

**CABINET**

**28 March 2007**

Attendance:

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

Councillor Allgood – *Portfolio Holder for Finance and Resources*

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

Councillor Hollingbery – *Portfolio Holder for Performance and Communications*

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, Evans, Higgins and Hiscock

Mr A Rickman (TACT)

Others in attendance who did not address the meeting:

Councillors Bennetts and Sutton

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1. **APOLOGIES**

Apologies were received from Councillors Allgood and Hollingbery.

2. **MINUTES**

RESOLVED:

That the minutes of the previous meeting, held on 7 March 2007, be approved and adopted.

3. **PUBLIC PARTICIPATION**

There were no questions asked or statements made.

4. **LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

Councillor Stallard reported on the recent briefing about the new Winchester Discovery Centre, which was currently under construction in Jewry Street. She also reported on the very successful lecture by the Chief Executive of English Heritage, regarding the Palace of King Charles II in Winchester.

Councillor Beckett reported that the planning application for the Silver Hill development had been approved by Planning Development Control Committee on 27 March 2007. On behalf of the Council, he stated that he was looking forward to working with the developers to progress the scheme.

Councillor Beckett also advised that the recent Winchester Town Forum “Question Time” style event at the Theatre Royal had proved very successful.

In conclusion, Councillor Beckett announced that the Council had received an award for innovation in tackling homelessness by the Association of Retained Council Housing. Councillor Coates accepted the award on behalf of the Housing staff and congratulated all those involved in its achievement.

5. **DELIVERING DECENT HOMES – THE HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN UPDATE 2007/08**

(Report CAB1439 refers)

At the invitation of the Chairman, Mr A Rickman stated that TACT had some concerns about the Report, but recognised that current Government guidelines regarding negative subsidy placed the City Council in a difficult position. TACT had sent a letter to the Prime Minister requesting that the current 40 per cent negative subsidy be reviewed. They were awaiting a response from the appropriate Government department.

The Chairman thanked Mr Rickman for his comments and the efforts being made by TACT to change the current situation regarding Government subsidies.

At the invitation of the Chairman, Councillors Hiscock and Evans spoke regarding this item. Councillor Hiscock requested further details about how the 50 per cent capital receipts from sale of vacant housing stock were allocated. In addition, he expressed disappointment that Cabinet had, at a previous meeting, altered the HRA by transferring £75,000 of management overheads after the rents had been agreed by Council in January 2007. He stated that tenants had not been consulted about this transfer and requested that this was not repeated in the future.

Councillor Evans expressed concern about the previously agreed increase in garage rents for non-tenants. In particular, she believed the letter sent advising of the increase had been misleading and she had also received complaints from residents of her Ward that some garages were not in an adequate state of repair.

With regard to request for further information about the allocation of the 50 per cent of capital receipts, the Director of Finance advised this could be included in the periodic monitoring reports to Cabinet. Councillor Coates indicated that the intention was that these receipts would be used to finance new social housing units for rent.

The Director of Communities stated that the Council were investigating the condition of garages where they had received specific complaints and would undertake the necessary work to ensure they were wind and weather tight.

In response to questions, the Director of Communities stated that there were no current plans to introduce the requirement for Energy Efficiency Certificates in advance of the deadline set by the Government.

With regard to TACT comments in the Report about the use of Neighbourhood Wardens to tackle anti-social behaviour by tenants, Councillor Pearson reported that the Police were establishing Safer Neighbourhood Panels across the District, which would also assist with this work.

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

## RESOLVED:

1. That the HRA Business Plan update for 2007/08, including the proposed Major Repairs, Renewals and Maintenance Programme, be approved.
2. That the revised HRA Budget for 2007/08 as detailed in Appendix 2 of the Report be approved.
3. That the Head of Housing Landlord Services be given authority to make minor editing amendments, in consultation with the Portfolio Holder for Housing and Communities, prior to final publication of the Plan.

6. **ANNUAL AUDIT AND INSPECTION LETTER 2005/06**

(Report PS280 refers)

The Chairman welcomed to the meeting Mr M Hepenstal of PricewaterhouseCoopers (PwC), the Council's external auditors.

Cabinet was advised that the Report had been considered by Principal Scrutiny Committee, at its meeting held on 26 March 2007, where the following points had been made:

- that the "value for money" study be referred to Resources Scrutiny Panel for further consideration;
- that the Use of Resources Assessment be referred to the Scrutiny Chairs Liaison Panel to decide if any matters should be referred on to the Scrutiny Panels;
- that Cabinet also have regard to paragraph 11 of the Letter concerning the condition of private sector housing;
- that Cabinet's attention should be drawn to the concerns expressed in paragraph 13 of the letter about the average re-let time of void properties;

At Principal Scrutiny Committee, the Audit Commission Relationship Manager (Ms Krywald), had agreed to make adjustments to the final text of the letter as follows:

- to clarify whether comments referred to audited data from 2005/06 or to trends emerging from data in 2006/07
- to clarify the wording in paragraph 7, page 5 of the appendix, relating to the progress made by the Council in aligning its financial planning to its corporate priorities, reducing the number of priorities.

The Chief Executive also reported that, at Principal Scrutiny Committee, Ms Krywald, had given a positive indication regarding the Council's "direction of travel".

With regard to the Letter's concerns about the increase in average re-let times for Council dwellings, the Director of Communities clarified the reasons behind these figures. In summary, as the Council had adopted a new policy regarding re-letting of sheltered accommodation, which had resulted in a number of units being re-let that had remained empty for some time, this had skewed the figures for 2005/06. However, from 1 January 2007, the average re-let time was 38 days and the Council's target was to achieve 35 days.

With regard to the criticisms about the standard of private sector housing, the Director of Communities stated that he considered that the general standard was, in fact, very good, but the Council needed to improve its evidence base to prove this. In addition, consideration would be given to whether this area of work should be resourced in a different way, including focussing more on Houses in Multiple Occupation. The Director confirmed that a report would be submitted to a future Cabinet on this matter.

In response to questions about the Letter's comment that value for money at the Council was patchy, with some high costs services not performing well, the Chief Executive advised that the forthcoming review of all Council services prior to setting the budget for 2008/09 would seek to address this issue.

With regard to the comment that, although improvements had been made, the Council had not still fully aligned resources with priorities, the Chief Executive explained that the Audit Commission wished to see a greater level of medium term planning (i.e. three to five years).

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

RESOLVED:

1. That, subject to the clarification proposal by the Audit Commission upon the matters raised in the discussion above, the Annual Audit and Inspection Letter for 2005/06 be accepted as presented in the Report.

2. That a Report be submitted to a future Cabinet regarding issues raised by the Letter concerning private sector housing.

7. **LOCAL (HOUSING) RESERVE SITE RELEASES 2007 – RESULTS OF CONSULTATION ON NEED ASSESSMENT**  
(Report CAB1435 refers)

In response to questions, the Chief Executive explained the relationship between the Structure Plan and the South East Regional Plan, which would replace it before 2011. If the Regional Plan contained a requirement for more housing than currently stipulated, this would be considered as part of the Local Development Framework process. Although this process could consider the need for and siting of any reserve sites again, the Council would still need to have regard to the location of sites under the current Local Plan.

The Chief Executive confirmed that there was some dispute about whether, under new Government guidelines, the Council could continue to include windfall sites in its housing figures, which could potentially cause difficulties for the Council in the future. The Chairman advised that the Hampshire and Isle of Wight Association of Local Authorities were seeking to ensure windfall sites could be included. The new guidelines, however, did not affect the position in relation to the current Winchester District Local Plan.

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

RESOLVED:

That, taking account of the 'Assessment of Need for Local Reserve Site Releases 2007', the comments received on it, and the response detailed as Appendix 1 of the Report, no Local Reserve Site releases were required for the coming year.

8. **"LIVE FOR THE FUTURE: TACKLING CLIMATE CHANGE" CONSULTATION DRAFT**  
(Report CAB1438 refers)

At the invitation of the Chairman, Councillor Higgins welcomed the Report, but suggested that the Council should take a greater lead on initiatives. In addition, he requested that the consultation on the document be as wide as possible and its reproduction should ensure all the maps included were readable.

Councillor Coates confirmed those last two points. In addition, he advised that the document sought to achieve a balance between setting out its aims and not being too specific (and consequentially lengthy) about what the Council did.

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

RESOLVED:

That the consultation draft of "Live for the Future: Tackling Climate Change" be approved.

9. **ANNUAL REVIEW OF THE CONSTITUTION – POWERS OF THE WINCHESTER TOWN FORUM**  
(Report WTF90 refers)

The City Secretary and Solicitor confirmed that, at its meeting on 22 March 2007, the Winchester Town Forum had approved the revised terms of reference as set out in Appendix 1 of the Report.

Cabinet agreed that the Report be deferred until its next meeting on 11 April 2007 to allow further consideration of its contents. The recommendations would then be submitted to Council on 18 April 2007.

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

RESOLVED:

That consideration of the Report be deferred to the next Cabinet meeting on 11 April 2007.

10. **MINOR AMENDMENTS TO THE CONSTITUTION**  
(Report CAB1436 refers)

At the invitation of the Chairman, Councillor Evans requested clarification about whether Deputy Members of Licensing and Regulation Committee could sit on the Licensing Sub-Committee.

The City Secretary and Solicitor advised that Deputy Members would only be selected for a Sub-Committee if no other full Members were available for the meeting.

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

**RECOMMENDED:**

**1. THAT THE MINOR AMENDMENTS TO PART 4 – COUNCIL PROCEDURE RULES, OF THE CONSTITUTION REGARDING APPOINTMENT OF DEPUTY MEMBERS, AS SET OUT IN PARAGRAPH 1.5 OF THE REPORT, BE APPROVED.**

**2. THAT THE MINOR AMENDMENTS TO PART 3 – RESPONSIBILITY FOR FUNCTIONS (SECTION 2 - THE CABINET AND ITS COMMITTEES) OF THE CONSTITUTION, AS SET OUT IN PARAGRAPH 2.3 OF THE REPORT, BE APPROVED.**

**3. THAT THE MINOR AMENDMENT TO PART 4 – CONTRACTS PROCEDURE RULE OF THE CONSTITUTION, AS SET OUT IN PARAGRAPH 3.2 OF THE REPORT, BE APPROVED.**

**11. SCRUTINY REVIEW – STREETSCENE SERVICES**

(Report CAB1433 refers)

At the invitation of the Chairman, Councillor Beveridge requested that the following amendments to the Review's recommendations (as set out in Appendix 1 of the Report) be agreed:

- point (q) include specific reference to removing signs advertising new developments;
- point (s) include housing associations in the list of groups the Council should work with to promote improved areas;
- inclusion of an additional recommendation to the County Council regarding ensuring adequate maintenance of drains and storm covers to prevent flooding;
- inclusion of another additional recommendation to the County Council highlighting the need to address to current state of highway and path repairs.

Cabinet agreed that the Portfolio Holder consider whether any of these additional points be taken forward.

In response to questions, the Director of Communities advised that consideration was being given to the appropriate level of resources regarding the client-side of the grounds maintenance contract. A further report would be submitted to Personnel Committee in due course.

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

## RESOLVED:

1. That the Environment Scrutiny Panel be thanked for its valuable work on this important issue.
2. That the recommendations of the Environment Scrutiny Panel and those outlined by Councillor Beveridge above, be referred for detailed consideration by the Portfolio Holder for Environment, Health & Safety, to determine if and how they are to be taken forward.
3. That those recommendations agreed for implementation are incorporated within an action plan for approval by the Portfolio Holder using his delegated powers no later than 1 May 2007.
4. That progress against the action plan be monitored by the Environment Scrutiny Panel, as part of the Business Plan performance monitoring process.

12. **EFFICIENCY UPDATE**

(Report PS279 refers)

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

## RESOLVED:

That the current position be noted.

13. **MOORSIDE ROAD WINNALL LIVE-WORK DEVELOPMENT (LESS EXEMPT APPENDIX)**

(Report CAB1440 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.

The Chief Estates Officer introduced Mr Charles Wilkinson and Mr Peter North from Footstep Homes. Mr Wilkinson gave more details about the background to Footstep Homes and past experience of himself and Mr North in this field of work. Mr North outlined the type of accommodation they were intended to construct, emphasising that they aspired for the development to have a zero-carbon impact.

The Chairman thanked the representatives for an interesting and informative presentation. However, he emphasised that Cabinet was primarily concerned with the financial implications of the proposal and not issues relating to planning or design.

In response to questions, the Chief Estates Officer stated that there was no indication the land was contaminated.

At the invitation of the Chairman, Councillors Evans and Higgins addressed Cabinet regarding this item. Councillor Evans spoke in favour of encouraging more live-work units. Councillor Higgins also spoke in support of the proposals.

In reaching its decision, Cabinet had regard to the contents of the exempt Appendix and discussions outlined under the exempt Minute below.

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

RESOLVED:

That the Chief Estates Office be authorised to negotiate the detailed terms of the disposal of the Council's freehold interest within the framework outlined in the exempt appendix of the Report, in consultation with the Director of Finance and the Portfolio Holder for Finance and Resources.

14. **FUTURE ITEMS FOR CONSIDERATION**

Cabinet noted that the CCTV consultants report had not yet been received and therefore the Report would not be submitted to its meeting on 11 April 2007.

The City Secretary and Solicitor clarified that the Forward Plan could not be altered after its statutory publication date, but there were procedures in place to enable Reports not included to be brought to Cabinet if necessary. However, all Officers were encouraged to ensure the information provided for the Forward Plan was as up to date as possible.

RESOLVED:

That subject to the amendment outlined above, the future items for consideration, as set out in the Forward Plan for April 2007, be noted.

15. **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>
##	Moorside Road Winnall Live-Work Development	) Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Para 3 Schedule 12A refers)
##	City Council Organisational Development	) Information relating to any individual. (Para 1 Schedule 12A refers) ) Information which is likely to reveal the identity of an individual. (Para 2 Schedule 12A refers) ) Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority. (Para 4 Schedule 12A refers)

16. **MOORSIDE ROAD WINNALL LIVE-WORK DEVELOPMENT - EXEMPT APPENDIX**  
(Report CAB1440 refers)

Cabinet considered the information relating to disposal terms outlined in the Exempt Appendix to the Report (detail in exempt minute).

17. **WINCHESTER CITY COUNCIL ORGANISATIONAL DEVELOPMENT**  
(Report CAB1443 refers)

The Director of Finance, the City Secretary & Solicitor, the Director of Communities and the Director of Development declared personal and prejudicial interests in respect of this item, and left the meeting during its consideration.

Cabinet considered the above report which set out proposals regarding the organisational development of the City Council (detail in exempt minute).

The meeting commenced at 9.30am and concluded at 11.30am