

**WINCHESTER CITY COUNCIL**

At an Ordinary Meeting of the Council held in the Guildhall, Winchester on 7 January 2015

Attendance:

Councillor E Berry (The Mayor in the Chair) (P)

Councillors:

Achwal (P)	Mason (P)
Berry J (P)	Mather (P)
Bodtger (P)	Maynard (P)
Byrnes (P)	McLean (P)
Chamberlain (P)	Miller (P)
Clear (P)	Nelmes (P)
Cook (P)	Newman-McKie (P)
Cutler (P)	Osborne (P)
Dibden (P)	Pearson (P)
Evans (P)	Phillips (P)
Fancett (P)	Pines (P)
Gemmell (P)	Power (P)
Godfrey (P)	Prowse (P)
Gosling (P)	Read (P)
Gottlieb (P)	Ruffell (P)
Green (P)	Rutter (P)
Henry (P)	Sanders (P)
Hiscock (P)	Scott (P)
Horriall (P)	Southgate (P)
Humby (P)	Stallard (P)
Hutchison (P)	Tait (P)
Huxstep (P)	Thompson (P)
Izard (P)	Tod (P)
Jeffer (P)	Verney
Johnston (P)	Warwick (P)
Laming (P)	Weir (P)
Learney (P)	Weston (P)
Lipscomb (P)	Wright (P)

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1. **MINUTES**

RESOLVED:

That the minutes of the Ordinary Meeting of the Council held on 6 November 2014 be approved and adopted.

## 2. **COMMUNICATIONS FROM THE MAYOR**

The Mayor reported that she had written letters to the following people who lived or worked in the District, to congratulate them on their awards in the New Year's Honours List:-

Mr John Bonney – Chief Officer of Hampshire Fire and Rescue.  
Mrs Kerry Hearsey MBE - Chief Executive, Princess Royal Trust for Carers in Hampshire.

The Mayor then informed the meeting that she would be pleased to receive Member's nominations for people who deserved to be recognised for the work they performed for our community, through the Mayor's Awards for 2014/15. The event would be held in the Bapsy Hall, Guildhall on Tuesday 17 March 2015 at 6pm.

The Mayor also announced that the Private View of the Mayor's Choice will be held at City Space in the Discovery Centre, Winchester from Friday 30 January and that invitations would be issued shortly.

Finally, the Mayor drew attention to some forthcoming Charities events. Firstly, on Friday 9 January, it was the annual Mayor's Charity Quiz Night in the Bapsy Hall. On Thursday 22 January in the evening, a dinner would be held in the River Cottage Canteen. Tickets were available direct from River Cottage. On Saturday 7 March, a Boxing event would also be held in the Bapsy Hall, Guildhall.

## 3. **COMMUNICATIONS FROM THE LEADER**

None

## 4. **DISCLOSABLE PECUNIARY INTERESTS**

Having regard to their roles as Hampshire County Councillors, Councillors Humby, Huxstep, Mather, Stallard and Tod each declared a disclosable pecuniary interest in any matter on the agenda which may have a County Council involvement. Councillor Godfrey made the same declaration due to his role as a County Council employee. However, as there was no material conflict of interest, they all remained in the room under the dispensation granted on behalf of the Standards Committee, to participate and vote in all such matters.

Councillors J Berry, Green and Scott each declared a disclosable pecuniary interest in respect of agenda item 6 (b) Housing Revenue Account Rent Setting 2015/16 and Budget /Business Plan Options (Report CAB2631(HSG) refers) due to them being tenants of Winchester City Council. However, as there was no material conflict of interest, they all remained in the room under the dispensation granted on behalf of the Standards Committee, to participate and vote with regard to that item.

Councillor Gottlieb declared a personal but not prejudicial interest in any matter on the agenda that may relate to the Silver Hill development proposals due to him being a member of the Winchester Deserves Better group and also because he was currently in litigation with the Council with regard to the matter.

5. **QUESTIONS UNDER COUNCIL PROCEDURE RULE 14**

1. Closure of Kings Worthy Branch Surgery

The Portfolio Holder for Environment, Health and Wellbeing, Councillor Warwick, answered a question from Councillor Johnston.

2. Bus Service Cuts in Oliver's Battery and elsewhere in the District

The Portfolio Holder for Communities and Transport, Councillor Southgate, answered a question from Councillor Laming.

3. Recycling and Economic Sustainability

The Portfolio Holder for Environment, Health and Wellbeing, Councillor Warwick, answered a question from Councillor Ruffell.

4. Recycling/Waste Collection Timetable for 2015

The Portfolio Holder for Environment, Health and Wellbeing, Councillor Warwick, answered a question from Councillor Evans.

5. Silver Hill Section 106 Agreement

The Leader, Councillor Humby, answered a question from Councillor Gottlieb.

6. Denmead Neighbourhood Plan and Local Plan Part 2

The Portfolio Holder for Built Environment, Councillor Weston, answered a question from Councillor Clear.

7. Avalon House Refurbishment

The Portfolio Holder for Business Services, Councillor Miller, answered a question from Councillor Read.

8. Customer Service – Correspondence Response times

The Portfolio Holder for Business Services, Councillor Miller, answered a question from Councillor Cook.

9. Chesil Extra Care Scheme

The Portfolio Holder for Business Services, Councillor Miller, answered a question from Councillor Pines.

10. Right to Buy Scheme and HMOs in Stanmore

The Portfolio Holder for Housing Services, Councillor Tait, answered a question from Councillor Scott.

11. Consultation on the Budget 2015/16

The Portfolio Holder for Finance and Organisational Development, Councillor Godfrey, answered a question from Councillor Gemmell.

12. Solar Panels in Stanmore

The Portfolio Holder for Housing Services, Councillor Tait, answered a question from Councillor Thompson.

13. Tree Strategy

The Portfolio Holder for Environment, Health and Wellbeing, Councillor Warwick, answered a question from Councillor J Berry.

14. Major Projects and Public Consultation

The Leader of the Council, Councillor Humby, answered a question from Councillor Weir.

15. Park & Ride Capacity

The Portfolio Holder for Communities and Transport, Councillor Southgate, answered a question from Councillor Pearson.

16. Textile Recycling

The Portfolio Holder for Environment, Health and Wellbeing, Councillor Warwick, answered a question from Councillor Learney.

17. Friarsgate Car Park

The Portfolio Holder for Communities and Transport, Councillor Southgate, answered a question from Councillor Jeffs.

18. Registration and Validation of Planning Applications

The Portfolio Holder for Built Environment, Councillor Weston, answered a question from Councillor Laming.

19. Allocation of Gypsy/Traveller Sites for the Local Plan

The Portfolio Holder for Built Environment, Councillor Weston, answered a question from Councillor Evans.

20. Affordable Housing in New Housing Developments

The Portfolio Holder for Housing Services, Councillor Tait, answered a question from Councillor Scott.

6. **PETITION**

In accordance with Council Procedure Rule 15, a petition was submitted by Mrs Amanda Chard on behalf of the Stanmore HMO (Houses in Multiple Occupation) Lobby, containing 345 signatures. The prayer of the petition was as follows:

'We, the undersigned, petition Winchester City Council to licence and limit HMOs now, waiting another two academic years with more students moving into the area in that time is not acceptable.

We also petition The University of Winchester and the various Landlords of the HMOs to better recognise their responsibility and act to ensure that the students/tenants integrate and behave in a way that does not damage the spirit and community of Stanmore or harm its residents.'

At the invitation of the Mayor, Mrs Chard emphasised that it was estimated that 65 family homes in Stanmore had been lost since April 2013, the majority of which were likely to have been purchased by investors. This was since the Council had estimated that the number of HMOs in the area had reached 350. Therefore, HMOs now made up 57% of all privately owned properties on the Stanmore estate.

With regard to Report CAB2645 (which referred to the matters raised within the petition, and was to be considered at Cabinet on 14 January 2015) Mrs Chard considered that the Report's recommendation for a non-immediate Article 4 Direction should not be supported by Members.

In summary, she considered that an immediate Article 4 Direction was required, as otherwise the area would be likely to lose more family homes over the next 12 - 18 months. The Council was unable to meet existing demand in building new affordable homes. Family homes in new private developments were being marketed upwards of £480,000. Further to this, property prices on the estate had risen by over 20% over the last 18 months compared to the South East average of 10.6%. This above average increase had coincided with the University's aspiration to increase its student numbers from 7,000 to 10,000. Further to this, properties on the estate were no longer valued in the same way as the rest of the Winchester market, but instead were based on how much income a property could achieve. Landlords were likely to receive

up to £2,500 per month for the average three bed house converted to a five bed HMO.

The Report had also not acknowledged the wider impact of HMOs in Stanmore. This included parking enforcement, anti social behaviour, litter etc which were additional costs to the public purse. CAB2645 had not detailed any overall cost / benefits analysis, and only highlighted the risk of compensation claims. Mrs Chard disputed the likelihood that an immediate Article 4 Direction would result in compensation claims from landlords as there had been no evidence to that effect from other local authority areas.

Mrs Chard concluded that Council Officers would always recommend a cautious approach. However, it was the responsibility of the Council Members to recognise that the time for caution has passed and make the courageous decision to protect permanent residents of Stanmore now by implementing an immediate Article 4 Direction.

During the debate which followed, Members made a number of key points including:-

- (1) the former Informal Scrutiny Group on HMOs had considered many of the concerns of the impact on the existing community of Stanmore and the character of the estate and had recommended that their numbers be capped. The work of the University and Neighbourhood Wardens in engaging with residents and addressing concerns was welcomed. Integration of the existing student population would help improve the community overall.
- (2) of the approximate 700 houses in Stanmore sold under the Right To Buy initiative, around 50% were now HMOs. An Article 4 Direction would ensure that there was no further increase to the number of HMOs in Stanmore.
- (3) in addition to students living in HMOs, these were also occupied by young professionals unable to afford other accommodation. The overall balance between family homes and HMOs should not become disproportionate.
- (4) some caution should remain with regard to the potential to expose the Council to compensation claims.

At the conclusion of debate, the Mayor thanked Mrs Chard for her presentation and explained that a minute of the points made would be submitted to Cabinet on 14 January 2015 to be considered alongside Report CAB2645 on the matter.

**RESOLVED:**

That the petition be referred to the next meeting of Cabinet.

## 7. **CONSIDERATION OF RECOMMENDED MINUTES**

Cabinet – 3 December 2014

The Overview and Scrutiny Committee – 8 December 2014

Draft Portfolio Plans 2015/16

The Leader of the Council, Councillor Humby, moved that the updated recommendations in Report CL102 be approved and adopted. The item was seconded and introduced by the Portfolio Holder for Built Environment, Councillor Weston.

RESOLVED:

1. That the recommendations contained in Report CL102 be approved and adopted.
2. That Cabinet Recommended Minute 347, be noted.
3. That The Overview and Scrutiny Committee Recommended Minute 384, be noted.

Cabinet (Housing) Committee – 26 November 2014

Housing Revenue Account Rent Setting 2015/16 and Budget/Business Plan Options

The Leader, Councillor Humby, moved that the Cabinet (Housing) Committee Recommended Minute 366 be approved and adopted. The item was introduced by the Portfolio Holder for Housing, Councillor Tait.

A correction was made to a typographical error at paragraph 6.1 (c) on page 7 of Report CAB2631(HSG). Within this sentence, 2016 should be corrected to read '2015'.

RESOLVED:

That Cabinet (Housing Committee) Recommended Minute be approved and adopted.

Cabinet – 3 December 2014

The Overview and Scrutiny Committee – 8 December 2014

Review of Local Council Tax Reduction Scheme 2015/16

It was noted that since publication of Report CL103, guidance from the Department of Work and Pensions & the Department of Communities and Local Government became available. As there were no changes required in the local Scheme following publication of this information, it was explained that updated Recommendation 3 of Report CL103 was not needed.

The Leader of the Council, Councillor Humby, moved that the updated recommendations in Report CL103 (less Recommendation 3 and with the subsequent paragraphs re-numbered) be approved and adopted. The item was seconded and introduced by the Portfolio Holder for Finance and Organisational Development, Councillor Godfrey.

RESOLVED:

1. That the local Council Tax Reduction Scheme proposed in the Report CAB2623 be adopted as follows:
  - a. Base the local Council Tax Reduction (CTR) Scheme for 2015/16 on the scheme adopted for 2014/15 with amendments to reflect wider legislative change to Council Tax Reduction and other related legislation;
  - b. Increase components in the CTR calculation in line with the increases the DWP & DCLG provide for in the Housing Benefit Regulations 2006 (as amended) and the Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012 for 2015/16;
  - c. Increase income disregards for working age claimants further so that single claimants have the first £30 of earned income disregarded and others have the first £60 of earned income disregarded (single claimants who are disabled or lone parents will be eligible for the £60 disregard);
  - d. Continue to disregard 100% of certain payments (for working age and pensioner age customers) made under the War Pension and Armed Forces Compensation Scheme.
2. That the local Council Tax Reduction Scheme at Appendix A, circulated electronically to all Members, be approved.
3. That the effect of the changes outlined above, are reviewed in one year's time, with a view to considering whether any further alterations are required
4. That the effect of the changes outlined above, are reviewed in one year's time, with a view to considering whether any further alterations are required.
5. That for the purposes of the 100% Council Tax discount which is awarded when properties are unoccupied and substantially unfurnished for a period of up to one month, any one period, not exceeding six weeks, during which it was not vacant shall be



disregarded in considering whether a dwelling has been vacant for a period

6. That Cabinet Recommended Minute 352, be noted.

7. That The Overview and Scrutiny Committee Recommended Minute 390, be noted.

Cabinet – 3 December 2014

The Overview and Scrutiny Committee – 8 December 2014

Members Allowances – Recommendations of Independent Remuneration Panel

It was noted that Report CL104 set out additional recommendations to approve the Members Allowances scheme and had been drafted to take account of the Cabinet Recommendations. Therefore, it was explained that the Recommendations in Report CL104 were to be considered together with those of Cabinet – becoming additional recommendations.

Accordingly, The Leader of the Council, Councillor Humby, moved that the Cabinet Recommended Minute 356, together with the Recommendations in Report CL104 be approved and adopted. The item was seconded by and introduced by the Portfolio Holder for Finance and Organisational Development, Councillor Godfrey.

RESOLVED:

1. That Cabinet Recommended Minute 356 be approved and adopted.

2. That the revised Members Allowances Scheme and consequential amendments to its text, as set out in Appendix A to Report CL104, be agreed and implemented from 1 April 2015.

3. That the existing Members Allowances Scheme be revoked from 1 April 2015.

4. That the Chief Operating Officer be authorised to make any minor textual alterations to the Scheme which become necessary on final checking.

5. That The Overview and Scrutiny Committee Recommended Minute 388, be noted.

8. **MEMBERSHIP CHANGES TO COMMITTEES**

RESOLVED:

1. That Councillor Sanders be replaced by Councillor Dibden as a member of the Personnel Committee.

2. That Councillor Verney be replaced by Councillor Horrill as a member of the Audit Committee. Councillor Verney to replace Councillor Horrill as a deputy member of the Audit Committee.

The meeting commenced at 7.00pm and concluded at 10.30pm

The Mayor