

## **CABINET**

**14 November 2012**

### **Attendance:**

Councillor Wood -	<i>Leader (Chairman) (P)</i>
Councillor Humby -	<i>Deputy Leader and Portfolio Holder for Strategic Planning &amp; Economic Development (P)</i>
Councillor Coates -	<i>Portfolio Holder for Housing (P)</i>
Councillor Godfrey -	<i>Portfolio Holder for Finance &amp; Administration (P)</i>
Councillor Huxstep -	<i>Portfolio Holder for Environment (P)</i>
Councillor Stallard -	<i>Portfolio Holder for Communities, Culture and Sport (P)</i>
Councillor Tait -	<i>Portfolio Holder for New Homes Delivery (P)</i>
Councillor Weston -	<i>Portfolio Holder for Planning and Transport (P)</i>

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

Councillors Evans, Hutchison and Learney

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

Councillors J Berry, Hiscock, Izard, Pines, Read and Warwick

## **1. MINUTES**

### **RESOLVED:**

That the minutes of the previous meeting held on 3 October 2012, be approved and adopted.

## **2. PUBLIC PARTICIPATION**

Mr C Gilham and Mr P Gagg spoke regarding Report CAB2410 and their comments are summarised under the relevant agenda item below.

## **3. LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

The Chairman reported that he had recently attended a meeting of the Solent Design Council at which Winchester High Street had been shortlisted for a design award. On behalf of Cabinet, he congratulated the Head of Access and Infrastructure and other officers involved in the scheme for this achievement.

In response to questions regarding the removal of chewing gum from the High Street, Councillor Humby stated that discussions were being held by Winchester BID as to how and when the next clean-up could take place.

Councillor Humby thanked the Strategic Planning Team for their hard work in preparing the Local Plan and also for attending and responding to questions at the recent Public Inquiry.

Councillor Coates announced that all Councillors were invited to attend the Winchester Housing Forum meeting which would be held on 21 November 2012.

Councillor Stallard reported two recent successful events hosted by the Council, namely a conference to discuss the Olympics legacy and a Health and Wellbeing Conference. She stated that the latter had dealt with the implications of the Health and Social Care Act 2012 which would come into effect on 1 April 2013. A training event for Councillors on the implications of this Act for the Council would be arranged before this date.

Councillor Stallard stated that along with the Council Community Safety Team and Winchester BID, she had taken part in a Pub Watch visit to public houses within the centre of Winchester.

Councillor Tait reported that a recent consultation event held regarding proposals for new development in Abbotts Barton had been attended by over 120 people. A follow-up event was planned for 6 December 2012.

4. **GENERAL FUND BUDGET CONSULTATION 2013/14**  
(Report CAB2414 refers)

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

RESOLVED:

That the Report be considered in the context of the Winchester District Sustainable Community Strategy and the Change Plans, to be the basis of budget consultation.

5. **CAR PARKING CHARGES AND OPERATION REVIEW**  
(Report CAB2410 refers)

In response to questions, Councillor Weston stated that over the last few years car parking provision within Winchester Town had been reduced by over 300 spaces. In addition, the introduction of on-street residents' parking schemes in new areas at Stanmore and Weeke, further reduce the availability of car parking spaces in the town.

During the public participation period, Mr C Gilham (Winchester Friends of the Earth) and Mr P Gagg (Winchester Action on Climate Change - WinACC) addressed Cabinet and their comments are summarised below.

Mr Gilham welcomed the review and the intention to reduce the unnecessary circulation of traffic within Winchester Town Centre. However, he considered the method of grouping of car parks into three zones was questionable and Tower Street, Gladstone and River Park Leisure Centre car parks were not in the correct zone. In general, he believed that the Council was not giving sufficient priority to tackling air quality issues caused by traffic pollution.

Mr Gagg referred to his detailed comments on the Report as previously circulated to the Head of Access and Infrastructure and Cabinet Members. In general, he welcomed the principles of zoning but believed that the pricing differential was not sufficiently great as to encourage people to avoid using the most central car parks. In addition, he considered the Council should provide more parking specifically for disabled drivers.

At the invitation of the Chairman, Councillor Hutchison thanked Mr Gillham and Mr Gagg for their work in collecting evidence on car parking charges and use. In summary, he thought that the differential between Park and Ride charges and city centre car parking charges was not sufficient and that consequentially, the Park and Ride service was currently underused. In addition, the free half-hour street parking should be removed. With regard to residents' parking, he suggested that in addition to offering a discount for low-emission vehicles, larger (in size) vehicles should be charged more for the permits.

In response, Councillor Weston emphasised that in setting car parking charges levels, the Council sought to achieve a balance between sometimes conflicting priorities, such as those of businesses, shoppers and the local environment. She also highlighted that a survey undertaken by WinACC had found that there were more than 9,000 private car parking spaces within the centre of Winchester, over which the Council had no control. The City Council were awaiting the Stage 2 Traffic Management Study from the County Council which would examine issues such as the one-way system.

The Head of Access and Infrastructure acknowledged that there were a number of ways of classifying car parks within the city centre although the current approach primarily related to the proximity to key destinations and how the car parks are accessed from the one-way system. The use of the River Park Leisure Centre car park would be the subject of further, separate review. He also questioned the statement that Park and Ride services were currently underused as recent surveys had indicated that between 1,200 and 1,300 cars were parked across all of these car parks and that the average usage per bus was approximately 40 passengers during peak times, and 18-20 in off-peak periods.

The Head of Access and Infrastructure advised that he would invite representatives of WinACC and Winchester Friends of the Earth to participate

in the current Informal Scrutiny Group examining public transport issues. He also offered to discuss the reasoning behind the charging levels Mr Gagg further outside of the meeting.

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

RESOLVED:

1. That changes to the cost of parking in Winchester Town be advertised and implemented as set out in Appendix 1 of the Report.

2. That a further report be brought to Cabinet in due course on the cost of operating the Residents' Parking scheme and associated permits.

3. That the Head of Legal Services be authorised to give public notice under Section 35C of the Road Traffic Regulation Act 1984 (as amended) required to give effect to a) the changes set out in 1 above for implementation from 1 January 2013.

4. That the budgets for 2012/13 and 2013/14 be adjusted to reflect the additional expenditure and changes to income as detailed in Paragraph 5.4 of the Report.

6. **WINCHESTER DIAL-A-RIDE**  
(Report CAB2411 refers)

Councillors Godfrey and Stallard declared disclosable pecuniary interests in respect of this item due to their roles as a County Council employee and a County Councillor respectively. However, as there was no material conflict of interest, they remained in the room, spoke and voted under the dispensation granted on behalf of the Standards Committee.

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

RESOLVED:

That Winchester Area Community Action be awarded a new four year contract (with a provision to extend for a further two years) to commence on 1 February 2013.

7. **COMMUNITY INFRASTRUCTURE LEVY (CIL): CONSULTATION ON PRELIMINARY DRAFT CHARGING SCHEDULE**  
(Report CAB2412 and Addendum refer)

Cabinet noted that The Overview and Scrutiny Committee had requested that the Report also be considered at its meeting on 19 November 2012.

The Head of Strategic Planning circulated an Addendum which contained a correction to Table 3 of Page 7, Appendix 1 of the Report as originally circulated. Cabinet agreed to accept the Addendum onto the agenda for the meeting to enable the corrected information to be considered. The Head of Strategic Planning advised that a further correction to the Report was required as outlined below:

Appendix 1, Page 6 – Heading “Zone 1: Strategic Allocations” to be amended to “Zone 1: Strategic Allocations and South Hants Urban Areas.”

This was agreed.

In summary, the Head of Strategic Planning advised that from March 2014, the Council’s ability to use Open Space provisions as a means of collecting funds from developers would be severely limited. As a charging authority, the Council could set the level of CIL and what types of development it would apply to. However, it must first prove that there was a requirement for the infrastructure and secondly that the viability of the new development would not be adversely affected by its imposition. He emphasised that CIL could not be utilised as a policy tool to either encourage or discourage new development.

In response to questions, the Head of Strategic Planning advised that if a type of development was not included within one of the defined definitions included within Table 3 referred to above, then CIL could not be imposed. If a type of new development was not included, then it was because it was not considered viable for CIL to be imposed.

The Head of Strategic Planning confirmed that the Council would still be able to seek Section 106 agreements for certain site specific infrastructure requirements if CIL was not available, but it would not be able to use S106 Agreements for pooled contributions, such as for education provision.

At the invitation of the Chairman, Councillor Learney addressed Cabinet and in summary, made the following points:

- The imposition of CIL could reduce the willingness of landowners to sell their land for development (as an effect would be to reduce the amount a developer was prepared to pay for land);
- Meaningful consultation on the Draft Charging Schedule would be hindered by the complicated, technical nature of the document;
- A query as to how items within the Infrastructure Development Plan had been chosen. For example, why was a Creation Centre included but not a North of Winchester Community Centre?

The Corporate Director (Operations) explained that the Infrastructure Development Plan was a supporting document for the Charging Schedule and was intended to demonstrate a credible, but non-binding, list of possible new infrastructure requirements.

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

## RESOLVED:

1. That the Preliminary Draft Charging Schedule in Appendix 1 of the Report, as amended by the Addendum and further change outlined above, be approved as a basis for consultation on its proposed Community Infrastructure Levy charging regime.
2. That the Head of Strategic Planning be authorised to agree the details of the public consultation process and to make minor factual editing changes, in consultation with the Portfolio Holder for Strategic Planning and Economic Development.

8. **OPERATION OF PLANNING DEVELOPMENT CONTROL COMMITTEE – INFORMAL POLICY GROUP – FINAL REPORT**  
(Report PDC949 refers)

Councillor Humby thanked all those Officers and Members involved in the workings of the Informal Policy Group (IPG) which he considered had been very successful.

Cabinet noted that the Report would be considered by Planning Development Control Committee on 27 November 2012 (rather than on 13 November 2012 as stated). Any changes to the number of Members on the Planning Development Control Committee would require Council approval. The Corporate Director (Governance) advised that the usual practice was for this change to be considered by the next Council (i.e. on 9 January 2013), before being implemented (if agreed) at Annual Council on 15 May 2013.

At the invitation of the Chairman, Councillor Evans addressed Cabinet as a Member of the IPG and a long-standing Member of Planning Development Control Committee. She made a number of points as outlined below:

- Query over the use of the word “effectively” in Recommendation 2(i);
- Query regarding the proposed order of speaking in Recommendation 2(ii);
- With regard to Paragraph 7.13, Councillor Evans requested that members of the public be given the option to speak at *either* the Committee (that established the Viewing Sub-Committee) *or* the following Viewing Sub-Committee;
- With regard to Recommendation 2(xi), that the item number be also displayed outside the Committee room;
- Although the proposal to reduce the size of the Committee was generally welcomed, she suggested the recommendation be amended to allow for “up to 10 Members” to allow for an equal split in the case of a hung Council;
- A query regarding the appropriateness of a Portfolio Holder for Planning also sitting on the Planning Development Control Committee.

Councillor Humby noted these comments and suggested that they be discussed in more detail at the Planning Development Control Committee

and/or Council, as appropriate. However, he emphasised that the Report was simply highlighting that a Cabinet Member *could* also be a member of the Planning Development Control Committee, rather than suggesting that this should happen in practice.

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

**RECOMMENDED:**

**THAT, SUBJECT TO THE COMMENTS OF THE PLANNING DEVELOPMENT CONTROL COMMITTEE, THE MEMBERSHIP OF PLANNING DEVELOPMENT CONTROL COMMITTEE (PDC) BE REDUCED FROM 12 TO 9 MEMBERS, WITH EFFECT FROM THE NEW MUNICIPAL YEAR (2013/14) AND THAT IT BE NOTED THAT THERE IS NO CONSTITUTIONAL BAR PREVENTING A MEMBER OF CABINET FROM SERVING ON PDC OR SERVING AS THE CHAIRMAN OF PDC.**

**RESOLVED:**

Subject to the comments of the Planning Development Control Committee

1. That the following administrative improvements to the operation of the Planning Development Control Committee be endorsed:

- i) Effectively split the meeting into morning and afternoon sessions;
- ii) Public Participation to be held later in proceedings so that it is taken after officers' presentation and Members' questions, but before Members' debate and the vote;
- iii) Speakers to be asked questions by the Committee;
- iv) Production of a guide to public speaking;
- v) Production of a public guide for the meeting;
- vi) Display the Chairman's announcements on the screen;
- vii) Reduce the length of officers' presentation at meetings by adhering to visual material only including proposed plans and photos of the site and its surroundings;
- viii) Upload the Update Sheet to the website;
- ix) Copy of the Update Sheet to be placed on the Committee door;
- x) Make the Public Speaker timer system easier to understand;
- xi) Display the item number in the Committee Room;
- xii) Update the website during the meeting "PDC live" and display in the Guildhall reception, subject to practicalities;
- xiv) PDC members to be encouraged to bring policy documents to the meetings;

- xv) PDC members to be encouraged to advise Case Officers in advance of the meeting of any technical issues they wish to raise during the meeting;
- xvii) That the Group's recommendations on training be implemented;
- xviii) That attendance of this revised training (to be settled by the Head of Planning Management, in consultation with the Chairman of PDC and the Portfolio Holder for Planning and Transport) be a prerequisite for Members and deputies serving on PDC.

9. **MINUTES OF THE CABINET (TRAFFIC AND PARKING) COMMITTEE HELD 24 SEPTEMBER 2012**  
(Report CAB2409 refers)

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

RESOLVED:

That the minutes of the Cabinet (Traffic and Parking) Committee held 24 September 2012 be received (as attached as Appendix A to the Minutes).

10. **MINUTES OF THE CABINET (HOUSING DELIVERY) COMMITTEE HELD 22 OCTOBER 2012**  
(Report CAB2408 refers)

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

RESOLVED:

That the minutes of the Cabinet (Housing Delivery) Committee held 22 October 2012 be received (as attached as Appendix B to the Minutes).

11. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

That the list of future items, as set out in the Forward Plan for December 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>
##	Shared IMT Service Team	) 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)

13. **SHARED IMT SERVICE TEAM**  
(Report CAB2413 refers)

Cabinet considered the above Report which set out proposals regarding the Shared IMT Service Team (detail in exempt minute).

The meeting commenced at 10.00am and concluded at 11.50am