

**CABINET**

**18 January 2012**

**Attendance:**

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

**Others in attendance who addressed the meeting:**

Councillors Evans, Hiscock and Learney

**Others in attendance who did not address the meeting:**

Councillors Mitchell and Scott

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1. **MEMBERSHIP OF CABINET COMMITTEES ETC**

RESOLVED:

That the following change be agreed:

That Parish Councillor Colin Mercer be appointed as a representative of Botley Parish Council (Deputy – Gwyneth Lester) to the North of Whiteley Development Forum.

2. **MINUTES**

RESOLVED:

That the minutes of the previous meeting held on 7 December 2011 less exempt items, be approved and adopted.

3. **PUBLIC PARTICIPATION**

There were no questions asked or statements made.

4. **LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

Councillor Weston congratulated WinACC on being awarded a £10,000 grant from the Department of Environment, Food and Rural Affairs to conduct a renewable energy study.

5. **GENERAL FUND BUDGET UPDATE 2012/13**

(Report [CAB2276](#) refers)

Councillor Wood declared a personal (but not prejudicial) interest due to his role on the South Downs Joint Committee. Councillor Godfrey declared a personal (but not prejudicial) interest as a County Council employee. Both Councillors remained in the room, spoke and voted.

Councillor Wood emphasised that the Report provided a progress report on the current situation, but there were still a number of outstanding factors to be determined, as detailed in the Report. One of these was the next phase of organisational changes, which would be considered at a special meeting of the Personnel Committee, rearranged for Wednesday 8 February 2012.

Councillor Wood stated that an Informal Policy Group, with cross-party membership, was examining the options for future Council Housing Finance. The Group was considering the possibilities of new build council houses on Council-owned land, in addition to options for upgrading the existing housing stock.

Cabinet noted that a review of the Guildhall operation was also currently underway and its results would form part of the budget deliberations. The Chief Executive advised that the marketing of the Guildhall was now supported by the Communications Team. In addition, a Report would be submitted to the Personnel Committee on 8 February 2012, examining options for staffing structural changes designed to improve commercial opportunities.

The Chairman emphasised that it was a deliberate decision of Cabinet not to present lists of possible expenditure and savings in the Report, as this had created a great deal of speculation and concern in previous years. He stated that this approach was also a result of the difficult financial situation facing the Council. However, it had sought ideas for possible savings from other Members.

At the invitation of the Chairman, Councillors Learney and Hiscock addressed Cabinet and their comments are summarised below.

Both Councillors expressed great concern that the Report did not contain detailed options for next year's budget and therefore prevented proper scrutiny of Cabinet's plans. They believed the consultation process had been weakened by the lack of proper information being provided. In addition, it was not considered realistic for Cabinet to expect opposition members to put forward detailed savings proposals if the Administration were not prepared to do this themselves.

Councillors Learney and Hiscock also expressed concern that the rescheduling of the Personnel Committee delayed the opportunity for examination of organisation structure changes, prior to the Cabinet discussion of the budget at its next meeting. Delays in consulting staff on proposed changes could lead to delays in any proposed salary savings being realised. They also queried why information on grants had already been made available in reports to the Winchester Town Forum.

The Chairman explained that the Winchester Town Forum received information regarding grants for organisations within the Town area and the District wide information in the report would be considered at the next Cabinet meeting. The process of staff consultation had begun in November 2011 and would be reported to the Personnel Committee referred to above.

The Chairman stated that a detailed Report outlining proposals for a balanced budget for 2012/13 would be submitted to the next Cabinet meeting on 8 February 2012 for it to make recommendations for debate at full Council. This Report would also be submitted to The Overview and Scrutiny Committee on 13 February 2012.

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

RESOLVED:

That the update on the budget position be noted.

6. **CAPITAL PROGRAMME 2011/12 TO 2014/15**  
(Report [CAB2283](#) refers)

Councillor Wood highlighted a number of items in the programme as contained in the Report. He welcomed the proposals for providing joint funding with the County Council towards high-speed broadband provision, whereby every £1 provided by the City Council would result in expenditure of £3. Further detail would come forward to Cabinet in February with a potential growth bid for Winchester's contribution towards the Scheme.

Councillor Wood also reported that officers had been requested to undertake an examination of the possible future options for River Park Leisure Centre, in order to allow a comparison between costs and expected longevity of any repair work, against the possible joint provision with partners of a new leisure centre. The results of this study would not be available until later in the year.

At the invitation of the Chairman, Councillors Evans and Learney addressed Cabinet and their comments are summarised below.

Councillor Evans spoke as a Ward Councillor for Wickham and expressed disappointment that the upgrade of the Wickham toilets was included within the deferred capital requirements list at Appendix B of the Report. She

emphasised that the refurbishment had been promised for a long time and was urgently required because of the deteriorating condition of the facilities. Following negotiations, Wickham Parish Council had agreed to contribute towards the maintenance of the toilets.

The Chairman noted Councillor Evans request and stated that any future opportunities for funding would be examined, having regard to the Parish Council's position in making its contribution towards maintenance costs.

Councillor Learney welcomed the detail of the capital programme options which enabled proper scrutiny of the proposals. She requested that any proposals for a growth in IT funding should be supported by a proper business case, which identified savings. In addition, she believed that IT should also be funded from within a revenue budget contribution to capital funding, rather than from capital receipts.

The Chairman concurred with Councillor Learney's comments regarding IT funding, where this was possible in the future. He stated that he would be meeting with the Leader of Test Valley Borough Council to examine the business case for the proposals. He emphasised that individual schemes could not be agreed without a business case and appropriate approval from either Cabinet or the Portfolio Holder.

The Head of Finance advised that IT purchases must be treated as capital expenditure because the asset lasted for more than one year.

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

**RESOLVED:**

1. That the proposed capital programme for 2011/12 to 2014/15 (Appendix A of the Report) be approved, to be included in the Budget for consideration by Council in February and the proposed financing of the programme be noted (and it be noted 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).
2. That the addition of the Harris Bequest to the Capital Programme when received, be approved for the purposes specified and it be noted that a further report will be made to Cabinet with proposals for its use.
3. That the deferral of capital projects listed at Appendix B of the Report be approved.

7. **INTEGRATED MUSEUMS SERVICE: PREFERRED OPTION FOR APPROVAL**

(Report [CAB2278](#) refers)

Councillor Godfrey declared a personal (but not prejudicial) interest as a County Council employee. He remained in the room, spoke and voted.

Councillor Stallard confirmed that if the proposals were approved, the City Council would continue to have ownership and control over its artefacts.

In response to questions, the Assistant Director (Economic Prosperity) advised that Portsmouth City Council had been involved in initial discussions, but had decided, for a number of reasons, that it did not want to participate in the proposed merger. Portsmouth City Council felt that although it was keen to work in partnership, it was uncertain that merging with other local authority museum services was the right option at this time. The Assistant Director confirmed that Portsmouth City Council were still involved with the wider Hampshire and Solent Alliance.

The Assistant Director advised that the emphasis of the fully integrated merger (FIM) was to enable a continuing quality of service over the long term. The proposed Autumn report would set out more clearly the proposed governance arrangements.

At the invitation of the Chairman, Councillor Learney spoke in support of the proposals. She highlighted the importance of the governance arrangements and the potential differences between different partners' priorities. In addition, although charitable status offered a number of advantages, she said this would reduce some of the Council's budget flexibility.

Councillor Stallard thanked Councillor Learney for her support and confirmed that the concerns raised would be addressed in the business case which would be submitted to a future Cabinet.

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

**RESOLVED:**

1. That the preferred option for any future merger be the establishment of a charitable company limited by guarantee to deliver Hampshire County Council Arts and Museums, Southampton City Council Arts and Heritage and Winchester City Council Museums services, with key elements as outlined in paragraph 4.5 of the Report.

2. That the development of a detailed business case and due diligence on the preferred option be undertaken during the period January to August 2012.

3. That an update report be brought to Cabinet by May 2012 on the overview business case, seeking permission to enter into public and initial staff/union consultation regarding the preferred option in summer 2012.

4. That, subject to the necessary transition funding being secured from Arts Council England, South East (as outlined in paragraphs 7.4 and 7.5 of this report) a decision report regarding whether to proceed with establishing the fully integrated merger (FIM) organisation and identifying any residual budget implications for Winchester City Council be brought to Cabinet in autumn 2012 for implementation, if approved, in 2013/14.

8. **MEMBERS' ALLOWANCES – REPORT OF THE INDEPENDENT REMUNERATION PANEL AND OTHER RELATED MATTERS**  
(Report [CAB2277](#) refers)

The Chairman stated that the Independent Panel Report's recommendations had been made available to all Members and in a statutory advertisement.

Cabinet agreed with the changes proposed by the Panel as set out in Recommendation 1 below.

Having regard to the Employers' stated position that there would be no staff pay increase for 2012/13, Cabinet agreed that there should be no increase in Members' Allowances for this period either. In addition, Members agreed that their mileage rate be maintained at 40p per mile for 2011/12 and 2012/13.

With regard to the provision of mobile phones for Members, Cabinet agreed that Council-sourced mobile phones be made available to all Members, if requested, but on the basis that they would cover all the Council's costs (i.e. both purchase and all monthly charges). The only exception would be that a Council funded mobile phone would be supplied to the Mayor, due to the revised arrangements for supporting the Mayoralty and the need for the Mayor to make regular contact with the office between engagements.

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

**RECOMMENDED:**

**1. THAT THE FOLLOWING RECOMMENDATIONS OF THE PANEL BE APPROVED:**

- (A) LEADER AND CABINET – NO CHANGE TO SPECIAL RESPONSIBILITY ALLOWANCE (SRA).**
- (B) CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE – BAND 3 SRA (£7,605).**
- (C) SIX SCRUTINY LEADS - BAND 6 SRA (£1,521).**
- (D) CHAIRMAN OF AUDIT COMMITTEE - BAND 5 SRA (£2,280).**

**2. THAT SRA FOR THE CHAIRMEN OF THE OVERVIEW & SCRUTINY COMMITTEE, AND THE AUDIT COMMITTEE BE PAYABLE AND BACKDATED TO THE DATE OF APPOINTMENT – 18 MAY 2011.**

**3. THAT THE SRA FOR THE SIX SCRUTINY LEADS BE PAYABLE AND BACKDATED TO THE DATE OF APPOINTMENT - 1 JUNE 2011.**

**4. THAT, IN VIEW OF THE EMPLOYERS' STATED POSITION THAT THERE WILL BE NO STAFF PAY INCREASE FOR 2012/13, THE NJC INDEX BE NOT APPLIED FOR THE 2012/13 MUNICIPAL YEAR.**

**5. THAT THE MEMBERS' MILEAGE RATE IN THE ALLOWANCES SCHEME SHOULD BE MAINTAINED AT 40P PER MILE FOR THE 2011/12 AND 2012/13 MUNICIPAL YEARS.**

RESOLVED:

6. That a report be submitted direct to Council which sets out the revisions to Members Allowances Scheme for approval, incorporating all decisions arising from the above.

7. That Council-sourced mobile phones be offered to all Members for them to purchase and meet all monthly costs, with the exception of the Mayor who would be provided with a mobile phone to be fully funded by the Council.

9. **WINCHESTER DISTRICT LOCAL PLAN – SAVED POLICIES UPDATE**  
(Report [CAB2279](#) refers)

At the invitation of the Chairman, Councillor Learney queried what steps had been taken to establish a fund to collect developers' contributions, where a developer had failed to meet the required standards on environmental efficiency.

The Head of Strategic Planning advised that, although this was the subject of an interim policy aspiration, it was not enforceable until the new Local Plan had received the Inspector's approval. In addition, further consideration was required of whether collection should be through a Community Infrastructure Levy or by some other means.

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

RESOLVED:

That the schedule of 'saved' and replaced policies from the Winchester District Local Plan 2006, set out at Appendix 1 of the Report, be included as an appendix of the Winchester District Local Plan Part 1 – Joint Core Strategy, due to be published later in January 2012.

10. **MINUTES OF CABINET (HOUSING) COMMITTEE HELD ON 6 DECEMBER 2011 (LESS EXEMPT ITEMS)**

(Report [CAB2280](#) refers)

Cabinet received the minutes of the Cabinet (Housing) Committee held on 6 December 2011 (attached as Appendix A to these minutes).

Cabinet noted that the recommendations contained in the minutes had all been considered at its previous meeting on 7 December 2011.

RESOLVED:

That the minutes of the Cabinet (Housing) Committee held on 6 December 2011 be received.

11. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

That the list of future items, as set out in the Forward Plan for January 2012, be noted.

12. **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 which is likely to reveal the identity of an individual. (Para 2 Schedule 12A refers)
##	Exempt Minutes of the Cabinet (Housing) Committee	) 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 the Cabinet (Housing) Committee	) Information relating to any individual. (Para 1 Schedule 12A refers)
##	High Court Challenge – Carousel Park, Basingstoke Road, Winchester	) Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Para 3 Schedule 12A refers)
##	Decision under A.2 of the Scheme of Delegation to Officers	) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. (Para 5 Schedule 12A refers)

13. **EXEMPT MINUTE OF THE PREVIOUS MEETING**

RESOLVED:

That the exempt minute of the previous meeting held on 7 December 2011 be approved and adopted.

14. **HIGH COURT CHALLENGE IN RELATION TO APPEAL DECISIONS AT CAROUSEL PARK, BASINGSTOKE ROAD, MICHELDEVER**  
(Report PDC918 refers)

Cabinet noted that the Report had been considered by the Planning Development Control Committee at its meeting on 12 January 2012.

Cabinet referred to the above Report, which set out a proposed way forward in relation to appeal decisions at Carousel Park (detail in exempt minute).

15. **MINUTES OF CABINET (HOUSING) COMMITTEE HELD ON 6 DECEMBER 2011 (EXEMPT ITEMS)**  
(Report CAB2280 refers)

Cabinet received the exempt minutes of the Cabinet (Housing) Committee held on 6 December 2011 (attached as Appendix A to these minutes).

Cabinet noted that the recommendations contained in the minute had all been considered at its previous meeting held on 7 December 2011.

RESOLVED:

That the exempt minute of the Cabinet (Housing) Committee held on 6 December 2011 be received.

16. **DECISION UNDER A.2 OF THE SCHEME OF DELEGATION TO OFFICERS – CONSTRUCTION OF FOOTPATH DIVERSION, BARFIELD CLOSE, WINCHESTER**  
(Report CAB2282 refers)

Cabinet agreed to the following for the reasons as set out 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, be noted.

The meeting commenced at 10.00am and concluded at 11.55am