

WINCHESTER CITY COUNCIL

At a Special Meeting of the Council as held in the Guildhall, Winchester on 28 January 2016.

Attendance:

Councillor Clear (The Mayor in the Chair) (P)

Councillors:

| | |
|----------------|------------------|
| Achwal (P) | Mather (P) |
| Berry E (P) | Maynard (P) |
| Berry J (P) | McLean (P) |
| Bodtger (P) | Miller (P) |
| Byrnes (P) | Newman-McKie (P) |
| Burns (P) | Osborne (P) |
| Cook Simon (P) | Pearson (P) |
| Cook Susan (P) | Phillips (P) |
| Cutler (P) | Power (P) |
| Dibden (P) | Prowse |
| Evans | Read |
| Fancett (P) | Ruffell L (P) |
| Gemmell (P) | Ruffell T |
| Godfrey (P) | Rutter (P) |
| Gosling (P) | Sanders (P) |
| Gottlieb (P) | Scott (P) |
| Green (P) | Scowen (P) |
| Hiscock (P) | Southgate (P) |
| Horrill (P) | Stallard (P) |
| Humby (P) | Tait (P) |
| Hutchison (P) | Thacker (P) |
| Huxstep (P) | Thompson (P) |
| Izard (P) | Tod (P) |
| Jeffer (P) | Twelftree (P) |
| Johnston (P) | Warwick |
| Laming (P) | Weir |
| Lipscomb (P) | Weston (P) |
| Mason (P) | Wright (P) |

1. **MINUTES**

RESOLVED:

That the minutes of the Ordinary Meeting of the Council held on 6 January 2016 be approved and adopted.

2. **COMMUNICATIONS FROM THE MAYOR**

The Mayor reported that on 6 January 2016, she had represented the Mayoralty by attending the funeral of Pamela Pitt who was Mayor of Winchester from 1980 to 1981. Council stood for a moment's silent tribute to her memory.

The Mayor also reminded the meeting that she would be pleased to receive, by 31 January, Members' nominations for people who deserved to be recognised for the work they performed in the community, through the Mayor's Awards for 2015/16. The event would be held in the Bapsy Hall, Guildhall on Wednesday 2 March 2016 at 6pm.

The Mayor also drew attention to the Mayor's Choice which was currently being held at City Space in the Discovery Centre, Winchester.

Finally, the Mayor announced forthcoming Charities events. It was the Mayor's Charities Race Night at the Wickham Community Centre on 26 February 2016, the Annual Quiz Night in the Guildhall on Friday 15 April and on Friday 11 March the Masked Ball. There were also various Charities talks to be held in Abbey House.

3. **COMMUNICATIONS FROM THE LEADER**

The Leader drew to Member's attention that, despite some rumours, it was not proposed that there should be any significant housing development at the existing River Park Leisure Centre site should this be eventually relocated to Bar End. The facility might be eventually replaced with a cultural and community facility with some enabling development necessary. Officers had already started discussion with Winchester University with regard to a vision for the site.

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 as did Councillor Thacker, whose husband was a Hampshire County Councillor. However, as there were no material conflicts 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.

Councillor Gottlieb declared a personal, but not prejudicial interest in the substantive item on business on the agenda that related to the Silver Hill development proposals due to him being a member of the Winchester Deserves Better campaign group. He indicated, however, that he did not propose to participate or vote in any debate, including in the exempt session

(should this be required). He then moved to the public gallery, did not participate in the meeting, and then left the room during the exempt session.

5. **CONSIDERATION OF RECOMMENDED MINUTES**

Report CL121 (including exempt appendices 1, 2 and 4 and open Appendix 3 with open Annex A and B) and Report CL123 were circulated with Supplementary Agendas after the statutory deadline. The Mayor decided to accept the reports and the appendices onto the agenda, because of the urgent need for Council to consider matters contained therein, including the Recommended Minutes from The Overview and Scrutiny Committee.

Cabinet – 13 January 2016

The Overview and Scrutiny Committee – 18 January 2016

Silver Hill Regeneration – Status Report (less Exempt Appendices)
(Reports CAB2755, OS137 and CL123 refer)

Silver Hill Regeneration – Further Update (less Exempt Appendices)
(Report CL121 refers)

The Leader then asked the officers and external advisers to outline key points in the report and appendices to Members.

The Leader drew Members' attention to a proposed revision to the Recommended Minute of Cabinet within Report CL121. The revised proposition was an update for Members on the Silver Hill Regeneration project following consideration of report CAB2755 by Cabinet and The Overview and Scrutiny Committee. In summary, Recommendation 1 set out that Council support the proposed approach of Cabinet to the future of the Development Agreement. Recommendation 2 was with regard to implementation of the Compulsory Purchase Order (CPO).

The Leader of the Council, Councillor Godfrey, moved that the updated recommendations in Report CL121 be approved and adopted. The item was seconded by the Portfolio Holder for Service Delivery, Councillor Weston.

This now became the Revised Original Motion.

Members then asked questions of the Leader, officers and external advisers.

Amendment (1) Councillor Thompson (2) Councillor Burns

Replace 1 in the Revised Original Motion before Council with:

“That Council recommends to Cabinet that it serve notice to terminate the Silver Hill Development Agreement with immediate effect.”

The meeting resolved to move into Exempt Session to allow it to ask questions and discuss the information set out in the Exempt Appendices before returning to open session to consider the Amendment and the Revised Original Motion further and to make its decision.

6. **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 item 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> |
|----------------------|---|---|
| ## | Silver Hill Regeneration Status Report - Exempt Appendices |) Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Para 3 Schedule 12A refers) |
| | Silver Hill Regeneration Further Update - Exempt Appendices |) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. (Para 5 Schedule 12A refers) |
| | |) |

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Silver Hill Regeneration – Further Update (less Exempt Appendices)
(Report CL121 refers)

The meeting discussed and asked a number of detailed questions on the information set out in the Exempt Appendices of Report CL121 (and their annexes) and also the Exempt Minutes of the meetings of Cabinet and The

Overview and Scrutiny Committee held on 13 and 18 January 2106 as set out in Reports CL122 and CL123.

RESOLVED

1. That the Exempt Minute of Cabinet as set out in Report CL122, be noted.
2. That Exempt Recommended Minute of The Overview and Scrutiny Committee as set out in Report CL123, be noted.
3. That the Exempt appendices to Report CL121, be noted.
4. That the meeting now return to open session to consider the proposals further and to make its decision.

Cabinet – 13 January 2016

The Overview and Scrutiny Committee – 18 January 2016

Silver Hill Regeneration – Status Report (less Exempt Appendices)
(Reports CAB2755, OS137 and CL123 refer)

Silver Hill Regeneration – Further Update (less Exempt Appendices)
(Report CL121 refers)

Council debated the amendment moved in open session by Councillor Thompson.

Amendment carried.

In light of the discussions in exempt session, including on the potential consequences of the proposed amendment to Recommendation1, the Leader proposed a further amendment to Recommendation2.

Amendment (1) Councillor Godfrey (2) Councillor Weston

Replace 2 in the Revised Original Motion before Council with:

“That Council recommends that Cabinet takes no further action to implement the Compulsory Purchase Order in the event of the Development Agreement being terminated.”

Amendment carried.

Council then considered the Substantive Proposition from the Leader (Revised Original Motion) as amended.

Substantive Proposition, as amended, carried as set out below.

RESOLVED:

1. That Council recommends to Cabinet that it serve notice to terminate the Silver Hill Development Agreement with immediate effect.
2. That Council recommends that Cabinet takes no further action to implement the Compulsory Purchase Order in the event of the Development Agreement being terminated.
3. That the Recommended Minute of Cabinet as set out in Report CL122, be noted.
4. That the Recommended Minute of The Overview and Scrutiny Committee as set out in Report CL123, be noted.

The meeting commenced at 7.00pm, adjourned between 8.05pm and 8.15pm and concluded at 10.45pm.

The Mayor