



COUNCIL MEETING – 7 January 2009

Question under Council Procedure Rule 14

QUESTION 1

From: Councillor Bell

To: The Portfolio Holder for Planning and Access

“Given the increased difficulty of Enforcement where effective conditions are not included in a planning permission, and the importance attached to such conditions by residents’ associations and Parish Councils, can the Portfolio Holder for Planning and Access assure Members that, where planning permission is granted under delegated powers, effective mechanisms are in place to ensure that conditions are effectively scrutinised before publication of the permission?”

Reply

“Case officers make any recommendation to grant planning permission, delegated or otherwise, subject to any conditions they consider necessary. The delegated report, including proposed conditions, is carefully assessed by the Team Manager before the decision is signed off. Team Managers will ask for conditions to be added or amended if, in their view, changes are needed in order for the proposal to be acceptable.

Neighbours/Parish Councils sometimes request the imposition of conditions in the event that a scheme is to be approved. Sometimes these suggestions are reasonable in accordance with good planning practice and sometimes they are not. A condition should only be used where it is appropriate and justified on planning grounds. Government guidance on the use of conditions is clearly set out in Circular 11/95 and conditions should only be imposed where the following tests are met:

- i) necessary (i.e. it serves a material purpose)
- ii) relevant to the development permitted
- iii) relevant to planning
- iv) enforceable
- v) precise
- vi) reasonable in all other respects

If the Council imposes conditions which do not satisfy these requirements they can be challenged at an appeal.”



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QUESTION 2

From: Councillor Henry

To: The Portfolio Holder for Environment

"Further to the recent landing of Portsmouth FC charter flights outside the permitted hours of operation at Southampton Airport, can the Portfolio Holder please confirm that this will not set a precedent for further requests for extended hours for aircraft landing at the airport?"

Reply

"Under the terms of the Flying agreement for the airport they are allowed to operate up to 10 scheduled night flights per month but no more 100 in any 12 month period. The night time period is defined as 2300-0600 Monday to Saturdays and 2300 – 0730 on Sundays.

The only other flights allowed outside of these hours are for unexpected reasons such as poor weather conditions, emergencies or air traffic control delays. On occasions, medical flights transporting donor organs may be accepted or for emergency medical purposes.

The airport rarely approaches these limits in the allowances each year and complaints about this aspect are unusual."



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QUESTION 3

From: Councillor Cook

To: The Portfolio Holder for Planning and Access

“Would the Leader confirm that at the recent New Alresford Town Council (NATC) Meeting he committed Winchester City Council to support the proposals put forward by the Town Council, for the long term housing development for the town to be contained within the existing town boundary, thus rejecting any future development proposals for Areas 1 and 2?

Would the Leader state if the Council are now accepting the new Government Housing Development numbers, without any serious objections being raised or any agreement about what infrastructure is necessary to support such development?

Has any valid research been carried out to date on what infrastructure is necessary to sustain various levels of housing development and, if so, would he identify the research papers giving such information?”

Reply

“The Leader attended the meeting of NATC held on 27 November 2008. The matter of the Town Council’s response to the Local Development Framework consultation was discussed, and the Leader was made aware of the gist of that proposed response. In replying to questions he told the Town Council that he “did not expect, given his view of how the LDF was emerging, they would be disappointed”.

The Town Council’s submission was received by officers at the end of November and was taken into account in drafting report CAB1772(LDF), which recommends the settlement hierarchy and development strategy for each level. Appendix B to CAB1772(LDF) proposed that Alresford should be a ‘Level 1’ settlement and proposed a development strategy of approximately 500 dwellings over the LDF period, through infilling, redevelopment and greenfield release(s). These proposals were approved and are very much in line with the Town Council’s preferences.

The City Council has objected to the housing requirements proposed in the Secretary of State's Proposed Changes to the South East Plan, on the basis that the reasoning for the increase in housing provision was factually inaccurate. The Government has not yet published its response to the consultation, or adopted the South East Plan. Once the South East Plan is adopted it will be the statutory policy for the region and the City Council will have to plan for the housing requirements contained in it. The Leader made this clear at the NATC meeting and this may be the statement the questioner is referring to. The South East Plan has assessed infrastructure requirements (South East Plan Implementation Plan) but only at the sub-regional level as it does not allocate specific sites.

Discussions have been undertaken with statutory undertakers and utilities, who were also formally consulted on the Core Strategy Issues and Options document. The infrastructure providers have not indicated any irresolvable infrastructure constraints to delivering the scale of development required, although some improvements will clearly be needed to enable specific schemes to be accommodated. It is not possible to research specific infrastructure requirements until the scale and location of development is known, and infrastructure providers also require site/capacity information before undertaking this work.

The Cabinet (LDF) Committee has now determined the general development strategy for the Core Strategy, with the major development requirements to be met at Winchester, Whiteley and West of Waterlooville. Other settlements would provide primarily for local needs. Work is underway on assessing the suitability of sites for 'strategic allocations' at the above locations, which includes assessing possible infrastructure constraints. All of the information on infrastructure will in due course be included within a background paper on this topic for the LDF Core Strategy. The Core Strategy will require adequate infrastructure in association with development and I am committed to ensure that this is achieved and will continue to press Government to play its part."



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QUESTION 4

From: Councillor Weston

To: The Portfolio Holder for Environment

“What effects are being felt by Winchester City Council with the collapsing market for recyclable materials?”

Reply

“Hampshire residents are encouraged to continue recycling their household waste, and are being reassured that their recyclables are still being put to good use, despite the impact that the economic downturn is having on the demand for materials.

Whilst the global financial crisis is affecting prices of commodities worldwide markets for reprocessing recyclable materials are no different. The value of recyclables collected has significantly reduced over the last few months and the anticipated income for materials collected is forecast to drop from an average of about £17 per tonne for 2008/09 to an average of £2-3 per tonne for 2009/10. The overall financial impact of this is a reduction in income of about £125,000 to the City Council from the sale of such materials.

However, due to Project Integra’s collection and disposal infrastructure and the efforts of local residents we are currently in a strong position to weather the current global economic downturn and there are still markets for all of the materials collected. The reason for this is that strong and lasting relationships have been established with recycling processors who know that they can rely on high quality material from Hampshire. The County also benefits from two Material Recovery Facilities (MRFs), which means that all dry mixed recyclables (paper, cans, plastic bottles) are sorted here in Hampshire, before being transported to the processors who make the best possible use of the different streams collected.

It is difficult to predict the long term effects of the current down turn in commodity values but in order to enable us to continue to secure markets in these difficult economic times, we need to maintain the quality of recyclable materials and local residents can play their part by continuing to recycle the right materials using the convenience of the kerbside collection schemes available.”



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QUESTION 5

From: Councillor Tait

To: The Portfolio Holder for Planning and Access

“Could the Portfolio Holder bring me up to date with the history of moving bus shelters in Jewry Street and whether the current number and location is now the permanent arrangement for the shelter located outside the Discovery Centre? Could he also explain why a shelter was erected and then almost immediately taken down only to be re-erected?”

Reply

“The issue of bus shelters and bus stops at this location is complicated by the large number of services passing along Jewry Street, the complex pick up and set down arrangements, the need to account for manoeuvring of buses depending upon the direction of travel at the junction of Jewry Street and City Road and the historic setting of the Discovery Centre.

The original plan was to have two bus shelters located outside the Discovery Centre but this was felt to be too intrusive on the setting of the Discovery Centre so one has now been removed and reused at another location.

The existing bus shelter that was previously located to the South of the Discovery Centre entrance was felt to be the best design in terms of being in keeping with the setting and hence was relocated to a position north of the Discovery Centre entrance and a new bus stop flag has been placed to the South of the Discovery Centre entrance for setting down of passengers. This now allows buses to pull away and cross to the right-hand lane more easily. The shelter to the north of the Discovery Centre entrance has been designated for outbound services thus providing shelter for passengers waiting for bus services.

This is now felt to be the best arrangement which meets the needs of bus users and the bus companies whilst not unduly affecting the setting of the Discovery Centre.

All of the above work was at the joint request of Hampshire County Council Passenger Transport and the bus companies and there has been no cost to Winchester City Council.”



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QUESTION 6

From: Councillor Maynard

To: The Portfolio Holder for Planning and Access

“Following production of this year’s Annual Monitoring Report, can the Portfolio Holder advise whether a decision has been taken to release any of the Local Reserve Sites for development?”

Reply

“The process outlined in the Local Plan and accompanying Supplementary Planning Document is that an assessment of the need to release Local Reserve Sites would be produced and consulted upon in the early part of each year. This did not happen in 2008 as work was ongoing on the production of a Strategic Housing Land Availability Assessment (SHLAA), as now required by Planning Policy Statement (PPS)3. The Cabinet (LDF) Committee has recently authorised the completion of the SHLAA and consultation on its results an assessment of the need to release any of the Local Reserve Sites will now be produced and published for consultation. I hope that the assessment of the need for Local Reserve Sites can be considered by Cabinet in February and then published for consultation alongside the SHLAA.

Planning Policy Statement (PPS)3 now requires local planning authorities to maintain a 5-year supply of deliverable housing land. The assessment of the need to release Local Reserve Sites provides an opportunity also to assess housing land availability in accordance with Government advice.

Following publication of the assessment and consideration of comments, Cabinet will formally decide whether any Local Reserve Sites need to be released. It will also need to consider the 5-year land supply position and whether any action is needed in relation to it. In the meantime, any planning applications on Local Reserve Sites will need to be progressed taking account of adopted planning policies and other material considerations.”



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QUESTION 7

From: Councillor Clear

To: The Leader

“Is the Leader aware of the disquiet that his threat to close Public lavatories in Wickham, Bishops Waltham and New Alresford, should the Parish and Town Councils not be prepared to meet half the running costs. Was he not aware that the timing of this request was effectively after the Parish and Town Councils had prepared their local precept, which makes such a request difficult to meet?”

Reply

“I am aware that there is some disquiet amongst some Parish Councils about the proposal that they fund 50% of the cost of the provision of public conveniences in their area. However, such conveniences are used by both residents and visitors alike and it is therefore only fair that the cost is divided proportionately between Parish residents and the wider district. I am pleased to report that this principle has been accepted by not only the Town Forum but also the majority of other parishes across the district.

The timing of the decision is unfortunate but is the result of the City Council’s budget setting timetable which for 2009/10 has been a particularly challenging process with significant costs savings required. Whilst I accept that this may be inconvenient to some Parish Councils it does not prevent inclusion of these costs prior to any final precept being agreed.”



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QUESTION 8

From: Councillor Evans

To: The Portfolio Holder for Performance and Organisational Development

“Could the Portfolio Holder please inform me of the number of proxy votes cast in the Winchester City Council elections in Whiteley Ward in 2007 and the number of votes the winning candidate was elected by?”

Could the Portfolio Holder also confirm whether the number of proxy votes cast in the Winchester City Council Whiteley Ward elections in 2004, 2005 and 2007 were significantly more than elsewhere in the Winchester District?”

Reply

“The information on the number of proxy votes cast in elections prior to 2008 is no longer available. This is because the marked copies of the proxy lists for earlier elections have been shredded in accordance with legal requirements.

The majority of the winning candidate in the Whiteley Ward in 2007 was 19 votes.

Statistics for the number of proxy votes granted for the polling station use are still available and are set out below. It is possible that not all of these votes were actually used.

Year	Whiteley	Whole District (including Whiteley)
2004	69	301
2005	57	Not relevant – as this was a District By-election.
2007	45	205

In 2004 and 2007 19 District Wards were up for election. In both years the number of proxies was higher in Whiteley than elsewhere in the District.”



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QUESTION 9

From: Councillor Jackson

To: The Portfolio Holder for Planning and Access

"What is the best mechanism by which Councillors can inform themselves regularly of proposed Traffic Regulation Orders in the Winchester District?"

Reply

"Councillors are consulted on all proposed Traffic Regulation Orders (TROs) in their wards prior to them being formally advertised.

In addition, all TRO notices are posted on the City Council's website:-
<http://www.winchester.gov.uk/TransportAndStreets/PublicNotices/>

Officers are available to advise on the programme and can be contacted in the usual ways."



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QUESTION 10

From: Councillor Collin

To: The Portfolio Holder for Environment

“Could the Portfolio Holder tell me if there are any plans for this administration to introduce a weekly collection service for residual waste?”

Reply

“There are no plans to introduce a weekly residual waste collection service. City Council residents currently recycle approximately 40% of their waste which is well in excess of the target of 30% set by Government. Options to collect food waste separately are not feasible at present due to the significant collection costs capital costs of purchasing and distributing storage bins/caddies to each household and lack of disposal facilities within the County.”



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QUESTION 11

From: Councillor Cook

To: The Portfolio Holder for Performance and Organisational Development

“How many Senior Staff (Heads of Division or Senior Principal Officers) have resigned during the past Civic Year?

Were these unexpected resignations the consequence of the increases in personal workload resulting from decisions made by this administration?

Will the resignation of the Head of Estates have any effect on the delivery of the Silver Hill project and what arrangements have been put in place to cover this professional gap and what are the estimated costs of these arrangements?”

Reply

“Three Heads of Division have offered their resignation in the year 2008/09. The reasons behind such decisions are largely personal, and I understand from the Chief Executive that in each case the individuals concerned have left to pursue their career. I am advised there is no suggestion that personal workloads have been a factor; any individual at that level will expect to have a significant volume of work to manage.

There have been 5 resignations at the management tier below Head of Division level, out of a total of 84 such posts. Again, there is no indication that workload has been a major factor for any individual.

Arrangements have been made to ensure that professional input to the Silver Hill project continues pending recruitment of a new Head of Estates. Those arrangements include the previous incumbent continuing to provide advice for a specified period on a commercially negotiated basis. The cost of this advice will be met from the savings made through the substantive post being vacant for a period. As with other such arrangements, it is not appropriate to disclose the value of payments to be made in public session.”



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QUESTION 12

From: Councillor Tait

To: The Portfolio Holder for Planning and Access

“Could the Portfolio Holder clarify precisely what Section 106 monies can be used for if the Affordable Housing contribution is taken ‘off-site’ and in particular could commuted funds be used to convert existing Council owned properties in flats or to bring them up to Decent Homes Standard?”

Reply

“The purpose to which off-site affordable housing contributions (securing using a planning obligation under Section 106 of the Town and Country Planning Act 1990) depends on the precise wording of the planning obligation which the developer has entered into with the Council.

The usual wording allows the Council to use the contribution in such manner as the Council in its absolute discretion considers appropriate for the provision of housing in the District. In certain cases, however, the wording may be narrower than this.

The intention of both Planning Policy Statement 3 (PPS3) and the Council's Local Plan are for S106 Agreements to provide additional affordable housing. This could clearly be through the provision of new units and, arguably, through the refurbishment of long term empty properties. However, using these contributions for the refurbishment of Council owned dwellings would be contrary to the spirit of national and local planning policies, and given the context in which such contributions are made, developers might argue that spending such resources on improvements to existing properties to bring them up to Decent Homes Standard does *not* fall within ‘provision of housing’. For these reasons, and the context in which the contributions are required (i.e. in place of providing new affordable housing units) it would not be recommended that Section 106 contributions are spent on such projects.”



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QUESTION 13

From: Councillor Tait

To: The Portfolio Holder for Planning and Access

“Does the Portfolio Holder feel that the Planning Brief for the Gordon Road/Hyde Abbey Road Laundry was a useful exercise and is he considering undertaking any further Public Meeting/workshop's for other ‘significant sites’? Can he also explain what a ‘significant site’ is in planning terms?”

Reply

“Yes I do. The former laundry is a relatively large and prominent site situated close to the city centre and adjoining the conservation area. Local members were very concerned about the type of redevelopment proposals that would come forward. A scheme to provide 24 flats, 7 houses and a community/retail facility was refused permission in July 2008.

Given the importance and sensitivity of the site it was considered appropriate to commission a brief which would set parameters for the re-development of the premises. It also took into account the views of the local residents and other interested parties who were consulted when the brief was being drawn up and praised the process at the time.

In this regard the design brief was a worthwhile exercise adding value to the planning process and it should help to secure a high quality outcome on the ground.

There is no definition of ‘significant’ in these terms but sites where it would be appropriate to consider commissioning a design brief in future are generally those which are suitable for large scale re-development where there are likely to be particular issues or challenges relating to matters like urban design/landscape, access and land use mix. The process also provides an opportunity for the Council to engage with the community and to take account of local opinion. Any further design briefs would of course need to be considered in light of budgetary constraints.”



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QUESTION 14

From: Councillor Tait

To: The Leader

“Is the Leader of the Council supporting any particular contestant in the current Celebrity Big Brother competition and if so who and why?”

Reply

“In my very limited viewing of television programmes I have never had the pleasure of watching ‘Big Brother’. My knowledge of the concept is limited to what I have read in the ‘Daily Telegraph’ where it does not feature prominently. I have to say I have no intention of filling this gap in my life experience, so will be unable to offer an opinion.”