

WINCHESTER CITY COUNCIL

At an Ordinary Meeting of the Council held in the Guildhall, Winchester on 2 November 2005

Attendance:

Councillor Baxter (The Mayor in the Chair) (P)

Councillors:

Allgood (P)	Jeffs (P)
Anthony (P)	Johnston(P)
Baxter (P)	Knasel (P)
Beckett (P)	Learney (P)
Bennetts (P)	Lipscomb (P)
Berry (P)	Love (P)
Beveridge (P)	Macmillan (P)
Bidgood (P)	Mather (P)
Busher (P)	Maynard (P)
Campbell (P)	Merritt (P)
Chamberlain	Mitchell (P)
Chapman	Nelmes (P)
Clohosey (P)	Nunn (P)
Coates (P)	Pearce (P)
Collin (P)	Pearson
Cook (P)	Pines (P)
Cooper (P)	Quar (P)
Davies (P)	Read (P)
de Peyer (P)	Rees (P)
Evans (P)	Saunders (P)
Godfrey (P)	Spender (P)
Goodall (P)	Stallard (P)
Hammerton (P)	Steel (P)
Higgins (P)	Sutton (P)
Hiscock (P)	Tait (P)
Hoare	Verney (P)
Hollingbery (P)	Wagner (P)
Hutton (P)	Watts (P)
Jackson (P)	Wright (P)

439. **MINUTES**

RESOLVED:

That the minutes of the Ordinary Meeting of the Council held on 20 July 2005 be approved and adopted.

440. **COMMUNICATIONS FROM THE MAYOR**

The Mayor reported with regret the death of former Councillor Graham Mowlem, who represented Olivers Battery Ward from 1982-1986. An appropriate letter of condolence had been sent.

The Mayor then referred to former Councillor (now Lord) David Chidgey, who had been involved in a serious car accident last week, and to The Bishop of Portsmouth (The Right Rev. Kenneth Stephenson), who was ill in hospital. In both cases the Council agreed to send its best wishes.

The Council also welcomed back Councillor Ray Love, who had successfully undergone treatment for a serious illness.

Finally, the Mayor was pleased to welcome Councillor David Spender to the meeting, following his recent election as a Member for Olivers Battery and Badger Farm Ward.

441. **QUESTIONS UNDER COUNCIL PROCEDURE RULE 14(2)(b)**

441.1 Temporary Advertisements by Developers

The Portfolio Holder for Planning, Councillor Beveridge, answered a question from Councillor Saunders.

441.2 Emergency Planning in the Winchester District

The Portfolio Holder for Environmental Health, Councillor Wagner, answered a question from Councillor Sutton.

441.3 Cyclists Riding on the Pavement

The Portfolio Holder for Economy and Transport, Councillor Knasel, answered a question from Councillor Tait.

441.4 Selection of Performers at The Theatre Royal, Winchester

The Portfolio Holder for Culture, Heritage and Sport, Councillor Evans, answered a question from Councillor Tait.

441.5 Special Constables – Possible Exemption from Council Tax

The Portfolio Holder for Finance and Resources, Councillor Learney, answered a question from Councillor Verney.

441.6 Payroll Services to Charities

The Portfolio Holder for Finance and Resources, Councillor Learney, answered a question from Councillor Tait.

441.7 New Park and Ride Sites for Winchester

The Portfolio Holder for Economy and Transport, Councillor Knasel, answered a question from Councillor Higgins.

441.8 'Cittaslow' Movement

The Leader of the Council, Councillor Campbell, answered a question from Councillor Saunders.

441.9 Felling of Trees in Conservation Areas

The Portfolio Holder for Planning, Councillor Beveridge, answered a question from Councillor Tait.

441.10 Charter on Smoking and Health

The Portfolio Holder for Healthy and Inclusive Communities, Councillor Collin, answered a question from Councillor Spender.

442. **CONSIDERATION OF RECOMMENDED MINUTES**442.1 Cabinet – 26 July 2005Capital Strategy and Programme 2005 (Recommended Minute 225)

The Portfolio Holder for Finance and Resources, Councillor Learney, moved that Recommended Minute 225 be approved and adopted.

Amendment (1) Councillor Allgood (2) Councillor Hollingbery

'That the Recommendation be deleted and the following words inserted:-

That the draft Capital Strategy and Programme as set out in the Appendix to Report CAB 1089 be approved subject to:-

- (a) the amendment set out in the preamble to the minute.
- (b) Annex 1 being shown in a format which has regard to the Corporate Strategy and lists the capital projects in a manner which identifies key capital spending objectives and other non-key projects.
- (c) to minor editing being undertaken by the Director of Finance in consultation with the Portfolio Holder for Finance and Resources.'

Amendment carried.

Substantive motion carried.

RESOLVED:

That Recommended Minute 225 (as amended) be approved and adopted.

442.2 Cabinet 12 October 2005South-East Plan – 'Where Shall We Live?' Consultation (Recommended Minute 388)

The Chairman, Councillor Campbell moved that Recommended Minute 388 be approved and adopted.

The Council agreed that the full text of its response to the above consultation from Hampshire County Council should be attached as an appendix to the minutes (see Appendix A). A copy of the letter forwarded to the County Council should also be circulated to all Members.

The Chairman, Councillor Campbell informed the meeting that she and the Chief Executive would be attending a meeting of PUSH (Partnership for Urban South Hampshire) on 8 November 2005. Council requested the Chairman to emphasise the principal elements of its consultation response at that meeting and also to raise an additional point relating to the concern about the light pollution created by high levels of new development.

RESOLVED:

That, subject to the above comments, Recommended Minute 388 be approved and adopted.

442.3 Cabinet – 14 September 2005

Winchester Alliance for Mental Health (Recommended Minute 291)

Principal Scrutiny Committee – 17 October 2005

Winchester Alliance for Mental Health – PwC Report (Recommended Minute 424)

The Chairman of Cabinet, Councillor Campbell, explained that to assist the debate on this issue, the above minutes would be taken together.

Councillor Campbell then proposed an amendment which combined the conclusions of the two meetings into one composite recommendation, with the exception of Recommendation 1 from Principal Scrutiny Committee, which it was proposed should be deleted and alternative wording inserted. The complete amendment would read as follows:-

‘1. That the Council regrets that this debt of £350,000 cannot now be recovered, the decisions that were taken and the processes which allowed this debt to arise. However, the intention throughout was to enable the charity to continue to provide support for some of the most vulnerable people in our community.

2. That it be noted that Cabinet has learned lessons from the investigation of existing processes and has already taken actions to prevent such debts arising again, even if this means withdrawing support from charitable groups.

3. That the debt outstanding for the Winchester Alliance for Mental Health of £353,483.29 be written off.

4. That the Council’s future policy in respect of payroll services to charities be as follows:-

(a) the Council should in future perform only the administrative duties of the payroll for charities (i.e. undertake the updates to data, any necessary calculations and produce a list of

payments due) and that the actual payments should be made by the charity concerned.

- (b) that because of the practicalities involved, the Director of Finance negotiate with the existing charities a transitional period of up to 12 months for the new arrangements in (a) above to come into effect.
 - (c) that any payroll arrangements with new charities be on the basis outlined in (a) above with immediate effect and the former policy of allowing such charities to make payment in advance be discontinued.
 - (d) that the significant reduction in the Council's exposure to financial risk from the new approach in (a) – (c) above be noted.
5. That, in view of the volume of executive business being conducted, Cabinet be asked to review:
- (a) the relationship of the respective roles of members and officers in executive decision-making and whether any changes are necessary to ensure the efficient despatch of business.
 - b) whether Cabinet needs to meet more frequently and/or any other changes are required to the manner in which executive decisions are taken either by cabinet itself or through the portfolio holder decision- making system.

The amendment was seconded by Councillor Learney and became the substantive motion for discussion.

Amendment (1) Councillor Beckett (2) Councillor Cooper

'That with regard to Recommendation 1 of Cabinet Minute 291 (which was the same as 1. above), delete the second sentence and insert '.... The Council deplores the lack of diligence on the part of the Portfolio Holder with responsibility for Finance which resulted in a failure to control the extent of losses of public funds'.

In accordance with Council Procedure Rule 32(i), one quarter of the Members present and voting required that a recorded vote be taken in respect of the amendment.

Division List

The following Members voted in favour of the amendment:

Councillors Allgood, Anthony, Baxter, Beckett, Berry, Coates, Cooper, Davies, de Peyer, Godfrey, Hollingbery, Jeffs, Lipscomb, Macmillan, Mather, Pines, Quar, Read, Rees, Saunders, Stallard, Tait, Verney and Wright (24).

The following Members voted against the amendment:

Councillors Bennetts, Beveridge, Bidgood, Campbell, Clohosey, Collin, Cook, Evans, Goodall, Hammerton, Higgins, Hiscock, Hutton, Jackson, Johnston, Knasel, Learney, Love, Maynard, Merritt, Mitchell, Nelmes, Nunn, Pearce, Spender, Steel, Sutton and Wagner (28).

The following Member abstained:

Councillor Busher.

Amendment lost.

Amendment (1) Councillor Wright (2) Councillor Beckett

‘ That with regard to Recommendation 3 of Cabinet Minute 291 (which was the same as 3. above), the words ‘...be written off.’ be deleted and the following inserted ‘...be not written off at this stage and a report be submitted to Members regarding the legal and other implications of such action.’

Amendment lost.

Substantive Motion carried.

RESOLVED:

That Recommended Minutes 291 and 424 (as amended) be approved and adopted.

442.4 Cabinet – 12 October 2005

Periodic Electoral Reviews – Consultation by the Electoral Commission (Recommended Minute 396 and Report CL 32 refers)

The Mayor explained that Report CL 32 had been circulated with a Supplementary Agenda after the statutory deadline. However, he had decided to accept the report onto the agenda, because of the need for Council to consider the proposed amendments and submit comments to the Electoral Commission before the deadline of 25 November 2005.

RESOLVED:

That, subject to prior consultation with Group Leaders, the Chief Executive be authorised to forward final representations on the above consultation to the Electoral Commission.

442.5 Cabinet – 26 July 2005

Minor Changes to the Constitution – Development Plans and Supplementary Planning Guidance/Documents (Recommended Minute 233)

The Chairman, Councillor Campbell, moved that Recommended Minute 233 be approved and adopted.

RESOLVED:

That Recommended Minute 233 be approved and adopted.

442.6 Cabinet – 14 September 2005

Temporary Stop Notices – Explanation of New Enforcement Powers (Recommended Minute 296)

The Portfolio Holder for Planning, Councillor Beveridge, moved that Recommended Minute 296 be approved and adopted.

RESOLVED:

That Recommended Minute 296 be approved and adopted.

Land at 80 -81 High Street, Winchester – Scheme of Delegation for Section 106 Agreements (Recommended Minute 366)

The Chairman of Planning Development Control Committee, Councillor Busher, moved that Recommended Minute 366 be approved and adopted.

RESOLVED:

That Recommended Minute 366 be approved and adopted.

443 **RECEIPT OF DELEGATED MINUTES**

In accordance with Council Procedure Rule 14(2)(a), the following questions were answered:

443.1 Planning Improvement Plan – Communication with Parish Councils

The Portfolio Holder for Planning, Councillor Beveridge, answered a question from Councillor Cook.

443.2 Minuting of Meetings – Style and Practice

The Leader of the Council, Councillor Campbell, answered a question from Councillor Lipscomb.

443.3 Monitoring of Planning Delivery Grant and Planning Improvement Plan

The Portfolio Holder for Planning, Councillor Beveridge, answered a question from Councillor Jeffs.

Council received and noted the minutes of the following meetings:

Principal Scrutiny Committee – 11 July 2005

Resources Scrutiny Panel – 13 July 2005

Local Economy Scrutiny Panel – 18 July 2005

Environment Scrutiny Panel – 19 July 2005

Social Issues Scrutiny Panel – 21 July 2005

Statement of Accounts Committee – 26 July 2005

Cabinet – 26 July 2005

Planning Development Control Committee – 27 and 28 July 2005

Planning Development Control Committee – 7 and 8 September 2005

Principal Scrutiny Committee – 12 September 2005

Cabinet – 14 September 2005

Licensing and Regulation Committee – 22 September 2005

Personnel Committee – 26 September 2005

West of Waterlooville Forum – 3 October 2005

Planning Development Control Committee – 5 and 6 October 2005

Cabinet – 12 October 2005

Winchester Town Forum – 13 October 2005

Principal Scrutiny Committee - 17 October 2005

444. **APPOINTMENTS TO BODIES SET UP BY THE COUNCIL**

RESOLVED:

That Councillor Busher replace Councillor Chamberlain as the Independent Group Deputy Member on the Winchester District Local Plan Committee.

RESOLVED:

That Councillor Spender replace former Councillor Darbyshire on both the Local Economy Scrutiny Panel and the Resources Scrutiny Panel. Furthermore, that Councillor Spender replace Councillor Bidgood on the Environment Scrutiny Panel and that Councillor Bidgood become the Liberal Democrat Group Deputy Member on that Panel, replacing Councillor Johnston.

445 **EXEMPT BUSINESS**

RESOLVED:

That the public be excluded from the meeting during the consideration of the following item 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>
446	Upper Brook Street Car Park, Winchester	Information relating to the financial or business affairs of any particular person (other than the authority). (Para 7 Schedule 12A refers). Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services. (Para 9 to Schedule 12A refers).

446 **CABINET – 14 SEPTEMBER 2005**

The Chairman, Councillor Campbell, moved that Recommended Minute 309 be approved and adopted, subject to deletion of the words 'That subject to the matter not being called in by Principal Scrutiny Committee...', because that Committee had already determined not to call the matter in (17 October 2005 - Minute 437(i) refers).

In accordance with Council Procedure Rule 32(2), Councillor Steel requested that his name be recorded as voting against the decision taken below.

RESOLVED:

That Recommended Minute 309 (as amended) be approved and adopted.

The meeting commenced at 7pm and concluded at 10.40 pm.

The Mayor

APPENDIX A

Director of Environment
Hampshire County Council
The Castle
Winchester
SO23 8UD

Our Ref: SO/P01.02.00
Your Ref:
Enq to: Steve Opacic
Ext no: 2101

23 November 2005

Please quote Our Ref: on
all correspondence

Dear Ms Quant,

“Where Shall We Live” Consultation

I refer to the above consultation. The City Council’s Cabinet considered a report on this matter on 12th October 2005 and resolved to make the following comments. I have set these out generally in the order of the questions posed in the consultation questionnaire, although inevitably some of the responses require elaboration.

South Hampshire

As a general point in relation to the housing provisions for South Hampshire, the City Council questions the basis of the economic growth projections and the development requirements that arise, as these are highly dependent on certain assumptions, some of which are questionable. Also, the sectors which the strategy proposes should grow may not achieve the levels of employment expected or the type of jobs sought. There should be more emphasis on resolving the area’s economic and deprivation problems by providing appropriate and targeted growth, rather than a general aspiration for a percentage growth figure across the board. There should be proposals to direct growth and regeneration to where it is needed, rather than an emphasis on housing development in greenfield locations.

An overall delivery agency should be established to drive the economic strategy and deliver employment and other benefits that meet local needs.

Question 1 – Urban Sites

- The level of development on existing identified sites and other urban capacity within South Hampshire’s main urban areas should be maximised. A target of at least 55,000 should be set, which would support the ‘urban-centred’ strategy for the area, result in the most sustainable forms of development and reduce the need for harmful and unsustainable greenfield development.
- Greenfield releases, whether in the proposed SDAs or through urban extensions, should be regulated so as to encourage the use of previously developed land and to reflect monitoring of the strategy’s objectives for economic growth. Greenfield housing land should only be released when and where it is needed to support planned economic growth and where monitoring shows that the planned levels of economic growth are being achieved.

Question 2 – Fareham SDA

- The City Council has major reservations about the North Fareham SDA, particularly in terms of loss of countryside, landscape intrusion and the impact of traffic, especially on the rural routes to the north of the proposed SDA. These are exacerbated by the sheer scale of the proposal, which is unlikely to be accommodated without development extending into prominent areas of countryside, such as the fringes of Portsdown Hill and Hoads Hill.

- While the potential advantages of concentrating development in SDAs are acknowledged, the lack of strategic environmental assessment means that the City Council is unable to agree that the Fareham Borough SDA is a better option than the alternative of smaller scale developments within Fareham, Gosport and Havant Boroughs. Given the constraints to developing an SDA of the scale proposed, it is suggested that a much smaller SDA may be more appropriate (adjoining Fareham, not necessarily all north of the M27), with the balance made up by urban extensions to settlements south of the M27.
- The City Council supports the reference to the need to retain a clear gap with Wickham, both to conserve the separate identity of this historic settlement and due to the landscape intrusion that would arise if development extends too far northwards.

Question 3 – Eastleigh SDA

- The City Council has major reservations about the Eastleigh Borough SDA, particularly in terms of intrusion into relatively remote countryside, coalescence with existing settlements and the impact of traffic, especially on the rural routes to the north and east of the proposed SDA. If the SDA is located on the eastern side of Hedge End, these impacts are likely to combine with the pressures arising from the Fareham SDA and development north of Whiteley to create irresolvable traffic problems. The City Council therefore questions the proposed location of the SDA to the north/east of Hedge End and suggests that a location on the north-western side of Hedge End would better serve Southampton and enable improved access into the City. Development to the north/east of Hedge End will be in close proximity to major development also proposed at Fareham SDA and north of Whiteley and would skew the provision of housing towards the Portsmouth end of the PUSH area.
- The City Council's concerns about the Eastleigh SDA are exacerbated by the sheer scale of the proposal, which seems likely to require development that will cause the coalescence of several small settlements and the extension of development into areas which are not easily accessed. The scale of the SDA should be reduced to enable it to be accommodated, especially if it is located to the north-east of Hedge End, or direct it to a more suitable location than currently proposed.
- While the advantages of concentrating development in SDAs are acknowledged, the lack of strategic environmental assessment means that the City Council is unable to agree that the Eastleigh Borough SDA is a better option than the alternative of smaller scale developments within Eastleigh, Test Valley, Southampton or New Forest Districts. Given the constraints to developing an SDA of the scale and in the location proposed, it is suggested that the SDA should be located to the north-west of Hedge End, otherwise it should be smaller, with the balance made up by urban extensions to settlements to the west, well-related to Southampton. If this SDA is shown to be the preferable solution, it should adjoin the existing settlement of Hedge End and not be separated from it by a countryside gap. This would allow full use to be made of Hedge End Station.

Question 4 – Urban Extensions

- The City Council could accept the number of new homes as urban extensions set out in Option 1 (or Option A) of the consultation. This could be accommodated through an extension of about 3,000 dwellings to the north of Whiteley and 2,000 dwellings at West of Waterlooville (including the reserve provision already identified). The Council agrees with the consultation document that development elsewhere in the District will be modest because of its rural nature and there are no other opportunities for significant development.
- Development at the scales indicated in Option 1 should only take place if adequate infrastructure is provided at the earliest possible stage, including completion of Whiteley Way/Botley Bypass and the Waterlooville Southern Access Road, provision of schools

within/to serve the development areas, waste, water and health provision, and protection of important nature conservation interests adjoining both areas.

- Options 2 and 3 are unrealistic and the Council would strongly object to these. They would result in excessive development at the Portsmouth end of the PUSH area and inadequate development to serve the needs of Southampton. They also assume a scale of further development at West of Waterlooville that would breach major environmental constraints and involve serious loss of environmentally and ecologically important parts of the Forest of Bere, which at the moment form one of the most valuable and complete parts of this landscape. They would also result in development which is very poorly related to any urban areas and difficult to access, leading to an unsustainable development (which could hardly be called an 'urban extension') and putting considerable traffic strain on the A3 corridor, which is the only realistic way of accessing the area.

Central Hampshire

Question 6 - Greenfield Options

- The City Council prefers Option 5 for Central Hampshire and New Forest on the basis that this would best meet housing needs across the area as a whole and could take account of the development potential in Winchester District highlighted by the Local Plan Inspectors. Option 5 should, however, be clarified to indicate that "all the above.... settlements" refers to spreading the allocation amongst the Districts involved, not necessarily the locations listed in Options 1-4, as in the case of Barton Farm this is site-specific and is unlikely to be developed for less than 2000 dwellings.
- Options 1-4 would concentrate the limited amount of greenfield development in only one or two locations, resulting in a lack of housing provision across large parts of the sub-area. While such concentration may be appropriate if a larger housing provision were being sought, it should not be made at the expense of opportunities to provide housing to meet the needs of a number of the most sustainable settlements in the sub-area.

I hope these comments are useful and will help to inform the proposals that will be put to SEERA in due course.

Yours sincerely

Steve Opacic

Head of Strategic Planning