

COUNCIL - SPECIAL MEETING

20 March 2013

EXTRACT FROM MINUTES OF CABINET (13 March 2013)

REPORT OF HEAD OF DEMOCRATIC SERVICES

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RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

Appendix A to this report sets out four minute extracts for the consideration of Council.

RECOMMENDATION:

That Council considers the matters set out in the minute extracts.

EXTRACTS FROM MINUTES OF CABINET – 13 March 2013

1. **DISCLOSURE OF INTERESTS**

Councillors Godfrey declared a disclosable pecuniary interest in respect of Reports CAB2465, CAB2466 and CAB2463 due to his role as a County Council employee. However, as there was no material conflict of interest regarding any of these items, he remained in the room, spoke and voted under the dispensation granted on behalf of the Standards Committee.

2. **WINCHESTER DISTRICT LOCAL PLAN PART 1 – JOINT CORE STRATEGY: INSPECTOR'S REPORT AND ADOPTION**

(Report CAB2465 refers)

Councillor Humby highlighted that the Council was one of only a few local authorities nationwide which had had their Local Plan found sound by an Inspector having submitted it since the introduction of the National Planning Policy Framework. Consequentially, the Council was in a strong position to be able to retain control over development within the District and plan for growth over the course of the Plan. Councillor Humby emphasised that as the Inspector's modifications were key to his judgement on the soundness of the Plan, the Council was required to accept them in full in order to adopt the Plan. If the recommendations were not accepted, the Plan could not be adopted which would lead to delay, uncertainty and increased costs of repeating previous consultation exercises.

The Head of Strategic Planning advised that the Plan would be submitted to the South Downs National Park Authority for adoption at their meeting on 19 March 2013. He drew Cabinet's attention to a required correction to the Report at Appendix B, Page 54 as follows:

- Policies W1, W3 and W5 should be shaded light grey to indicate that they would be replaced by Local Plan Part 1 Policies.

Cabinet agreed this correction for referral to the full Council meeting on 20 April 2013.

In response to questions, the Head of Strategic Planning advised that nearly all the Policies that it was proposed to be saved from the 2006 Local Plan were compliant with National Planning Policy Framework (NPPF) but where not, the NPPF would take precedence. Saved policies would be examined in the future with a view to them all being replaced (or abandoned) by Local Plan Part 2.

The Head of Strategic Planning confirmed that the Inspector was very supportive of the Council's aim to retain local settlement boundaries and gaps and for these to be reviewed as part of the Local Plan Part 2 process.

In response to questions, the Corporate Director (Operations) confirmed that the Inspector was satisfied that the Council's policy of 40% affordable housing provision was justifiable, having regard to the viability of each scheme.

During the public participation period, Mr R Baker (City of Winchester Trust), Mr H Cole and Mr C Corcoran (Twyford Parish Council) addressed Cabinet and their comments are summarised below.

Mr Baker stated that the Trust had two main concerns regarding the Inspector's recommendations, firstly in relation to Bushfield Camp and secondly his rejection of their proposal for a greenbelt around Winchester. With regard to Bushfield Camp, he highlighted its important setting in the Winchester landscape, adjoining the South Downs National Park (SDNP), within the local gap between Winchester and Compton and containing a Site of Importance for Nature Conservation (SINC). The Trust believed that the Inspector's recommendations should not be adopted. Mr Baker reported that the Inspector had rejected the Trust's proposal that a green belt should be designated to the North, West and South sides of Winchester, with the SDNP on the East side. He did not agree with the Inspector's argument that a green belt would prejudice longer term planning decisions and requested that the Council should initiate a debate about such decisions, including revisiting the greenbelt idea.

In response to questions from the Chairman, Mr Baker stated that the Trust believed that the Inspector's recommendations regarding Bushfield Camp should be rejected, even if this had the consequence of the Council being unable to adopt the Local Plan at the current time.

Mr H Cole raised concerns that the housing numbers required in the Local Plan were higher than those set out in the South East Plan, despite the economy entering recession since the South East Plan figures were produced. In addition, he did not consider that the implications of an employment site at Bushfield Camp had been addressed fully in terms of the impact on other parts of the Plan (for example, more people commuting into Winchester and/or the impact on the need for more new homes in the District). He also expressed concern that the Council would not be able to meet the 40% affordable housing requirement, because of concerns about viability, with the risk that the additional housing numbers were instead met more from within the private market.

Mr Corcoran also spoke in opposition to the Inspector's recommendations regarding Bushfield Camp, highlighting that the site includes a SINC and a strategic gap and ignored the City of Winchester Trust's recommendations regarding establishing a green belt around Winchester. He believed that the Council should reject the Inspector's recommendations and examine the Bushfield Camp proposals again. He did not consider that it was necessary to adopt the Local Plan promptly as the Inspector's findings would still have some weight on determining applications.

At the invitation of the Chairman, Councillor Learney addressed Cabinet and in summary congratulated the Council and Officers involved in the preparation of the Local Plan. She welcomed confirmation that settlement boundaries would be maintained pending a plan-led review and of the 40% affordable housing requirement, but expressed concern at any implication this would not be achievable in practice. Councillor Learney also expressed concern about the increase in housing numbers recommended by the Inspector, noting that these were higher than required in the South East Plan. She highlighted that increased housing numbers would create additional infrastructure requirements, such as a new school and that the County Council were already experiencing difficulties in addressing current shortfalls in this area. With regard to Bushfield Camp, she agreed that the Council had little choice but to accept the Inspector's recommendations, but she did not welcome them. She was concerned that development of an employment site would not be fully within the Council's control and could result in provision out of character with the rest of Winchester. However, she accepted that the Local Plan should be adopted to enable the Council to retain control over development within the District.

The Corporate Director (Operations) and the Head of Strategic Planning responded to comments made above. It was emphasised that the Council had itself included Bushfield Camp as an opportunity site within its submitted Plan. The Inspector was only recommending that the designation be changed to an employment site, but had accepted all of the Council's criteria regarding the site, such that it must be of an exemplary and sustainable design.

With regard to the increase in housing numbers, the Head of Strategic Planning emphasised that the implications of the changes were not hugely significant. The target to be allocated at the North of Whiteley had been increased from 3,000 to 3,500 which developers had always requested in terms of ensuring the viability of the scheme so that it could meet its infrastructure needs. The other increase would largely be achieved by taking the top of the range of housing numbers which the Council had already submitted regarding rural settlements, which had themselves come from the Blueprint consultation.

The Head of Strategic Planning confirmed that the other issues raised by the City of Winchester Trust had been considered by the Inspector. With regard to the green belt suggestion, the Inspector had accepted the Council's argument that this would require consideration of sites for development for 50-plus years ahead which was not necessary at the current time and could be potentially damaging.

In response to questions regarding the implications to the Council should be Plan not be adopted, the Head of Strategic Planning emphasised that the Inspector's report would remain a material consideration in consideration of future planning applications. However, not adopting the Plan could leave the Council vulnerable to being forced to agree planning applications which would otherwise be against its proposed Plan. The Head of Legal Services confirmed that he considered that, as the Inspector had stated that the

modifications were required in order to make the Plan sound, the Council would be required to agree all of them in order to adopt the Plan.

During debate, Cabinet noted that the Local Plan Part 1 was the result of six years of preparation and consultation, including through the Blueprint process, and had resulted in a Plan which had been approved, largely unamended, by the Inspector.

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

RECOMMENDED:

1. THAT THE WINCHESTER DISTRICT LOCAL PLAN PART 1 – JOINT CORE STRATEGY, AS SUBMITTED TO THE SECRETARY OF STATE IN JUNE 2012 AND MODIFIED IN ACCORDANCE WITH THE INSPECTOR’S RECOMMENDED MAIN MODIFICATIONS AND THE COUNCIL’S FURTHER MODIFICATIONS PUBLISHED (SEE MODIFIED POLICIES SET OUT AT APPENDIX C), BE ADOPTED AND THAT FORMAL NOTICES BE PUBLISHED TO COMPLETE THE PROCESS OF STATUTORY ADOPTION.

2. THAT THOSE POLICIES OF THE WINCHESTER DISTRICT LOCAL PLAN REVIEW 2006 WHICH ARE SUPERSEDED BY LOCAL PLAN PART 1 OR NO LONGER NECESSARY, AS LISTED AT APPENDIX B OF THE REPORT (AS AMENDED ABOVE), BE NO LONGER ‘SAVED’ AND THAT THE EARLIER ‘INTERIM POLICY ASPIRATIONS’ (AGREED IN JANUARY 2011) BE WITHDRAWN.

3. THAT AUTHORITY BE DELEGATED TO THE HEAD OF STRATEGIC PLANNING, IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR STRATEGIC PLANNING AND ECONOMIC DEVELOPMENT, TO MAKE MINOR AMENDMENTS IN ORDER TO INCORPORATE THE VARIOUS MODIFICATIONS AND CONSEQUENTIAL CHANGES TO THE TEXT, AND TO CORRECT ERRORS AND FORMAT TEXT, WITHOUT ALTERING THE POLICY INTENTIONS OF THE PLAN.

RESOLVED:

1. That the following Supplementary Planning Documents (SPD) be revoked, as these supplement policies of the Winchester District Local Plan Review 2006 which it is proposed be no longer saved:

- Implementation of Infilling Policy (H4) SPD;
- Implementation of Local (Housing) Reserve Sites Policy SPD

2. That the Affordable Housing Supplementary Planning Document (2008) be revised and updated in order to supplement relevant Local Plan Part 1 policies and a report on the proposed revisions be brought to the Cabinet (Local Development Framework) Committee.

3. **COMMUNITY INFRASTRUCTURE LEVY: DRAFT CHARGING SCHEDULE**
(Report CAB2466 refers)

The Head of Strategic Planning advised that it was hoped that the Winchester Community Infrastructure Levy (CIL) could be adopted by the Council by the end of 2013, which would enable a charging schedule to be implemented early in 2014.

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

RECOMMENDED:

1. THAT THE PUBLICATION OF THE DRAFT CHARGING SCHEDULE AS SET OUT IN APPENDIX 2 OF CAB2466 BE APPROVED FOR CONSULTATION WITH DELIVERY PARTNERS AND THE LOCAL COMMUNITY AND ITS SUBSEQUENT SUBMISSION FOR INDEPENDENT EXAMINATION.

2. THAT THE HEAD OF STRATEGIC PLANNING, IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR STRATEGIC PLANNING AND ECONOMIC DEVELOPMENT, BE AUTHORISED TO SUBMIT THE CHARGING SCHEDULE AND ACCOMPANYING DOCUMENTS TO THE INDEPENDENT EXAMINER FOLLOWING THE CONSULTATION PERIOD, IN ACCORDANCE WITH THE RELEVANT STATUTORY AND REGULATORY REQUIREMENTS;

3. THAT THE HEAD OF STRATEGIC PLANNING, IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR STRATEGIC PLANNING AND ECONOMIC DEVELOPMENT, BE AUTHORISED TO MAKE AMENDMENTS TO THE CHARGING SCHEDULE AND ACCOMPANYING DOCUMENTS PRIOR TO SUBMISSION AND DURING THE PUBLIC EXAMINATION PROCESS, TO CORRECT ERRORS AND FORMAT TEXT AND MAKE SUGGESTED CHANGES TO ADDRESS POTENTIAL 'SOUNDNESS' ISSUES.

RESOLVED:

1. That the representations received in responses to the City Council's Preliminary Draft Charging Schedule be noted and, having regard to other relevant factors (including new Government guidance on

CIL), the recommended response at Appendix 1 and the Draft Charging Schedule at Appendix 2 be agreed.

2. That the Head of Strategic Planning be authorised to agree the details of the public consultation process in consultation with the Portfolio Holder for Strategic Planning and Economic Development.

3. That a report on the proposed mechanism for distributing CIL and proposing a draft list of the projects or types of infrastructure that are to be funded in whole or part by the Levy be presented to a future meeting of Cabinet.

4. **ARMED FORCES COMMUNITY COVENANT FOR WINCHESTER DISTRICT**
(Report CAB2463 refers)

Cabinet welcomed the Report's proposals to enter into a Covenant as a commitment towards joint working and support between the Council and the armed force community within the District.

At the invitation of the Chairman, Councillors Learney and Pines addressed Cabinet and their comments are summarised below.

Councillor Learney also supported the proposals and stated that she had spoken with representatives of the British Legion at a national level who, whilst also welcoming the Covenant initiative, had some concerns that it should not just be seen as a good public relations exercise, but should also achieve some real benefits. For example, it should seek to address some of the particular difficulties experienced by military families. She expressed some concern that the Report did not include any resource implications and requested that an action plan be adopted, with a report back on progress in one year's time.

The Chairman agreed that a report back after one year would be useful. The Chief Executive highlighted that, although not specifically mentioned within the resource section of the Report, the Council already undertook a number of measures to assist military families, for example with housing services and access to community and leisure facilities. In addition, the annex to the Covenant would be regarded as a list of action points which could be reported against in one year's time.

Councillor Pines stated that he was a representative on the Independent Advisory Panel at St John Moore's Barracks and emphasised the potential value of getting young recruits involved in community activities, for both them and the Council. For example, they had recently assisted in clearing snow at the Winchester hospital. He requested that the Council involve the Advisory Panel as part of the work under the Covenant.

The Chairman welcomed this suggestion.

Cabinet agreed that the Report' recommendations be amended to authorise the Chief Executive in consultation with the Portfolio Holder to agree any minor adjustments to the text. Cabinet agreed to the following for the reasons set out above and outlined in the Report.

RECOMMENDED:

THAT WINCHESTER CITY COUNCIL ENTERS INTO A COMMUNITY COVENANT WITH THE ARMED FORCES COMMUNITY IN WINCHESTER DISTRICT, BASED UPON THE FORM SET OUT IN APPENDIX 1 TO THIS REPORT, WITH THE CHIEF EXECUTIVE, IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR COMMUNITIES, CULTURE AND SPORT, AUTHORISED TO AGREE ANY MINOR ADJUSTMENTS TO THE FINAL TEXT.

EXTRACT FROM MINUTES OF PERSONNEL COMMITTEE – 11 March 2013

1. **WINCHESTER CITY COUNCIL – PAY POLICY STATEMENT 2013-2014**
(Report PER231 refers)

The Chief Executive corrected an error in the first sentence of paragraph 1.4 on page 2 of the Report noting that 2013 should read 2012.

The Chief Executive referred to the changes required to the Pay Policy Statement in response to recent DCLG guidance. This was related to remuneration packages for new appointments and severance packages (including contributions to the pension fund) which were in excess of £100,000, or at a level the Council considered appropriate. In the case of the Council, it was recommended that the requirements related to remuneration packages for new appointments should apply to senior staff at Scale 12 or above. At present, this referred to the Chief Executive and Corporate Director posts. He advised that the DCLG guidance required that such payments required approval of Full Council, who would be advised of the broader principles behind the matters requiring their authorisation. It was noted that appointments to these posts would be by a suitably constituted appointment panel, and in the case of the Chief Executive, a recommendation to Full Council. Members also noted that the calculation of severance packages was based on statute, and guided by a locally adopted scheme within a range of discretion set by regulations. The severance payments in excess of £100,000 required approval of Full Council who would be advised of the broader principles behind the matters requiring their authorisation.

The Committee discussed the revised Pay Policy Statement as set out as an Appendix to the Report. The Chief Executive reminded Members that incremental pay progression was according to the capability of the individual in their role, and could be withheld. Therefore, although individual incremental progression was discretionary in line with this process, our adoption of

incremental progression was a component of the Council's wider Pay and Reward structure which had been adopted by Council and was based on a nationally agreed framework. This element could not be revised in isolation. This also precludes separately reviewing terms and conditions of new appointments to the organisation.

The Head of Organisational Development clarified that incremental progression was part of the whole pay and reward framework which in its entirety helped attract and retain a high calibre of staff. It was also noted that the Council also paid below the median average for Hampshire local authorities.

RECOMMENDED:

**THAT THE PAY POLICY STATEMENT AS SET OUT IN
APPENDIX 1 TO THE REPORT BE ADOPTED.**

RESOLVED:

That the further development of a Winchester City Council Pay and Reward Policy be supported.