the extension to the Meadowside Leisure Centre, funded by a release from the LABGI Earmarked Reserve.

2. That the Corporate Director (Operations) be given delegated authority to add the ground floor facility to the DC Leisure Management Contract on the basis outlined in Paragraph 2.2 of the Report.

3. That the principle of letting the new first floor accommodation to Whiteley Parish Council on a five year lease, contracted out of the Landlord and Tenant Act 1954, with annual break clauses, be agreed.

4. That the new first floor offices be let to Whiteley Parish Council on terms to be agreed by the Head of Estates in consultation with the Leader and the Chief Executive.

8. **DEPLOYMENT OF DEVELOPERS ART CONTRIBUTIONS AT WEST OF WATERLOOVILLE**

(Report [WWF62](#) refers)

9. **MINUTES OF THE WEST OF WATERLOOVILLE FORUM HELD 13 SEPTEMBER 2011**

(Report [CAB2236](#) refers)

Members noted that the minutes of the West of Waterlooville Forum included a recommendation that Cabinet approve the deployment and management of the West of Waterlooville Art Contribution, as set out in Section 4 of the Report WWF62.

Councillor Stallard confirmed that local residents' groups would be represented on the proposed Arts Advisory Panel and public consultation would be carried out before any decision on public art was taken.

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

RESOLVED:

1. That the approach to deploying and managing the West of Waterlooville Art Contribution set out in Section 4 of Report WWF62 be approved for immediate implementation;

2. That the financial allocations set out in section 7 of this report be approved and released for spending in the current financial year, under the supervision of the Assistant Director (Economic Prosperity).

10. **PROPOSED TIMETABLE OF MEETINGS 2012/13**

(Report [CAB2235](#) refers)

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

RESOLVED:

That the Timetable of Meetings for the 2012/13 Municipal Year, as set out in Appendix 1 to the Report, be agreed.

11. **MINUTES OF THE CABINET (HOUSING) COMMITTEE HELD 22 SEPTEMBER 2011**
(Report [CAB2237](#) refers)

Cabinet received the minutes of the Cabinet (Housing) Committee held 22 September 2011, less exempt minute (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 (Housing) Committee held 22 September 2011, less exempt minute, be received.

12. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

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

13. **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>
##	Cabinet (Housing) Committee – exempt minute) Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Para 3 Schedule 12A refers)
##	75 Hyde Street – Update)

14. **MINUTES OF THE CABINET (HOUSING) COMMITTEE HELD 22 SEPTEMBER 2011 (EXEMPT APPENDIX)**

(Report CAB2237 refers)

Cabinet received the exempt minute of the Cabinet (Housing) Committee held 22 September 2011, less exempt minute (attached as Appendix A to these minutes).

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

RESOLVED:

That the exempt minute of the Cabinet (Housing) Committee held 22 September 2011 be received and the recommendation contained therein be agreed.

15. **75 HYDE STREET - UPDATE**

(Oral Report)

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 requirement for the update to be considered by Cabinet Members prior to any decision being made by the Chief Executive under his emergency powers.

Cabinet also noted that a written report on the update would be submitted to The Overview and Scrutiny Committee for its consideration at its meeting on 17 October 2011 under its powers of call-in.

Cabinet considered the above oral report (detail in exempt minute).

The meeting commenced at 10.00am and concluded at 12.20pm