

CABINET

13 December 2006

Attendance:

Councillor Beckett – *Leader and Portfolio Holder for Economy and Tourism* (Chairman) (P)

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

Councillor Coates – *Portfolio Holder for Housing and Communities* (P)

Councillor Hollingbery – *Portfolio Holder for Performance and Communications* (P)

Councillor Pearson – *Portfolio Holder for Environment, Health and Safety* (P)

Councillor Stallard - *Portfolio Holder for Culture, Heritage and Sport* (P)

Councillor Wood – *Portfolio Holder for Planning and Transport* (P)

Others in attendance who addressed the meeting:

Councillors Beveridge, Busher, de Peyer, Evans, Higgins, Learney, Rees and Verney

Others in attendance who did not address the meeting:

Councillors Bennetts, Jackson and Sutton

1. **APOLOGIES**

Apologies were received from Mr A Rickman (TACT).

2. **MEMBERSHIP OF CABINET COMMITTEES ETC**

The Chairman stated that, at the last Cabinet meeting, it had been noted that Councillor Johnston wished to be considered as the Winchester and District Savers (WADS) appointment. It had been reported that he and Councillor Clohosey had been involved in the organisation in a private capacity.

However, since the meeting, it had been clarified that Councillor Clohosey was no longer involved in WADS. In addition, the Chairman requested that the appointment of Councillor Johnston as the Council's nominee be confirmed. This was agreed.

RESOLVED:

That Councillor Johnston be nominated as the Council's representative on Winchester and District Savers (WADS) for the remainder of the Municipal Year.

(Note: Councillor Worrall was appointed as Observer at previous Cabinet meeting).

3. **MINUTES**

At the invitation of the Chairman, Councillor Evans requested an answer to the query raised by Councillor Hiscock at the last meeting, about whether the capital growth bid for additional community facilities at Knowle differed from that agreed by Cabinet in April 2006 (Report CAB1353 refers).

Councillor Allgood confirmed that the item was a capital growth bid for 2007/08, which was the same scheme as in April 2006. The Director of Development explained that if confirmation was received, that the item would appear in the capital programme, negotiations could be concluded with the developers, Berkeley Homes.

RESOLVED:

That the minutes of the previous meeting, held on 15 November 2006, be approved and adopted.

4. PUBLIC PARTICIPATION

Councillor Evans stated that the late availability of a number of the reports on this Cabinet agenda had made it difficult for Members to undertake their proper scrutiny role. The Chief Executive apologised and explained that the complicated nature of a number of the items had unfortunately caused the delays, but every effort would be made to avoid this in the future.

The Chairman welcomed to the meeting Mr Samir Dimachkie who had moved from Lebanon and was attending to observe the local democratic process.

Mrs Edwards (City of Winchester Trust) spoke regarding Report CAB1362 and her comments are included under the relevant item below.

Mr A Weeks (Winchester Residents' Association) expressed concern that the Silver Hill report (Report CAB1365) had been classified as exempt under Paragraph 3 of Schedule 12A of the Local Government Act 1972. He believed that discussions regarding changes to the Silver Hill development should be held in public to ensure transparency.

The Chairman explained that the Report was exempt as it dealt with commercial matters between the Council as landlord and Thornfield as developer. It was not concerned with the Council as planning authority and he confirmed that any changes to the planning application would be publicised and would be dealt with in public by the Planning Development Control Committee.

5. LEADER AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

The Chairman congratulated the Strategic Housing Team on their thorough preparations for the recent Audit Inspection.

He reported that wider consultation on the Council's budget with parish councils and business leaders would take place in January 2007.

The Chairman also acknowledged the success of the ice rink in the Cathedral Close and thanked Council Officers for the advice given in the planning of this event.

Councillor Allgood reported that Stuart Davis from the Council's IT Contractors, Digica was leaving their employment this week. He thanked him for his work, in particularly provided IT advice to Councillors, and wished him well in his future employment.

6. **HOUSING REVENUE ACCOUNT (HRA) BUDGET 2007/08**
 (Report CAB1369 refers)
TACT COMMENTS ON CAB1369
 (Report CAB1375 refers)

At the invitation of the Chairman, Councillor Higgins supported TACT comments that the increase in garage rents for tenants be phased in over two years. He also agreed with their comments about the difficulties caused by the Government's subsidy policy to the HRA.

The Director of Communities highlighted a correction to Recommendation 5 of the Report, as the proposal should come into effect from 1 April 2007, not 2008 as stated.

In response to questions, the Director of Communities advised that the estimated cost of stepping the increase in garage rent for tenants would be approximately £38,000 in 2007/08. He confirmed that this would not have a significant impact in the HRA budget overall. Cabinet therefore agreed to phase in the garage rent increase for tenants by increasing the weekly charge to £6.50 from 1 April 2007, and to £7.50 from 1 April 2008.

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

RECOMMENDED:

1. THAT HOUSING RENTS FOR 2007/08 INCREASE IN LINE WITH THE GOVERNMENT GUIDELINE, WHICH ASSUMES A BASIC INCREASE IN CURRENT ACTUAL RENTS OF 4.1% + ONE FIFTH OF THE DIFFERENCE BETWEEN CURRENT AND FORMULA RENTS UNDER RENT RESTRUCTURING, BUT THAT A CAP BE APPLIED TO ENSURE THAT THE MAXIMUM INDIVIDUAL INCREASE IS 5.65% AND THE AVERAGE INCREASE OVERALL IS 5%.

2. THAT FOR PROPERTIES WHERE TARGET RENTS ARE BELOW CURRENT RENTS, THE WHOLE REDUCTION BE APPLIED IN 2007/08 AS SET OUT IN PARAGRAPH 6.3 OF THE REPORT RATHER THAN THE ONE FIFTH LOWER LIMIT ALLOWED UNDER RENT RESTRUCTURING RULES (TO ENSURE THE AVERAGE RENT INCREASE REMAINS WITHIN 5% OVERALL).

3. THAT ALL NEW TENANCIES MOVE STRAIGHT TO THE TARGET RENT FOR THAT PROPERTY RATHER THAN REMAIN ON THE PHASED APPROACH IN LINE WITH IDENTICAL NEIGHBOURING PROPERTIES, AS SET OUT IN PARAGRAPH 6.6 OF THE REPORT.

4. THAT THE HOUSING REVENUE ACCOUNT BUDGET FOR 2007/08 AS DETAILED IN APPENDIX 1 OF THE REPORT, BE AGREED, SUBJECT TO ANY FINAL MINOR AMENDMENTS REQUIRED FOLLOWING ANNOUNCEMENT OF THE ACTUAL ODPM SUBSIDY DETERMINATIONS IN LATE DECEMBER AND SUBJECT TO THE FINAL RENT AS DETAILED ABOVE (ANY MATERIAL CHANGE WILL BE REPORTED TO CABINET IN JANUARY 2007).

5. THAT THE COUNCIL'S CENTRAL CONTROL SERVICE BE FUNDED DIRECTLY FROM THE HRA WITH EFFECT FROM 1 APRIL 2007, SUBJECT TO THE APPROVAL OF £20,000 GENERAL FUND PROVISION TO MEET THE COST OF PROVIDING CORPORATE SERVICES SUCH AS TAKING OUT OF HOURS CALLS AND COVERING FOR EMERGENCY PLANNING AND BUSINESS CONTINUITY ARRANGEMENTS.

6. THAT EXISTING WEEKLY CHARGES IN RELATION TO GARAGE RENTS (OTHER THAN IN THE CENTRAL TOWN AREA OF WINCHESTER) BE INCREASED AS FOLLOWS:

A) TO £6.50 FROM 1 APRIL 2007 AND £7.50 FROM 1 APRIL 2008 FOR TENANTS (NOT LEASEHOLDERS) LIVING IN CITY COUNCIL OWNED PROPERTIES;

B) TO £8.50 (PLUS VAT) FOR OTHER TENANCIES.

7. THAT EXISTING WEEKLY GARAGE RENTS IN THE CENTRAL TOWN AREA OF WINCHESTER BE CHARGED AS FOLLOWS:

A) AT £6.50 FROM 1 APRIL 2007 AND £7.50 FROM 1 APRIL 2008 FOR TENANTS (NOT LEASEHOLDERS) LIVING IN CITY COUNCIL OWNED PROPERTIES;

B) AT £10 (PLUS VAT) FOR OTHER TENANCIES.

8. THAT ALL SHELTERED AND GENERAL NEEDS SERVICE CHARGES CONTINUE TO BE CALCULATED TO RECOVER ACTUAL COSTS INCURRED ON A SCHEME BY SCHEME BASIS, AND THAT THE COUNCIL'S SCHEME OF DELEGATION TO OFFICERS BE AMENDED TO GIVE THE DIRECTOR OF COMMUNITIES POWER TO DETERMINE THESE SERVICE CHARGES, IN CONSULTATION WITH THE DIRECTOR OF FINANCE, AS FOLLOWS:

IN PARAGRAPH C, 17 OF THE SCHEME OF DELEGATION TO OFFICERS (PART 3 OF THE COUNCIL'S CONSTITUTION, SECTION 6), INSERT:

“(F) SHELTERED AND GENERAL NEEDS SERVICE CHARGES CALCULATED TO RECOVER ACTUAL COSTS ON A SCHEME BY SCHEME BASIS.”

RESOLVED:

That the Council's Scheme of Allocations be amended to ensure that one third of all new lettings be allocated to transfer list applicants and the remainder be allocated to waiting list applicants, and the Director of Communities be authorised to implement the changes provided no material concerns are raised in consultation with other housing partners.

7. **LOCAL DEVELOPMENT FRAMEWORK MONITORING: ANNUAL MONITORING REPORT (AMR) 2006**

(Report CAB1362 refers)

During the public participation period, Mrs Edwards (City of Winchester Trust) stated that the Trust had been requesting for some time that the document "Winchester City and Its Setting" be included as a Supplementary Planning Document (SPD). She confirmed that the Trust would continue to make this request under the new Local Development Framework (LDF) arrangements.

At the invitation of the Chairman, Councillor Beveridge highlighted that 58 per cent of completions were of densities of less than 30 per cent. He also welcomed the suggestion that more detailed analysis was required in urban areas regarding suitable densities. He noted that the figure of 490 housing completions in 2006 approximately accorded with that stated in the Business Plan. He commented on the figures regarding affordable housing provision and stated that he hoped this would increase. With regard to business usage of facilities and services, Councillor Beveridge noted the AMR stated that collection of this information would be difficult. However, he requested that, if possible, the Council should attempt to obtain information on A3 developments and similar, which were likely to be more controversial.

With regard to the comments made by Mrs Edwards, the Chief Executive explained that the document referred to was a research study carried out in the late 1990s, which had already been used to inform the Future of Winchester Study and the Local Plan Review. It had not been undertaken with any of the necessary consultation or other processes, such as sustainability appraisal, required for it to be converted into a SPD in its own right. However, its findings would be useful as part of the evidence base for the Core Strategy and other documents within the LDF.

The Chief Executive highlighted that in terms of Government policy, the reduction in the level of density could create difficulties for the Council in meeting its housing completion numbers whilst trying to avoid excessive Greenfield development. The new PPS3 guidance on densities stipulated that the Council could set its own density levels through the Local Development Framework, but it would be required to provide evidence for the appropriateness of the levels set and to have regard to the national recommended minimum of 30 dwellings per hectare.

The Chief Executive clarified that the figure of 23 per cent stated in the AMR referred to the percentage of all dwellings built that were classed as affordable homes. The Council policy of achieving 30-40 per cent affordable housing levels only referred to that percentage of *qualifying sites*. Reports to the Environment Scrutiny Panel showed that this level was being achieved in new permissions.

With regard to the request to monitor A3 use, the Chief Executive confirmed that this could be undertaken if Cabinet so instructed, although there could be resource implications.

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

RESOLVED:

1. That the content of the Annual Monitoring Report (AMR) be endorsed and it be submitted to the Department of Communities and Local Government as the 2006 Local Development Framework Annual Monitoring Report of Winchester City Council.

2. That delegated authority be given to the Chief Executive, in consultation with the Portfolio Holder for Planning and Transport, to make minor editorial changes to finalise the AMR prior to submission by 31 December 2006.

8. **ASSESSMENT OF THE NEED FOR LOCAL (HOUSING) RESERVE SITE RELEASES 2007**

(Report CAB1363 refers)

At the invitation of the Chairman, Councillor Beveridge spoke in support of the original Council decision to allocate Local Reserve Sites. In particular, he noted that PPS3 requested that sites be identified ten years ahead, with particular emphasis on the first five years. He therefore believed that if the sites had not been identified, the Council would be more vulnerable to speculative development applications.

The Chief Executive highlighted two corrections to the Report as follows:

- References to the Local Plan Review's policy H.4 should be corrected to policy H.2 throughout;
- References to the West of Waterlooville MDA should clarify that one of the two outline planning applications under consideration had now been determined.

Some Members commented that they believed that some of the sites identified as Local Reserve Sites were not suitable and queried how this could be changed.

The Chief Executive explained that as the sites were identified in the Local Plan, they could only be amended through the process of reviewing the Local Plan itself. The most logical method for this would be through the new Local Development Framework process. However, the first stage of this process, the Core Strategy (to be adopted in 2009) could identify the general location of big developments but could not be site specific. Specific sites could only be stipulated in the Development Allocation Document which was the next stage of the LDF and not due to be adopted until 2011.

The Chief Executive explained that the new PPS3 stated that the Council should not make allowances for development on "windfall sites" unless it had demonstrated a strong argument for doing so. He emphasised that this might cause difficulties for the Council as it traditionally relied on a significant proportion of development occurring on such sites.

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

RESOLVED:

1. That the 'Assessment of Need for Local Reserve Site Releases 2007', as attached to the Report and with amendments detailed above, be published for public consultation.

2. That the results of consultation be reported back to Cabinet, along with a recommendation as to whether any site releases would be needed in the coming year.

3. That any formal review of the Local Plan Review's policy H.2 be undertaken as part of the planned programme of work on the Council's Local Development Framework.

9. **SOUTH WINCHESTER PARK AND RIDE**
(Report CAB1367 refers)

Councillor Allgood declared a personal (but not prejudicial) interest in respect of this item as a County Councillor. He remained in the room, spoke and voted.

At the invitation of the Chairman, Councillors Higgins and Beveridge spoke regarding this item.

Councillor Higgins spoke in favour of the proposed new park and ride site, but queried whether any planning objections had been overcome. He also supported two bus routes operating from the site, one via the hospital. He requested that adequate traffic management provision for the buses be made along Badger Farm Road.

Councillor Beveridge welcomed the public consultation undertaken by the County Council on the proposed site. However, he believed that Cabinet should have received a report to allow the matter to be debated in public, before the County Council was informed of the City Council's support for Option 3.

The Director of Development clarified that the City Council's response had only referred to highway and transportation issues as it did not want to prejudice its position with regard to planning issues.

Councillor Allgood stated that he and the Director of Finance had reservations over the financial implications to the Council of the support for the scheme. He requested that when a decision was taken about how much to charge for use of Park and Ride it should seek, as far as possible, to reduce the impact of the deficit.

The Director of Development advised that, at this stage, the City Council was indicating its support in principle to provide the necessary bus operation. Further financial details would become available once, for example, information about the routes and timings of the buses was known.

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

RESOLVED:

1. That the City Council's support for the provision of a South of Winchester park and ride service and its agreement, in principle, to provide the necessary bus operation from the chosen site be confirmed, subject to further consideration of the budget implications and to planning permission being given for the site.

2. That the Director of Development be authorised to negotiate with the County Council on the route chosen for the park and ride buses and to report back on the route selected and the financial implications of running the South of Winchester park and ride service as soon as possible.

3. That the Director of Development report back to Cabinet on terms for the car park lease.

4. That the County Council be asked to implement appropriate bus priority measures to support which ever route is selected.

5. That the need to devise an updated parking and transport policy through the Winchester Town Access Plan be noted.

10. **COUNCIL TAX BASE 2007/08**
(Report CAB1364 refers)

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

RECOMMENDED:

1. THAT THE CALCULATIONS CONTAINED IN THE REPORT CAB1364 FOR THE COUNCIL TAX BASE FOR 2007/2008 BE APPROVED.

2. THAT IN ACCORDANCE WITH THE LOCAL AUTHORITIES (CALCULATION OF TAX BASE) REGULATIONS 1992, THE AMOUNT CALCULATED BY WINCHESTER CITY COUNCIL FOR THE YEAR 2007/2008 IS 46,661.35 PROPERTIES AT BAND D EQUIVALENT.

3. THAT THE AMOUNT CALCULATED AS THE COUNCIL TAX BASE FOR EACH PARISH WITHIN THE AREA OF WINCHESTER CITY COUNCIL AND FOR WINCHESTER TOWN SHALL BE AS STATED IN APPENDIX C TO THE REPORT CAB1364.

11. **NON-DOMESTIC RATES – RURAL SETTLEMENT LIST 2007/08**
(Report CAB1324 refers)

Councillor Allgood advised that further investigation was required about whether Whiteley should be included in the rural settlement list. He requested that the Director of Finance be given delegated authority to make any necessary amendments regarding this issue, in consultation with himself. This was agreed.

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

RESOLVED:

1. That subject to recommendation 2 below, the list of Rural Settlements shown in Appendix A of the Report be approved for the year 2007/08.

2. That the Director of Finance be given delegated authority, in consultation with the Portfolio Holder for Finance and Resources, to make any necessary changes regarding the inclusion of Whiteley in the list.

12. **2006 ASSET MANAGEMENT PLAN**
(Report CAB1371 refers)

Councillor Allgood requested that Recommendation 3 be amended to reflect that it was a one-off revenue growth bid and not part of the base budget. This was agreed.

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

RESOLVED:

1. That the draft Asset Management Plan 2006 be adopted.

2. That, subject to the approval of the growth bid referred to in Recommendation 3 below, on completion of the new property surveys, that a report be brought back with a revised five year programme of property repairs.

3. That a one-off revenue growth bid of £40,000 be considered as part of the budget process to meet part of the cost of the property surveys.

13. **MEMBERS' ALLOWANCES SCHEME – FOURTH REVIEW**
(Report CAB1357 refers)

At the invitation of the Chairman, Councillors Verney, Higgins and Rees spoke regarding this item.

Councillor Verney requested that Councillors be entitled to claim travel expenses for attending parish council meetings, because expenses could be claimed for travel to the Winchester Town Forum. He asked that further investigation be carried out into alternative methods of dealing with expenses for telephone calls. Councillor Verney also supported the Independent Remuneration Panel's recommendation that Members should be entitled to join the Local Government Superannuation Scheme. He suggested that any Members wishing to join the Scheme could receive an equivalent reduction in their allowance, so its operation could be cost-neutral to the Council. He also highlighted the impact of delaying the scheme on those Councillors who were close to the upper age limit of making contributions.

Councillor Higgins spoke in support of the Report's proposals and stressed that it was important Councillors received the "rate for the job".

Councillor Rees also supported the proposals and highlighted Councillors' commitment and work carried out in their local communities.

In response to the suggestions made by Councillor Verney, the City Secretary and Solicitor explained that it was not legally possible for the levels of allowance to be adjusted according to whether a Councillor opted to join the pension scheme. Therefore, if it was decided to allow Councillors to join the Local Government Superannuation Scheme, the Council would need to make adequate budget provision.

The City Secretary and Solicitor confirmed that the employers' rate for pension contributions in the report should be updated from 16 per cent to 17.7 per cent for 2007/08. He agreed with Councillor Verney's interpretation that this could be reduced by 3.5% to take account of reduced National Insurance contributions in relation to the use of a "contracted-out" pension scheme, for those Members who joined the Local Government Superannuation Scheme.

The City Secretary and Solicitor highlighted that the Winchester Town Forum was not equivalent to parish council meetings, as it was a City Council appointed body. Members also commented that they attended other local meetings in their parish and believed that this work should be covered by the Basic Allowance. Following discussion, Cabinet decided it was not appropriate to pay travel expenses for attendance at parish councils.

Councillor Verney asked whether the City Secretary and Solicitor could make application to the Inland Revenue to obtain an agreed level of claimable expenses that could be off-set against the income tax requirement. The City Secretary and Solicitor indicated that a recent application had already been made but the Inland Revenue was not in favour of this approach. It was up to individual Members to justify any claims on their own tax returns. Guidance was available in the Members' Library.

The City Secretary and Solicitor reported a drafting error in Recommendation 8 of the Report (Recommendation 7 below), as it was not intended to remove subsistence allowance claims for attendance at the authority's own meetings. For this reason, the reference to internal meetings should be removed.

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

RECOMMENDED:

1. THAT THE BASIC AND SPECIAL RESPONSIBILITY ALLOWANCES, AS SET OUT IN APPENDIX B OF REPORT CAB1357, BE APPROVED.

2. THAT THE REVISED LEVELS OF 'OTHER ALLOWANCES', ATTACHED AS APPENDIX C TO THE REPORT, BE APPROVED.

3. THAT WITH REGARD TO THE POSSIBILITY OF ELIGIBLE MEMBERS JOINING THE LOCAL GOVERNMENT SUPERANNUATION SCHEME, THE MATTER BE NOTED AT THIS STAGE AND INVESTIGATED DURING 2007, WITH A VIEW TO INTRODUCTION (IF AGREED) IN THE 2008/09 FINANCIAL YEAR.

4. THAT WHILST THE CONTRIBUTION OF TACT REPRESENTATIVES TO THE WORK OF THE COUNCIL IS VALUED, THE CONCERN ABOUT THE POTENTIAL FINANCIAL DIFFICULTIES OF BEING IN RECEIPT OF A CO-OPTEE'S ALLOWANCE BEING A DETERRENT TO INDIVIDUALS WANTING TO UNDERTAKE THE ROLE, IS UNDERSTOOD. THEREFORE THE ALLOWANCE BE NOT INCLUDED IN THE SCHEME. HOWEVER, TACT BE ADVISED THAT THE COUNCIL WILL REVIEW THE MATTER AT A FUTURE DATE, IF REQUESTED.

5. THAT THE CONTINUATION OF THE USE OF EITHER THE ANNUAL LOCAL GOVERNMENT PAY AWARD OR THE RETAIL PRICE INDEX (WHICHEVER IS THE LOWER) AS THE APPROPRIATE INDEX TO PROVIDE AN ANNUAL INFLATION INCREASE TO THE SCHEME BE AGREED, IN THE EVENT THAT THE COUNCIL DECIDES THERE ARE NO MATERIAL ISSUES TO REQUIRE A FURTHER REPORT OF THE INDEPENDENT PANEL IN A PARTICULAR YEAR.

6. THE BASE BUDGET FOR MEMBERS ALLOWANCES BE INCREASED FOR 2007/08 ONWARD, BY £22,000.

7. THAT TRAVEL AND SUBSISTENCE PAYMENTS FOR ATTENDING EXTERNAL MEETINGS BE AMENDED IN ACCORDANCE WITH PARAGRAPH 5.5 OF THE REPORT.

8. THAT A FURTHER CATEGORY BE ADDED TO THE INTERNAL MEETINGS LIST AS FOLLOWS:-

‘A GROUP LEADER (OR THEIR NOMINATED REPRESENTATIVE) ATTENDING A MEETING OF CABINET TO OBSERVE PROCEEDINGS.’

9. THAT THE CIVIC ALLOWANCES FOR THE MAYOR AND DEPUTY MAYOR BE INCREASED FROM £3,620 TO £4,000 AND FROM £150 TO £500 RESPECTIVELY.

10. THAT THE INFLATION INCREASE APPLIED TO THE OTHER ALLOWANCES, AS SET OUT IN APPENDIX C, BE AGREED.

RESOLVED:

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

14. **ANNUAL REVIEW OF THE CONSTITUTION**
(Report PS262 refers)

At the invitation of the Chairman, Councillor Evans spoke against Proposal 2 below being adopted, as she did not consider it fair to restrict Councillors questions before debate to fifteen minutes. She believed it would be more appropriate for the Mayor to receive more training on how to most effectively manage the Council debate, and ensure this period was used for proper questions only.

Cabinet agreed that the period for questions should not be used as a means of opening debate on an item. It was agreed that if this period was used correctly, the suggested time limit of fifteen minutes was adequate and would provide more time for the debate itself.

In response to questions, the City Secretary and Solicitor confirmed that the rule requesting Members to stand if they wished to speak would have appropriate provision to allow for any Councillors unable to stand due to disability.

In addition, the City Secretary and Solicitor advised that the proposed changes were only experimental at this stage and if proved to be successful, would be formally adopted into the Constitution at a later date.

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

RECOMMENDED:

1. THAT THE BEST USE OF QUESTIONS ON RECOMMENDED MINUTES IS AN ISSUE WHICH SHOULD BE CONSIDERED WITHIN THE GROUPS.

2. THAT GENERAL GUIDANCE BE INTRODUCED THAT QUESTIONS BEFORE DEBATE SHOULD GENERALLY BE LIMITED TO NO MORE THAN 15 MINUTES, BUT AT THE MAYOR'S DISCRETION TO ALLOW MORE TIME IF NECESSARY, GIVEN THE NATURE OF THE PARTICULAR ISSUE.

3. THAT THE EXISTING RULE THAT MEMBERS WISHING TO SPEAK SHOULD INDICATE BY STANDING (UNLESS THEY HAVE A DISABILITY), BE RE-ENFORCED, SO THAT OTHER MEMBERS CAN ALSO SEE LIKELY INTEREST IN SPEAKING ON A PARTICULAR TOPIC.

4. THAT MEMBERS BE REMINDED OF THE EXISTING NOTE OF FREQUENTLY ASKED QUESTIONS ON COUNCIL MEETING PROCEDURES – AS SET OUT IN APPENDIX 2 OF REPORT PS262 AND IN PART 8 OF THE CONSTITUTION.

5. THAT CABINET, GROUP LEADERS AND CHAIRMAN OF PRINCIPAL SCRUTINY COMMITTEE GIVE CONSIDERATION TO BRINGING FORWARD SUITABLE KEY ITEMS FOR DISCUSSION AT COUNCIL, WHERE THIS COULD BE A USEFUL AID IN THE DEVELOPMENT OF POLICY.

6. THAT A GENERAL DISCUSSION PROCEDURE OF UP TO 20 MINUTES, WITH A WRITTEN SUMMARY OF POINTS RAISED (SIMILAR TO THAT CONTAINED IN COUNCIL PROCEDURE RULE 15(6) FOR INITIAL DISCUSSION OF PETITIONS) BE CONSIDERED AS AN OPTION FOR SUCH ITEMS OUTLINED IN (V) ABOVE, THOUGH THE COUNCIL COULD ALSO USE ITS NORMAL DEBATE PROCEDURES IF IT SO WISHED.

7. THAT CONSIDERATION BE GIVEN IN THE 2008 ANNUAL REVIEW OF THE CONSTITUTION AS TO WHETHER ANY FORMAL CHANGES TO THE CONSTITUTION SHOULD BE MADE IN LIGHT OF EXPERIENCE FROM THE MATTERS ARISING ABOVE.

RESOLVED:

1. That the other issues raised in Report CAB1288 be noted.
2. That it also be noted that further proposals for developing the Portfolio Holder individual decision-making process and an update of the Planning Protocol will be brought forward in due course.

15. **TRANSFER OF THE COUNCIL'S BUILDING AND ASSOCIATED CONTRACTOR SELECT LIST TO CONSTRUCTIONLINE AND ASSOCIATED ISSUES**
(Report CAB1347 refers)

At the invitation of the Chairman, Councillor Higgins queried whether the select list would make adequate provision for the use of local contractors.

The Director of Communities confirmed that all existing contractors used by the Council would be given the opportunity to transfer to the Constructionline list, and its adoption would also provide opportunities for other local contractors to be included.

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

RECOMMENDED:

THAT PARAGRAPH 8.6 OF THE CONTRACTS PROCEDURE RULES (CONSTITUTION PART 4) BE AMENDED BY THE ADDITION OF THE WORDS:-

(C) ANY LIST MAINTAINED BY ANY OTHER ORGANISATION WHICH IS APPROVED FROM TIME TO TIME BY CABINET FOR THE PURPOSE OF THIS RULE.

RESOLVED:

1. That (subject to approval by Council of the proposed amendments to Contracts Procedure Rule 8.6), Constructionline be an approved list for the purpose of Rule 8.6.
2. That the implementation process set out in Section 6 of the Report be approved.
3. That Constructionline be used where appropriate to procure the services of consultants and contractors to deliver Building and Associated Works contracts and other Council functions requiring the services of consultants and contractors.
4. That the Director of Communities, in consultation with the Director of Finance, be authorised to close down existing in-house selective tender lists for such works and services as are covered by the Constructionline list wherever possible.

16. **BUSINESS CONTINUITY PLANNING**
(Report PS260 refers)

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

RESOLVED:

That the progress made with the Business Continuity Planning be noted.

17. **MINUTES OF THE WINCHESTER TOWN FORUM HELD 22 NOVEMBER 2006**
(Report CAB1368 refers)

At the invitation of the Chairman, Councillors Evans, Higgins, Busher and Rees spoke regarding these minutes.

Councillor Evans (on behalf of Town Ward Member, Councillor Hiscock) stressed that all members of the Liberal Democrat Group supported the proposals for an Outdoor Sports Centre at Bar End and did not wish to jeopardise the bid for further funding from the Sport England and Site Trust. However, there remained concerns about how the facility would be funded from the Town's Open Space Fund.

Councillor Higgins endorsed the comments made by Councillor Evans and believed that funding of the Centre should be treated in a similar way to the proposed community facilities in Knowle (ie from General Fund).

Councillor Busher expressed disappointment that the Town Forum was seeking contributions towards the Outdoor Sports Centre from parish councils. She reminded Cabinet that Southern parishes had already recently contributed towards the Swanmore Multi-Use Games Area.

As Chairman of the Town Forum, Councillor Rees advised that he was arranging a meeting between the Hampshire and Isle of Wight Wildlife Trust, landowners of St Catherine's Hill, and local residents to attempt to settle recent disputes regarding dog walking on the land.

Councillor Rees drew Cabinet's attention to the presentation from the Manager of the Winchester Citizens' Advice Bureau (CAB) at the last Forum, and requested that funding for the CAB be given high priority as part of the budget process.

With regard to the Outdoor Sports Centre, Councillor Rees highlighted the importance of the Centre for the District and wider areas. He stressed that parish councils were only being requested (and not required) to contribute. In addition, he did not consider that the proposed funding would have any effect on smaller sports projects should they come forward in the future. In conclusion, he did not support the Forum's proposals to Cabinet that the previous commitment of Council be altered.

In response to the comments made, the Chairman emphasised that the Outdoor Sports Centre proposals had been endorsed by Council on 19 July 2006.

Councillor Stallard clarified that Parish Councils would be sent a letter in general terms inviting them to make a contribution, without any mention of using "uncommitted sports funds." She also emphasised the requirement to indicate total Council support for the project in order for further funding bids to be successful.

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

RESOLVED:

1. That the minutes of the Winchester Town Forum held 22 November 2006 be received.

2. That with regard to the specific recommendations to Cabinet on the Outdoor Sports Centre (Report WTF84 refers), the following be agreed:

- a) That the concerns of the Town Forum regarding the use of the Winchester Town Open Space Fund for Sports Provision be noted but not supported;
- b) That a further report be submitted to Cabinet in January 2007 to consider how funding for future suitable sports schemes in the Town could be released, in the context of the commitment already made by Council to the funding of the Outdoor Sports Centre;
- c) that the action taken to contact Parish Councils in the District to invite them to make a contribution towards the Centre be noted.

18. **EXTRACT FROM MINUTES OF THE PERSONNEL COMMITTEE HELD 13 NOVEMBER 2006**

(Report CAB1370 refers)

At the invitation of the Chairman, Councillor Evans suggested that paper copies of payslips should still be provided to those Members who wished to receive them.

In response, the City Secretary and Solicitor said that this was the intention. Two short training sessions would be held in the New Year for those Members who wished to access their personal details through the Selima system. The Resources Scrutiny Panel had supported this approach.

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

RESOLVED:

That the approach set out above be approved.

19. **DEPOT SERVICES CONTRACT – HALF YEAR REVIEW**

(Report PS258 refers)

Cabinet noted that at Principal Scrutiny Committee on 4 December 2006, it had been resolved that the Exempt Appendix 3 to the Report should be dealt with in open session. It had been confirmed that since the publication of the Report, the contractor had agreed with the action recommended by the Authorised Officer of the Depot Contract.

Principal Scrutiny Committee had endorsed the approach suggested by the Report and requested that at least six-monthly monitoring reports be brought back to that Committee and Cabinet.

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

RESOLVED:

1. That the contractor performance information contained within the Report be noted.

2. That the action of the Authorised Officer of the Depot Contract in relation to Void Housing performance, as set out in Appendix 3 of the Report, be endorsed.

3. That performance of the backup contractors be monitored alongside SERCO's performance by Cabinet and Principal Scrutiny Committee on a six monthly basis, but if either the Portfolio Holder or Director had concerns about performance, then the report should be brought at an earlier stage.

20. **OFFICE ACCOMMODATION – RELOCATION COSTS (LESS EXEMPT APPENDIX)**
(Report CAB1366 refers)

The above Report was not notified for inclusion within the statutory deadline. The Chairman agreed to accept the item onto the agenda, as a matter of urgency, because of the need for the matter to be considered prior to Council on 10 January 2007.

At the invitation of the Chairman, Councillors Evans and de Peyer spoke regarding this item.

Councillor Evans expressed concern about the increased costs of £400,000, compared with the original estimate of £100,000. In particular, her concerns related to the fact the Council only had a short lease on the West Wing and did not intend to retain the City Offices in the long term. She also queried whether the cost of providing a Directors Suite was justifiable. She asked why there were delays in selling the Hyde Historic Resources Centre and whether the costs of moving the museums service were included in the estimates.

Councillor de Peyer also queried whether provision had been made for the cost of moving the museums service, in addition to asking if the costs included some funds for redecoration of the West Wing.

In response to specific points raised, Cabinet was advised that the costs included provision for some modest redecoration of the West Wing, where required. The costs of moving the museums service were not included in this Report, and a further Report would be submitted to Cabinet on this matter in the New Year.

The City Secretary and Solicitor advised that it would not be appropriate to make any expenditure conditional upon renegotiation of the West Wing long leasehold interest, as the costs should be viewed as a means of improving the Council's existing accommodation within the period of the short-term lease. The Chief Estates Officer stated that the Council currently held a short lease of fifteen years on the West Wing. He commented that this was a period of time after which it would be appropriate for the Council to consider further refurbishment anyway.

The Chief Executive explained that a Directors Suite had been proposed in order to further facilitate corporate working and to link in with the current proposals for the Council's organisational development. The cost was approximately £25,000 but he

emphasised there would be an alternative cost if the Directors Offices were located elsewhere.

Cabinet noted that Appendix A provided a breakdown of some elements of the total estimated relocation costs. However, no further details were provided about the figure of £203,863 for building works. The Chief Estates Officer confirmed that this information was available and could be provided for Members if requested. In addition, he confirmed that the elements of the costs which directly related to relocation of Avalon House staff could be identified.

Following further discussion, Cabinet agreed that a decision on the Report's Recommendations 1 and 2 could not be made until further information on the breakdown of costs was provided. It was therefore requested that a Report be submitted directly to Council on 10 January 2007 providing this detail which would indicate the Leader's proposals.

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

RECOMMENDED:

THAT REPORT CAB1366 BE REFERRED DIRECTLY TO COUNCIL ON 10 JANUARY 2007 FOR ITS CONSIDERATION TOGETHER WITH A FURTHER REPORT INDICATING THE LEADER'S PROPOSALS IN RESPECT OF RECOMMENDATIONS 1 AND 2 OF THE REPORT.

RESOLVED:

1. That a direction be made under the Contract Procedure Rules 3.3 (a) to permit the granting of the building works contract to the contractor recommended in the exempt appendix without advertising the tender by public notice.

2. That in advance of Council approval minor works and removal costs up to a cost of £30,000 are approved in order to facilitate early occupation of that part of the West Wing that only requiring minor works.

21. **FUTURE ITEMS FOR CONSIDERATION**

Councillor Allgood advised that because of the budget consultation meetings with parish councils and business interests etc planned for January 2007, it would not be possible to submit a final General Fund Budget report to Cabinet on 17 January 2007. However, it was intended to provide an update report for this meeting.

RESOLVED:

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

22. **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>
##	Office Accommodation – Relocation Costs (Exempt Appendix)) Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Para 3 Schedule 12A refers)
##	Winnall Business & Innovation Centre	
##	Silver Hill – Design Adjustment Implications	
##	New Offices – Masterplan Update	
##	IM&T Infrastructure	
##	Mobile Working	
##	Tower Street Car Park	
##	Repairs	

23. **OFFICE ACCOMMODATION – RELOCATION COSTS - EXEMPT APPENDIX**
(Report CAB1366 refers)

Cabinet considered the information relating to detailed building quotations contained in the Exempt Appendix to the above Report.

RESOLVED:

That the information contained in Exempt Appendix B be noted.

24. **WINNALL BUSINESS AND INNOVATION CENTRE**
(Report CAB1358 refers)

Cabinet considered the above report which set out proposals regarding a Winnall Business and Innovation Centre (detail in exempt minute).

25. **SILVER HILL DEVELOPMENT DESIGN ADJUSTMENT IMPLICATIONS**
(Report CAB1365 refers)

As Members of the Planning Development Control Committee, Councillors Beveridge, Bennetts, Busher, de Peyer, Evans, Higgins, Pearson and Sutton had previously been advised that it was not appropriate for them to remain for discussions regarding Silver Hill. They therefore left the room and took no part in the debate on this item. Under the Council's Constitution Access to Information Procedure Rules (Rule 15.1 General Exception), this was a Key Decision, which had not been included in the

Forward Plan. Under this procedure, the Chairman of Principal Scrutiny Committee had been informed.

Cabinet considered the above Report which set out the implications of the proposed variations to the Silver Hill Development Design (detail in exempt minute).

26. **NEW OFFICES - MASTER PLAN UPDATE**

(Report CAB1361 refers)

Cabinet agreed that the above Report, which provided an update on the progress of the Masterplan which was being prepared by the Council for potential development of new offices, be deferred until the next Cabinet meeting.

27. **IM&T TECHNICAL INFRASTRUCTURE**

(Report CAB1374 refers)

Under the Council's Constitution Access to Information Procedure Rules (Rule 15.1 General Exception), this was a Key Decision, which had not been included in the Forward Plan. Under this procedure, the Chairman of Principal Scrutiny Committee had been informed.

Cabinet considered the above Report which set out a proposal regarding the IM&T technical infrastructure (detail in exempt minute).

28. **TECHNICAL SOLUTION FOR MOBILE WORKING**

(Report CAB1373 refers)

Cabinet considered the above Report which set out a technical solution for mobile working by Council staff (detail in exempt minute).

29. **TOWER STREET CAR PARK REPAIRS**

(Report CAB1344 refers)

As a County Councillor, Councillor Allgood declared a personal and prejudicial interest in respect of this item, which related to contractual negotiations with the County Council, and left the room during its consideration.

The above Report was not notified for inclusion within the statutory deadline. The Chairman agreed to accept the item onto the agenda, as a matter of urgency, because of the request for a recommendation to be made to Council on 10 January 2007.

In addition, under the Council's Constitution Access to Information Procedure Rules (Rule 16 – Special Urgency), this was a Key Decision, which had not been included in the Forward Plan. Under this procedure, the Chairman of Principal Scrutiny Committee had been informed and her agreement obtained to Cabinet making the decision at this meeting.

Cabinet considered the above Report which set out proposals relating to repairs to Tower Street Car Park (detail in exempt minute).

The meeting commenced at 10.00am (adjourned at 1.25pm and re-commenced at 1.50pm) and concluded at 3.25pm

EXEMPT MINUTES – NOT FOR PUBLICATION**CABINET****13 December 2006****30. WINNALL BUSINESS AND INNOVATION CENTRE**

(Report CAB1358 refers)

Cabinet noted that, at its meeting on 4 December 2006, Principal Scrutiny Committee had considered this Report and decided it did not wish to exercise its powers of call-in.

In response to questions, the Chief Estates Officer confirmed that Basepoint plc was owned by a charitable organisation. In addition, the Council would not give any guarantee that the company would not be charged business rates for unlet units.

The Chairman welcomed the proposal as a providing an exciting opportunity for small businesses in Winchester.

A Member asked if the two transactions would be undertaken upon a “back to back” basis to minimise the risk to the Council. The Chief Estates Officer indicated that this would be done if circumstances permitted. However, it might be necessary to progress the deal with Thames Water independently to secure the site for the Council. The report indicated that if the deal with Basepoint did not proceed then it was still in the Council's interest to proceed with the Thames Water surrender.

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

RESOLVED:

1. That a surrender be taken of the Thames Water interest in Plot 1 Winnall Valley Road for a capital payment of £595,000 plus stamp duty and VAT, together with other terms to be settled by the Chief Estates Officer, the costs to be met from the existing capital programme provision.

2. That the principle of a letting to Basepoint plc be agreed with the Chief Estates Officer authorised to negotiate a long lease of the property with detailed terms and a full assessment of the state aid rules and VAT considerations to be brought back to a future meeting.

3. That in view of the belief that the letting to Basepoint is likely to contribute to the achievement of promotion or improvement of economic well-being in the District, that a disposal at less than best consideration, in accordance with the provisions of the Local Government Act 1972 General Disposal Consent (England) 2003, is appropriate.

4. That in advance of signing a lease in order to facilitate the start of detailed design works and the submission of a planning application, the Council agrees to meet abortive costs, reasonably incurred by Basepoint up to £10,000, in the event that the Council decides not to proceed with a letting, (to be met from existing base budgets).

5. That in the current budget preparation, Cabinet considers the short term reduction in revenue of £45,150 in 2007-08, £43,500 in 2008-09 and £6,250 in 2009-10 until the project breaks even.

31. **SILVER HILL DEVELOPMENT DESIGN ADJUSTMENT IMPLICATIONS**
(Report CAB1365 refers)

At the invitation of the Chairman, Councillor Rees stated that he would welcome the planning application being submitted as soon as possible. He also requested that the Council ensure that the minimum of 40 per cent affordable housing stipulated be protected in the agreement. He queried how long required public consultation period would be.

The Chairman advised that the Council had received an assurance from Thornfields that the 40 per cent minimum affordable housing figure would be retained.

The Director of Development explained that it would be a matter for Planning Development Control Committee to determine if any variation to this percentage could be agreed. The minimum statutory period of consultation on the changes to the application was 21 days and it would be for planning officers to decide whether this was sufficient for an application of this magnitude.

One Member questioned why the Council was being asked to meet the costs of the scheme variations, despite the fact that these changes were being made at Thornfield's instigation. The Chief Estates Officer commented that there would be an element of costs to the company because, under the agreement, it would still receive a ten per cent return, but of a slightly smaller scheme. In addition, he confirmed that the Council would seek to claw back the loss of its capital value through an adjustment of the overage agreement.

The Chief Estates Officer continued that the development agreement stipulated that the City Council must act reasonably. Regard must also be had to the fact that Thornfields were not required to undertake the scheme, although there were reasons why it was to their advantage to continue. The Chief Executive reminded Cabinet that the alterations would meet some of the concerns raised by English Heritage and by planning officers, regarding the elevation of the frontages.

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

RESOLVED:

1. That subject to the receipt of a minimum compensation figure of £700,000, the Council agrees that the re-provision of the parking office, parking mess and CCTV control room as part of the scheme is not required and they are removed from the Broadway Friarsgate Development Agreement as Minimum Requirements, with the Chief Estates Officer authorised to negotiate the precise compensation figure.

2. That subject to consultation with the Portfolio Holder for Resources, the City Secretary and Solicitor and the Director of Finance, the Chief Estates Officer be authorised agree a variation in the overage provisions in the Broadway Friarsgate Development Agreement, in order to recover the loss of future capital value due to the exclusion of the parking office, parking mess and CCTV control room.

3. That Thornfield are informed that the ShopMobility and Dial a Ride facility remain a Minimum Requirement, and that the requirement to meet the cost of replacement CCTV equipment remains as agreed.

4. That the Broadway Friarsgate Development Agreement be varied to reduce the minimum number of residential units from 277 to 260.

5. That the Chief Estates Officer be authorised to approve variations to the submitted planning application to take account of the material variations outlined in section 2 of the Report.

6. That the Chief Estates Officer be authorised, in consultation with the City Secretary and Solicitor and the Director of Finance, to agree any consequential adjustments to the Development Agreement.

32. **IM&T TECHNICAL INFRASTRUCTURE**

(Report CAB1372 refers)

At the invitation of the Chairman, Councillor Learney reported on the initial findings of the Gershon Savings Informal Scrutiny Group which had identified the requirement for the integration of systems as a major issue. This commented related to both this report, and Report CAB1373 below.

In response to questions, the Director of Finance advised that only one operating system (Solaris) was incompatible with the new infrastructure. She advised that CAPS Uniform had confirmed its compatibility.

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

RESOLVED:

1. That the purchase and implementation of Vmware and a storage area network (including a five year maintenance agreement) from Dell plc via the OGC Buying Solutions "Catalist" IT framework agreement totalling £247,000 be agreed.

2. That a direction be made under Contract Procedure Rules 3.3(a) and (b), authorising the use of the OGC Buying Solutions "Catalist" IT framework agreement as set out in Recommendation 1 above.

3. That the Director of Finance, in consultation with the City Secretary and Solicitor, be authorised to enter into the necessary arrangements.

33. **TECHNICAL SOLUTION FOR MOBILE WORKING**

(Report CAB1373 refers)

The Director of Finance advised that, in addition to enabling mobile working, it was proposed to use the new system to allow integration between the Customer Service Centre software and back office systems.

With regard to the concern expressed by CAPS in paragraph 8.4 of the Report, the Director of Finance stated that she had contacted five other local authorities who had received the same notification from CAPS. However, in practice these authorities had acquired NDL-Metascybe and had not experienced any of the difficulties outlined.

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

RESOLVED:

1. That a direction be made under Contract Procedure Rules 3.3(a) authorising the acquisition of a flexible mobile working solution from NDL-Metascybe as set out in Sections 8 and 10 of the Report.

2. That the Director of Finance, in consultation with the City Secretary and Solicitor, be authorised to enter into the necessary arrangements.

34. **TOWER STREET CAR PARK REPAIRS**
(Report CAB1344 refers)

At the invitation of the Chairman, Councillor Rees expressed concern about the high suggested level of City Council contribution towards the repairs. In particular, he highlighted that the figures contained in Appendix A suggested that the City Council's share of the total estimated costs of £3,245,000 was £2,500,500, which did not appear to be a fair apportionment.

The Director of Development apologised for the late availability of this Report, which was due to ongoing negotiations taking place with the County Council only recently highlighting the extent of the costs. In addition, the County Council had indicated it wished to progress the repairs as soon as possible and it was necessary to get a decision from Cabinet to allow this. The County Council had, therefore, offered to cap the City Council's contribution towards the scheme of repairs at the car park, at a maximum contribution of £1.4 million. He considered that this was a good offer based on the estimated cost of repairs outlined in the Appendix to the Report. It was also confirmed that this offer would only stand if the redevelopment of Ashburton Court went ahead.

The Director of Development confirmed that the City Council were liable to contribute to repairs under the terms of the lease, but the exact apportionment was not specified. However, the City Secretary and Solicitor clarified that repair costs could be attributed by analysing which element of the car park they related to and the timing as to when the works were necessary. Costs that related to parts of the building occupied by both Councils could be apportioned in relation to the relative areas occupied or degree of benefit obtained. The late availability of the repair costs had prevented this assessment being possible before the Report was produced. He advised that the figures quoted by the County Council should be verified by an external consultant before any monies were released.

The Director of Development acknowledged that the timing of the County Council request probably linked in with its plans to redevelop Ashburton Court, but confirmed that the City Council were not being asked to contribute towards any costs of this proposed refurbishment.

The Director of Development highlighted the health and safety concerns involved regarding the deteriorating condition of the car park concrete 'fins'. Under the County Council's proposals, these 'fins' would be removed, which was considered to be the best option.

Following discussion, Cabinet expressed concern about agreeing to a contribution of over £1 million without further analysis of the costs quoted by the County Council and the appropriate apportionment to the City Council under the lease. At this stage it was therefore decided that agreement in principle should be given, subject to further technical and legal advice being obtained. It was proposed that Council in January would be asked to approve capital budget provision. A further report would be made to Cabinet to verify the amount of capped contribution to be included in the agreement.

A member queried whether it was possible to undertake £1.1m of works on behalf of this Council in 2006/07. The Director of Development agreed that it was not and a revised cashflow projection is included in the recommendations below.

RECOMMENDED:

THAT SUBJECT TO THE MATTER NOT BEING CALLED IN BY PRINCIPAL SCRUTINY COMMITTEE, IT BE AGREED

1 THAT THE PROPOSAL PUT FORWARD BY HAMPSHIRE COUNTY COUNCIL WHICH WILL CAP THE COUNCIL'S CONTRIBUTION TOWARDS THE SCHEME OF REPAIRS AT TOWER STREET CAR PARK AT UP TO £1.4 MILLION BE ACCEPTED IN PRINCIPLE SUBJECT TO A FURTHER REPORT TO CABINET TO SETTLE THE FINAL AMOUNT OF THE CAPPED CONTRIBUTION TO BE MADE WITHIN THIS SUM.

2 THAT THE CONTRIBUTION OF £1.4 MILLION IS SPREAD OVER A PERIOD OF FOUR YEARS WITH A MAXIMUM PROJECTED CAPITAL EXPENDITURE OF £1.1 MILLION IN 2007/08 AND EXPENDITURE OF £100,000 PER ANNUM IN 2008/09, 2009/10 AND 2010/11.

3 THAT THE CAPITAL PROGRAMME PROVISION OF £1MILLION FOR CAR PARKING REPAIRS PROVISIONALLY ALLOCATED FOR THE REFURBISHMENT OF FRIARSGATE IS USED TO MEET THIS CONTRIBUTION WITH A FURTHER PROVISION OF £430,000 MADE OVER THE PERIOD TO 2009/10 TO COVER THE BALANCE OF THE COST INCLUDING A PROVISION OF £30,000 FOR PROFESSIONAL FEES TO ENABLE THE COUNCIL TO PROPERLY MONITOR THE COSTS AND WORKS.

RESOLVED:

1 That, subject to the agreement of the capital growth bid, currently under consideration for the 2007-08 budget, of £100,000 for health and safety and operational improvements that this work is undertaken following the repairs.

2 That any agreement with the County Council is conditional upon the agreement of an 'open book' approach.

3 That the Chief Estates Officer is authorised to enter into an agreement upon the details of the works, the Council's share, and the compensation for any loss of permanent spaces in consultation with the City Secretary and Solicitor and the Director of Finance, taking the advice of professional advisors where appropriate.

4 That a further report be made to Cabinet to justify the proposed capped contribution of up to £1.4m before the agreement referred to in 3 above is entered into.

Chairman