

**CABINET**

**1 March 2006**

Attendance:

Councillor Campbell - *Portfolio Holder for Community Strategy* (Chairman) (P)

Councillor Beveridge – *Portfolio Holder for Planning* (P)

Councillor Collin – *Portfolio Holder for Health and Inclusive Communities* (P)

Councillor Evans – *Portfolio Holder for Culture, Heritage and Sport* (P)

Councillor Hiscock – *Portfolio Holder for Housing* (P)

Councillor Knasel – *Portfolio Holder for Economy and Transport* (P)

Councillor Learney – *Portfolio Holder for Finance and Resources* (P)

Councillor Wagner – *Portfolio Holder for Environmental Health* (P)

Others in attendance who addressed the meeting:

Councillors Beckett, Busher, Higgins and Pearson

Others in attendance who did not address the meeting:

Councillors Davies

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1. **MINUTES**

With regard to Minute 797 (Report CAB1200 – Community Grants Revenue Awards 2006/07), Cabinet noted that it had been recognised subsequent to the meeting that Resolution 4 should have included reference to the decision not to approve grant funding for two further organisations. These organisations had not specifically been referred to in the Report’s recommendations but were mentioned in its Appendix. Councillor Evans apologised for this oversight but highlighted that a grant had been awarded to Winchester Area Community Action at the Winchester Centre under a separate section of the Report.

Cabinet therefore agreed to include the following addition to Resolution 797(4):

“That with regret the following applications were not supported:

(vii) The Kidz Club

(viii) Winchester Centre”

RESOLVED:

That the minutes of the previous meeting held on 1 March 2006, less exempt items, and as amended above, be approved and adopted.

2. **PUBLIC PARTICIPATION**

Mr M Evans (Whiteley Parish Council) informed Cabinet about the Parish Council’s objection to the County Council’s proposed location for a new school in Whiteley. Whilst supporting the requirement for a school in principle, the Parish Council opposed its proposed siting on the recreation ground, which was currently the only open space within the settlement, and believed there were alternative options that

should be pursued instead. Mr Evans advised that representatives of the Parish Council would attend the next Cabinet meeting on 22 March 2006 to present their concerns in more detail.

The Director of Development informed Cabinet that the County Council were due to consider a report about the possible use of the City Council's open space for the school site at its Cabinet meeting on 20 March 2006. Members requested that a report be submitted to Cabinet on 22 March 2006 and agreed that it would be helpful for the Parish Council to attend this meeting. The Director of Development agreed to prepare a report.

Councillor Beckett requested further information regarding possible subsidies for rural and community transport provision following the debate at Council on 23 February 2006. In particular, he suggested that Cabinet request a report outlining all the various options which could potentially be subsidised, in lieu of tokens, along with the likely costs. This would assist the decision-making process after one year's operation of the new free bus token scheme.

In response, Councillor Knasel agreed that a report would be useful and added that much of the research had already been undertaken. The Director of Development confirmed that a more detailed report on this matter would be prepared and commented that the research so far had revealed many different ad-hoc arrangements in place for community transport.

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

Councillor Campbell advised that she would be attending the meeting of the South East Regional Assembly being held that day in the Guildhall, Winchester.

Councillor Campbell also informed Members that a new newsletter called "Parish Connect" had been launched which aimed to improve communications between the City Council and Parish Councils.

Councillor Beveridge updated Cabinet on the decision from the Office of the Deputy Prime Minister (ODPM) on the appeal against the Council's refusal of a planning application at Barton Farm, Winchester. He highlighted the various key points made by the ODPM, including the view that provision of affordable housing was a significant material consideration.

Councillor Evans advised that the Tourist Information Centre had been nominated for one of the final two places in a national competition.

### 4. **ARTS STRATEGY FOR THE WINCHESTER DISTRICT 2006-2009** (Report CAB1210 refers)

Councillor Evans requested that the Chesil Theatre be added to the list of Winchester's Creative Industries at Section 3.3.1 of the Strategy. This was agreed.

At the invitation of the Chairman, Councillors Higgins and Bennetts spoke in support of the Strategy. Councillor Higgins emphasised the amount of cultural activities taking place in Winchester and suggested that the input from voluntary music groups such as choirs be highlighted. It was agreed that this point be considered further. Councillor Bennetts emphasised the economic benefits to Winchester from arts activities and in particular mentioned the additional income generated by people attending the Theatre Royal.

The Chief Executive informed Cabinet that the Hampshire Economic Partnership had recently established a Creative and Cultural Industries Task Group to focus on these areas.

Councillor Evans requested that delegated authority be granted to the Director of Development to make any necessary minor amendments to the Strategy prior to publication, in consultation with herself as the relevant Portfolio Holder.

Cabinet thanked the officers involved in the preparation of such a detailed Strategy.

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

**RESOLVED:**

1. That, subject to the amendments outlined below, the Arts Strategy for the Winchester District 2006-2009 be approved and adopted:

- (i) Inclusion of Chesil Theatre in list of Winchester's Creative Industries;
- (ii) Highlight contribution of Winchester's various voluntary music groups.

2. That delegated authority be granted to the Director of Development, in consultation with the Portfolio Holder for Culture, Heritage and Sport, to make any minor amendments to the Strategy prior to its publication.

5. **STATEMENT OF COMMUNITY INVOLVEMENT: CONSULTATION DRAFT**  
(Report CAB1215 refers)

Councillor Beveridge welcomed the Report but suggested that it could be shortened by removing some of the appendices which were not vital to the understanding of the document. He therefore proposed that Annex 1 together with Appendices 5 and 8 be removed. Members agreed to this suggestion, subject to references to these documents still being included within the Statement of Community Involvement (SCI). The documents should also be available on the Council's Website.

At the invitation of the Chairman, Councillor Buser (Chairman of Planning Development Control Committee) made a number of detailed comments on the draft SCI as outlined below:

- Page 21, paragraph 5.16: it should be clarified that there are no third party rights of appeal against planning permissions;
- Page 28, paragraph 5: it should be clarified that the three month consultation period mentioned does not apply to planning matters where there were statutory time limits.
- Page 23, paragraph 5.33: it should be ensured that the Council's Website was operating properly to allow access to the various publications mentioned.
- The National Farmers' Union should be added to the list of consultees.

Councillor Buser generally welcomed the draft SCI but mentioned that consideration should be given as to how to engage with all people rather than the current situation where some public meetings were dominated by a few regular contributors.

Councillor Higgins spoke regarding the Winchester Town Forum and suggested that publicity for this meeting should be improved including giving more advance notice of each meeting.

The Chief Executive noted the comments made by Councillor Busher and agreed that further consideration would be given to the minor redrafting of the SCI to take these on board. He agreed to inclusion of the NFU as a non-statutory consultee and suggested that the Country Land and Business Association also be included.

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

RESOLVED:

1. That, subject to the changes outlined in detail above and summarised below, the City Council's "Statement of Community Involvement: Public Consultation Draft" be approved for publication for a six-week period, commencing on the 16 March 2006:

- (i) Clarification of status of third parties regarding planning decisions and implementation of the three month consultation period;
- (ii) Inclusion of National Farmers' Union and Country Land and Business Association in list of non-statutory consultees;
- (iii) Removal of Annex 1 and Appendices 5 and 8 from the SCI (subject to considerations outlined above).

2. That delegated authority be granted to the Chief Executive, in consultation with the Portfolio Holder for Planning, to make any minor editorial changes necessary prior to publication.

6. **HAMPSHIRE STRUCTURE PLAN: POLICY H4 HOUSING MONITORING PAPER 2006**

(Report CAB1216 refers)

At the invitation of the Chairman, Councillor Higgins queried whether responsibility for monitoring housing numbers would remain with the County Council until 2011. In response, Councillor Beveridge stated that he believed their responsibility would continue although commented that effectively they were acting on behalf of the South East England Regional Assembly.

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

RESOLVED:

That the County Council be informed that this Council supports the conclusions in the Report.

7. **WINCHESTER DISTRICT LOCAL DEVELOPMENT SCHEME (REVISED)**

(Report CAB1217 refers)

Councillor Beveridge circulated additional wording to the first recommendation and a new second recommendation as outlined under the resolution below. In addition, he requested that a preface be added to the Local Development Scheme for clarification purposes (also set out under resolution below).

In response to questions, the Chief Executive confirmed that all Parish Councils had been contacted regarding the requirement to update any Village Design Statements they might have. However, he acknowledged that further contact was required to emphasise the importance to Parish Councils of this and officers would be undertaking individual visits to the relevant Councils, where requested, in due course.

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

**RESOLVED:**

1. That, the Revised Winchester District Local Development Scheme (LDS) attached at Appendix A to the Report, be approved for submission to the Government Office for the South East (GOSE) and that it shall come into effect four weeks from the date of submission, subject to agreement by GOSE.

2. That the Chief Executive, in consultation with the Portfolio Holder for Planning, be given delegated authority to approve further minor amendments to the LDS, as required, for example as a result of GOSE's comments.

3. That the Preface set out below is added to the LDS for clarification:

**“Preface to 2006 Local Development Scheme**

This document represents an updated version of the Winchester District Local Development Scheme, which was originally adopted in March 2005.

Legislation allows for the LDS to be updated by local planning authorities as necessary. Monitoring of progress on the Scheme and the changing policy circumstances arising from the Local Plan Inquiry has led to the need to revise the original 2005 LDS. The opportunity has also been taken to update the text and the LDF timetable, indicated in the chart at Appendix 1, so that the Scheme now shows the period from 2006-2009 in detail.

Briefly the changes to the Scheme from the original version are:

- New DPD ‘Development Control Policies’
- New SPD ‘Implementation of Infilling Policy’
- New SPD ‘Implementation of Local (Housing) Reserve Sites Policy’
- Revised timetable for production of certain Design Statement SPDs as described.

This document comprises the LDS as revised and agreed by the Winchester City Council Cabinet meeting of 1<sup>st</sup> March 2006 and submitted to the Secretary of State via his representatives at the Government Offices of the South East on (insert date). This Scheme became effective as of (4 weeks after date of submission).

This is the second Winchester District Local Development Scheme. It is likely that there will be a need to revise the Scheme on a yearly basis. The Annual Monitoring Report will provide further details for the following year in due course.”

Councillor Campbell (Chairman) left the meeting at the end of this item. Councillor Evans (Vice-Chairman) assumed the Chair.

8. **REPORT OF THE COMMUNITY SAFETY INFORMAL SCRUTINY GROUP**  
(Report SO16 refers)

Cabinet noted that this report had been considered by the Social Issues Scrutiny Panel at its meeting held on 30 January 2006, the minutes of which were included on the agenda below. The Panel had agreed with the Group's recommendations to Cabinet as outlined in paragraph 1.1 to 1.8 of the Report (and reproduced under the resolution below).

Cabinet thanked Councillor Hammerton and the other members of the Group involved in the production of the report for their work.

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

RESOLVED:

1. That a Members' Training evening be held during 2006/07 to tie in with the Community Safety Conference in February 2006 in order to update Members with key community safety issues and the work of the Community Safety Partnership.
2. That the Area Community Panels be widely publicised to elected Members, as well as the public, and communication links between Members and the Panels are developed.
3. That the role of the Portfolio Holder for Healthy and Inclusive Communities on the Community Safety Partnership be publicised amongst Members.
4. That the Community Safety Officer's role as a link point for Members be publicised through Members' Briefing Note.
5. That better links be made with other Community Safety Partnerships in neighbouring districts, especially with partnerships which border on to the southern part of the Winchester District.
6. That a simplified Community Safety Partnership diagram be produced with case studies illustrating how people can link into various layers in the Partnership.
7. That further thought be given by officers as to how to Section 17 of the Crime and Disorder Act can be promoted throughout the City Council (Section 17 places a duty on the City Council to consider community safety in

all of its core business), with recommendations to be brought back to the next meeting of the Social Issues Scrutiny Panel.

8. That the Social Issues Scrutiny Panel maintains an overview of the Community Safety Strategy and City Council's role in the Community Safety Partnership, with regular reviews in the work programme.

9. **OPEN SPACE FUND**  
(Report EN14 refers)

Cabinet noted that this report had been considered by the Environment Scrutiny Panel at its meeting held on 25 January 2006, the minutes of which were included on the agenda below.

At the invitation of the Chairman, Councillor Pearson addressed Cabinet as Chairman of the Environment Scrutiny Panel and the Informal Scrutiny Group which had been established to consider Open Space Funding in more detail. He advised that, unfortunately, the Group's Report contained in Report EN14 was not the latest version and did not contain additional updates made at Group meetings. The updated version of Report EN14 had been circulated to Panel Members at their meeting held on 25 January 2006 but due to an oversight, had not been made available further. However, the recommendations to Cabinet outlined in the minutes of the Panel meeting were correct (Report PS218, Minute 6 refers).

Councillor Pearson outlined the work undertaken by the Informal Scrutiny Group and drew attention to its main recommendations. Cabinet thanked Councillor Pearson and other members of the Group for their work in producing the Report.

The Director of Development apologised for the confusion regarding the latest version of the Report. He advised that a member of the public (Mr J Hayter) had contacted the Council with a number of detailed comments regarding the earlier version and the Director responded to the individual points raised.

In response to questions, the Director of Development confirmed that the policy of promoting clustering by Parish Councils to ensure the best use of funds would be voluntary. Cabinet agreed that the additional words "for mutual benefit" be added to this recommendation to emphasise the intention of the policy.

The Director confirmed that the annual report on updating the Open Space Strategy would be submitted to a Cabinet meeting in May 2006 and this could include more details regarding the required audit and take on board points made in the scrutiny review. Cabinet agreed that the existing Open Space Strategy 2005/06 and associated contribution scales continue to be used until such time as the new strategy for 2006/07 was formally adopted.

The City Secretary and Solicitor advised that because the correct version of Report EN14 had not been available to Cabinet prior to its meeting, Members could only support the Group's recommendations in principle at this stage. The updated version of EN14 should then be brought back to Cabinet to be considered with the Open Space Strategy report - both would be submitted to a Cabinet meeting in May 2006.

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

## RESOLVED:

1. That the recommendations of the Environment Scrutiny Panel held 25 January 2006 regarding the Open Space Fund outlined below be supported in principle, subject to the additional wording shown in italics:

(a) That an audit as described in 'Assessing Needs and Opportunities: A companion guide to PPG17' be commenced in 2006/07 with funding from the Planning Delivery Grant. This would establish best value by assessing accessibility, quality, multi-functionality, primary purpose and quantity of recreation and sports facilities within the District.

(b) That a parish by parish reappraisal of schemes planned within the framework of the Open Space Funding system be undertaken in 2006/07 to confirm that they can be implemented in a reasonable period of time.

(c) That when preparing the new Local Development Framework, planning policies for open space, sport and recreation be framed so that planning obligations can properly be sought towards any requirements identified within the audit which fall within PPG 17 'Planning for Open Space, Sport and Recreation' and its companion guide.

(d) That the policy of clustering be promoted with Parish Councils to ensure the best use of funds *for mutual benefit*.

(e) That the impact on the Open Space Funding system, and other planning obligations, which would arise from the Government's proposed 'Planning Gain Supplement' be noted and drawn to the attention of Parish Councils.

(f) That the Open Space Strategy document be amended to ensure that it is consistent with all recent Government guidance and the Local Plan Review.

(g) That officers ensure that the internal processes relating to Section 106 agreements/undertakings, open space fund receipts and allocations to projects are 'fit for purpose'.

(h) That information about the Open Space Funding system be improved through the use of the Council's public access web-site.

2.(a) That the updated version of Report EN14 be brought back to a Cabinet in May 2006 to be considered with the annual report updating the Open Space Strategy.

2.(b) That the existing Open Space Strategy 2005/06 and associated contribution scales continue to be used until such time as the new strategy for 2006/07 was formally adopted.



10. **MINUTES OF THE ENVIRONMENT SCRUTINY PANEL**  
(Report PS218 refers)

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

RESOLVED:

That the minutes of the Environment Scrutiny Panel held on 25 January 2006 be received, and the recommendations contained therein be noted.

11. **MINUTES OF THE LOCAL ECONOMY SCRUTINY PANEL**  
(Report PS219 refers)

The Director of Development responded to questions on the current situation regarding consultation by the County Council on proposals for a Park and Ride site to the south of Winchester. Cabinet expressed some concern that consultation should be carried out by the County Council with all relevant parties in the appropriate manner.

At the invitation of the Chairman, Councillors Beckett and Busher both expressed similar concerns regarding the requirement for adequate consultation on a proposed new Park and Ride site. Councillor Beckett stated that the County Council should provide full details of alternative site evaluation in order that people could understand why the current proposed site had been put forward.

Following further discussion, it was agreed that the Portfolio Holder for Planning write to the County Council emphasising the importance of adequate consultation.

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 on 26 January 2006 be received.

2. That the Portfolio Holder for Planning write to the County Council emphasising the importance of adequate consultation regarding the possible location for a new Park and Ride site to the south of Winchester.

12. **MINUTES OF THE SOCIAL ISSUES SCRUTINY PANEL**  
(Report PS220 refers)

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

RESOLVED:

That the minutes of the Social Issues Scrutiny Panel held on 30 January 2006 be received.

13. **MINUTES OF THE RESOURCES SCRUTINY PANEL**  
(Report PS221 refers)

The Director of Finance confirmed that Cabinet were being requested to approve a Business Rate debt write off of £28,643.95 (Report RE16 refers).

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

RESOLVED:

1. That a Business Rate debt write off of £28,643.95 be agreed as detailed in Report RE15.

2. That the minutes of the Resources Scrutiny Panel held on 31 January 2006 be received.

14. **MINUTES OF THE CABINET (TRAFFIC AND PARKING) COMMITTEE**  
(Report CAB1219 refers)

At the invitation of the Chairman, Councillor Higgins welcomed the Committee's decision to offer discounted parking for low emission vehicles.

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

RESOLVED:

That the minutes of the Cabinet (Traffic and Parking) Committee held on 19 January 2006 be received.

15. **AMENDMENTS TO THE CONSTITUTION – REVISED DESCRIPTIONS OF EXEMPT INFORMATION UNDER THE LOCAL GOVERNMENT ACT 1972**  
(Report CAB1221 refers)

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

**RECOMMENDED:**

**THAT PART 4 OF THE CONSTITUTION – RULES OF PROCEDURE (SECTION 2 – ACCESS TO INFORMATION PROCEDURE RULES) BE AMENDED AS SET OUT IN APPENDIX 1 OF REPORT CAB1221.**

16. **NOTICE OF MOTION – TELECOMMUNICATIONS MAST APPLICATIONS**

Cabinet noted that the Notice of Motion put forward by Councillor Bennetts had been dealt with at Council on 23 February 2006 and no further action was required at this Cabinet meeting.

17. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

That the list of future items, as set out in the Forward Plan for March 2006, be noted.

18. **EXEMPT BUSINESS**

RESOLVED:

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.

Minute Number	Item	Description of Exempt Information
##	Exempt minutes of Previous meeting	) Information relating to any individual. (Para 1 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 of
##	Upper Brook Street Car Park	) any particular person (including the authority holding that information). (Para 3 Schedule 12A refers). )

19. **EXEMPT MINUTES**

RESOLVED:

That the exempt minutes of the previous meeting held 7 February 2006 be approved and adopted.

20. **UPPER BROOK STREET CAR PARK WINCHESTER**  
(Report CAB1222 refers)

Cabinet considered the above report which set out proposals regarding Upper Brook Street Car Park, Winchester (detail in exempt minute).

The meeting commenced at 9.00am and concluded at 11.45am

**EXEMPT MINUTE – NOT FOR PUBLICATION**

**CABINET**

**1 March 2006**

21. **UPPER BROOK STREET CAR PARK WINCHESTER**  
(Report CAB1222 refers)

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

RESOLVED:

1. That the land owned by Winchester Family Church be purchased for £800,000 plus stamp duty land tax with a simultaneous transfer to the church of the land identified by cross hatching, subject to a development claw back agreement the detailed terms to be agreed by the Chief Estates Officer, in consultation with the Portfolio Holder for Finance and Resources and the City Secretary and Solicitor.

2. That a contribution to the church's costs of up to £10,000 plus VAT be made.

3. That recommendations regarding a sale or leasing of the combined site to Thornfield Properties be brought back to a future meeting of Cabinet.

Chairman