

THE OVERVIEW AND SCRUTINY COMMITTEE

14 November 2011

Attendance:

Councillors:

Chamberlain (Chairman) (P)

Cook (P)

Gottlieb

Hutchison (P)

Huxstep (P)

Learney (P)

Pearson (P)

Power (P)

Tait (P)

Thompson (P)

Wright (P)

Deputy Members

Councillors Jeffs (Standing Deputy for Councillor Gottlieb)

Others in attendance who addressed the meeting:

Councillor Beckett (Leader)

Councillor Stallard (Portfolio Holder for Culture, Heritage and Sport)

Councillor Wood (Portfolio Holder for Finance and Estates)

Others in attendance who did not address the meeting:

Councillor Humby (Portfolio Holder for Planning and Enforcement),

Councillors Banister, Mitchell and Ruffell

1. **COUNCILLOR FREDERICK ALLGOOD**

The Committee stood in silence in memory of Councillor Freddie Allgood, a previous Mayor, Chairman of the former Principal Scrutiny Committee and County Councillor, who had recently passed away.

2. **DECLARATION OF INTERESTS**

Councillors Beckett, Humby, Stallard and Wood declared personal and prejudicial interests, due to their involvement as Leader of the Council and Portfolio Holders, in actions taken or proposed in the Reports outlined below.

However, the Committee requested that all the above Councillors remain in the meeting, in their capacity as Portfolio Holders and Leader, under the provisions of Section 21(13) (a) of the Local Government Act 2000, in order that they could provide additional information to the Committee and/or answer questions.

Councillor Hutchison declared a personal (but not prejudicial) interest in respect of item 4 (Change Plans 2012/13: Consultation Draft, Report CAB2249 refers) and item 10 (The City Council's Efforts To Reduce Its Carbon Footprint Informal Scrutiny Group – Final Report, Report OS23 refers) as he was Chairman of a WinACC project board established to investigate the feasibility of a community interest company with regard to carbon reduction initiatives. Councillor Hutchison remained in the room and spoke and voted thereon.

Councillor Pearson declared a personal (but not prejudicial) interest in respect of the Committee's consideration of the matters raised by representatives of WinACC who spoke during public participation, as he was a board member of that organisation. Councillor Pearson remained in the room and spoke and voted thereon.

3. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee held on 17 October 2011 be approved and adopted.

4. **PUBLIC PARTICIPATION**

Mr E Shelterton (WinACC) addressed the Committee with regard to item 4 (Change Plans 2012/13: Consultation Draft, Report CAB2249 refers) and references to the reduction of carbon emissions.

In summary, Mr Shelterton referred to the Council's consultation on the draft Plans and requested that the documents include a resource led plan with timelines, as to how to meet a target for the reduction of carbon emissions by 30%. He suggested that this would assist with moving this target from being an aspiration, towards its actual delivery.

Mr B Whitmarsh (WinACC) also addressed the Committee with regard to Report CAB2249 and the reduction of carbon emissions.

In summary, Mr Whitmarsh gave examples as to how WinACC hoped this aspiration could be achieved by 2015. These included annual targets to reduce emissions from: domestic gas central heating, private vehicles,

emissions related to the production of red meat and poultry, from flying and also a desire to install sources of renewable energy to offset emissions.

Mr M Slinn (WinACC) also addressed the Committee with regard to Report CAB2249 and also item 10 (The City Council's Efforts To Reduce Its Carbon Footprint Informal Scrutiny Group – Final Report, Report OS23).

In summary, Mr Slinn advised that he supported the sustainable transport initiatives as referred to in the High Quality Environment Change Plan. He also supported the recommendations of the Informal Scrutiny Group, in particular the 'reverse incentives' for council employees to travel to work by car. This could additionally reduce the number of car parking spaces being used on a daily basis for which alternative uses could be explored. The Council would also be setting an example to encourage other employers to adopt their own sustainable transport initiatives.

Responding to Mr Slinn's comments, the Chief Executive reminded the Committee that the Council was phasing out its leased car arrangements and was also reducing the number of essential car users in the organisation. The Council's employees were also working on flexible arrangements that reduced the need to travel daily to the offices. However, as the District was large and rural, pragmatism was necessary with regard to use of vehicles and employees carrying out their work.

The Chairman thanked Mr Shelerton, Mr Whitmarsh and Mr Slinn for their comments which the Committee would refer to during consideration of the relevant agenda items.

5. **CHANGE PLANS 2012/13: CONSULTATION DRAFT**
[\(Report CAB2249 refers\)](#)

The Assistant Director (Economic Prosperity) clarified that none of the proposed specific programmes within the draft Plans were dependant upon budget growth items, and could be scaled up or down according to their eventual prioritisation. Milestone and outcome indicators would be added to the finalised Plans.

During debate, it was considered that programmes within the finalised Plans should be prioritised in terms of those that the Council were sure could be delivered, when the overall budget position was clearer.

Members were encouraged to put forward their individual comments as part of the consultation process.

RESOLVED:

That the Report be noted.

6. **CAPITAL PROGRAMME 2012/13 TO 2014/15 – GENERAL FUND
BUDGET REQUIREMENTS**
[\(Report CAB2251 refers\)](#)

Councillor Wood introduced the Report and explained that any suggested additions to the capital programme that might arise during consultation would require a funding source identified. However the Committee's comments on relative priorities within the programme would be welcomed. Councillor Wood also highlighted the urgent repairs required to River Park Leisure Centre and a necessity for further investment in the building over the longer term.

With regard to River Park Leisure Centre, Councillor Beckett advised that provision was now required for a large capital sum for the urgent repairs to the Centre's roof. Following completion, further consideration would then be given to the other issues related to the building and its long term future, including having regard to examples in other authorities. He reminded the Committee that the urgent repairs were also likely to improve the energy efficiency of the building.

During discussion, the Corporate Director (Operations) clarified that good arrangements were in place with the contractors for the building's maintenance programme. However, as was similar with many leisure centres built around the country in the 1970s and 1980s, aspects of their fabric were now coming to the end of their lives.

The Corporate Director also responded to discussion on the commercial operation of the centre. The more commercial aspects of the centre (such as the fitness suite) helped subsidise the expensive pool operation and other aspects more related to the general health and wellbeing of residents. The urgent roof repairs could not be funded by the commercial operation. The Director also acknowledged that whilst there were examples of new build centres being funded by private companies, this could usually only be achieved when the existing sites were of significant capital value with redevelopment potential. Due to the various constraints associated with the site, the River Park Leisure Centre location did not have such re-development potential.

Councillor Beckett reported that it was likely that the building could be refurbished beyond the initial roof repairs, perhaps utilising a capital receipt from elsewhere. He also advised that it was likely that the pool would be closed for two months during repairs. Negotiations to agree

compensation to the contractor for loss in income during this time were on-going.

Responding to a suggestion, Councillor Stallard explained that the Centre was operating at capacity and whilst it was acknowledged that there were other swimming pools in Winchester and that some residents in the rural areas may not be regular users of the Centre, the closing of some of the building's facilities (such as the pool) would not be considered at this time. Councillor Stallard also referred to the need to look carefully at all the options for the long term future of the Centre after the urgent repairs had been completed.

The Committee referred to other aspects of the capital programme.

Councillor Wood acknowledged the need for youth facilities in the Weeke area of the town. However the North Winchester Youth and Community Action project on page three of the Programme (Appendix A to the report refers) was currently of 'medium' priority due to the project being dependent on a site coming forward for development, which was outside the control of the Council.

Councillor Beckett responded to the Committee's concern at an apparent lack of progress to look comprehensively at the City Offices site. Whilst acknowledging previous plans for the potential redevelopment of the site, Councillor Beckett emphasised that due to the current economic climate, proposals to repair the roof and to address the poor energy efficiency of the building were more likely to be forthcoming over the short term. Officers were also investigating opportunities to increase income to the Council from creating additional office space in the building for letting.

At the conclusion of debate, it was commented that it was difficult for the Committee to make informed comments on the initial proposals for prioritisation within the programme as it was unclear how some items were intended to be financed and the impact there may be on the revenue budget from the proposed capital expenditure.

RESOLVED:

That Cabinet have regard to the comments of the Committee raised during discussion and, in particular, those related to River Park Leisure Centre and City Offices as summarised above.

7. **POOLING OF HOUSING CAPITAL RECEIPTS**
[\(Report CAB2246 refers\)](#)

During discussion, the Head of Finance advised that the fees associated with the eight properties sold subject to the pooling requirement were £27,000. This amount had been deducted from the total to be paid to the Government. It was also explained that the Council would have to pay £79,000 of interest to 31 March 2011 (already accrued in the accounts) but it should be remembered that the Council had also been earning interest on the £1.6 million. The Corporate Director (Governance) clarified that whilst this money had been held by the Council, it was now apparent that it had not belonged to the Council and would have to be paid. Therefore, the Council's opportunity to utilise the money had been lost.

The Chief Executive responded to comments with regard to the impact from the decision that the sum was subject to a national pooling requirement. He stated that although it was difficult to protect against all uncertainties, perhaps with the benefit of hindsight there was a need to get a clearer view in future of all potential risks that might be associated with such a policy. The Head of Finance advised that if the Council had already spent the sum before the rules had been clarified, then it was likely that it would have drawn on a £2 million contingency sum available for unforeseen and urgent matters.

RESOLVED:

That the Report be noted.

8. **GENERAL FUND BUDGET CONSULTATION 2012/13**
[\(Report CAB2250 refers\)](#)

Councillor Wood introduced the Report and explained that it set out the Council's current budget position. The Report did not present particular options for consultees to question, and the Administration would welcome ideas as to how to address the deficit. This might include which services should be maintained, and to what standard, and whether to reduce budget in some areas and reallocate to other Council priorities.

During discussion, the Head of Finance advised that the estimated deficit of between £1.5 million and £2 million was the quantification of all the factors listed in the Report. There remained some uncertainty around several of these items, but it was now apparent that the Council would not achieve the levels of income as previously predicted, such as from planning fees. There were no particular requests for growth items and the priorities would be dealt with within the budget when this was brought forward.

Responding to questions, the Chief Executive also reported that discussions were ongoing with Teams in the Council as to how to make savings. He also clarified that the Council's Change Plans (subject to separate consultation) also acknowledged the Council's challenging budget position. The Plans would not necessarily incur additional costs and were more about setting out the particular direction as to how the Council was to deliver its priorities. This was measured over the longer term against particular outcomes.

Councillor Beckett also responded to criticism from some Members, that the Report contained no clear proposals or questions for consultees to respond to, regarding how to address the deficit. He advised that it was not appropriate for Cabinet to present proposals at this stage that it may not be able to deliver upon over the longer term. It was far better to consider and discuss all ideas brought forward following the consultation process. He acknowledged comments of the Committee that all options must be considered to ensure that the Council remained committed to delivering its priorities.

Individual Members made the following suggestions: 'mothball' Abbey House and the Westgate Museum; consider Museum charges; review market income; consider energy usage; options for reducing youth unemployment; support the priority areas of Stanmore and Winnall; concentrate on core activities.

At the conclusion of debate, the Chairman suggested that individual Members of the Committee might wish to submit their representation on the budget consultation process direct to Members of Cabinet or to officers.

RESOLVED:

That the report be noted and individual Members submit their representation on the budget consultation process direct to Members of Cabinet or to officers.

9. **WINCHESTER MUSEUMS: IMPROVING THE LONG TERM SUSTAINABILITY OF THE SERVICE**
[\(Report CAB2248 refers\)](#)

Councillor Stallard explained that it was likely that the two artefacts recommended for disposal had come into the Council's possession before it kept official records. It was not believed that either of them had any local connection to the City. Councillor Beckett also referred to the

disposals achieving savings over the long term for the Council from reducing storage overhead costs.

A Member suggested that the Council might wish to consider whether any further artefacts from its collections might be appropriate for disposal, to assist the Council in achieving its priorities, especially having regard to the current budget situation. In response, the Chief Executive reminded the meeting that there were moral commitments for the Council with regard to its role as custodian to the City's heritage. However this might be an exercise that should be given further consideration.

In response to a question, the Assistant Director (Economic Prosperity) advised that all the museums services referred to in the Report remained committed to the Hampshire and Solent Museums Alliance.

RESOLVED:

That the decisions of Cabinet be supported.

10. **THE CITY COUNCIL'S EFFORTS TO REDUCE ITS CARBON FOOTPRINT INFORMAL SCRUTINY GROUP – FINAL REPORT**
[\(Report OS23 refers\)](#)

As Chairman of the Informal Scrutiny Group (ISG), Councillor Hutchison, introduced the Report and advised that the ISG's recommendations were timely so as to influence the Council's budget process. He also drew attention to the wider benefits from reducing carbon emissions. These were listed at the four bullet points on the first page of Appendix One.

The Chief Executive referred to the Recommendations relating to transport (9 -14). The Council was already changing its transport policies with regard to its staff, but was it was necessary to achieve a balance with running the Council in an efficient and effective way.

On behalf of the Committee, the Chairman thanked Councillor Hutchison and the other ISG members and officers for their work in the scrutiny investigation.

RESOLVED:

1. While recognising that ISGs are Task and Finish Groups, because there is a need for early action by the City Council if carbon reduction targets for 2012 and 2015 are to be met, an additional meeting of this ISG should be held in April 2012 to take stock of the progress being made on the matters raised in this report.

That Cabinet be recommended to approve:

2. The Leader and Chief Executive need to take particular responsibility for ensuring that the City Council achieves its carbon reduction commitments. At least twice a year the Leader should attend the regular meetings of the Climate Change Programme Board and, at least twice a year progress in reducing the Council's carbon footprint should be reported to, and discussed by the Corporate Management Team. Additional measures needed to achieve the agreed targets should be adopted as and when needed.

3. Priority for investment in the Council's Estate should be given to major refurbishment of the River Park Leisure Centre and of the City Offices. For each of these two properties two approaches are needed: (a) a programme of 'quick wins', i.e energy saving measures that can be introduced relatively quickly and at relatively low cost – having regard to an initial list prepared by the Energy Manager; and (b) a major capital programme based on a 'business case'.

4. In the case of the River Park Leisure Centre that officers investigate the options for ensuring the costs of investment in energy saving measures should be fairly borne between the Council and DC Leisure.

5. As a matter of urgency, the Council should re-visit the costs and benefits of investing in solar PV panels for Council house roofs; and explore possible new sources of borrowing (other than through the HRA).

6. That Corporate Management Team be asked to consider making the Energy Manager's post permanent.

7. The City Council should create an energy saving ring fenced budget £30,000 as the start of a 'revolving fund' for energy saving measures – any savings made as a result of initial investments to be invested in further energy saving measures.

8. With a view to increasing the City Council's capacity for making long term energy and environmental

investments, comparable to those made in Woking over the last decade, and in the light of current plans for Combined heat and power/District Heating schemes in Winchester, the Council should continue to work with the County Council to establish an Energy Services Company (ESCO).

That Personnel Committee be recommended to approve:

9. With effect from 1 April 2012, a new and attractive pattern of incentives to be introduced for staff who share cars, walk, cycle and use public transport. These to include interest free loans for rail season tickets (and, if possible, discounts on season tickets negotiated with SWT).

10. Except for Essential Car Users, registered disabled, and those who regularly car share, no free parking to be provided for staff, other than at Park and Ride sites. This should come into effect on 1 April 2012.

11. While recognising the importance of appropriate retention and recruitment policies, the City Council should plan for – and negotiate - a steep and steady reduction in the number of Council posts attracting an ‘Essential Car User’ contribution. The aim, by 2015, should be to reduce the number of ‘Essential Car Users’ to a minimum number of posts that genuinely meet a stringent definition, with appropriate arrangements for other ‘essential car use’ to maintain and enhance a fully effective and efficient Council. (All existing ‘Essential Car Users’ who do not qualify or who wish voluntarily to resign from the ‘Essential Car User’ category to be compensated; this will come into effect at an appropriate date suiting their current car rental leasing agreement).

12. As and when leases on cars come up for renewal in 2012 and thereafter, to reduce the emissions limit on lease cars from 140g to 120g.

13. With effect from 1 April 2012, car expenses on business travel should not normally be payable to staff (except for disabled staff or when heavy equipment is being carried) to locations within the urban area of Winchester (the six wards represented on the Winchester Town Forum). Unless there are compelling reasons to use a car, staff will be encouraged to use public

transport or to walk or cycle (including motor-assisted cycles where needed) for short journeys.

14. In the light of the additional incentives referred to in recommendation 9 above, the Head of Organisational Development and the Head of Access and Infrastructure to lead an officer working group:

- to revisit the City Council's Travel Plan and to set significantly more ambitious targets for 'modal shift' including a reduction in 'single occupancy' car trips for the journey to work of 10% a year for each of the next three years: 2012, 2013 and 2014.
- to conduct a Business Process Review with the aim of promoting smarter travel, encouraging more home working as appropriate, minimizing 'sole occupancy' car use as a mode of business travel, promoting greater car sharing and encouraging more walking and cycling.

and that the working group to report to the Personnel Committee before the end of the 2011/12 Municipal Year.

11. **ASSET MANAGEMENT PLAN 2011 – 2016 (LESS EXEMPT APPENDIX)**
[\(Report OS24 refers\)](#)

The above Report had not been notified for inclusion on the agenda within the statutory deadline. The Chairman agreed to accept the item onto the agenda, as a matter requiring urgent consideration, so Cabinet could consider the Plan without delay.

The Head of Estates reported that the Asset Management Plan Informal Scrutiny Group (ISG) had considered the draft Plan in depth. Part of its investigations had noted a backlog of maintenance in the Council's estate and also a desire to drive forward a wider portfolio of development beyond just utilising assets in the Council's direct ownership. The ISG was also recommending that delivery of the Plan be annually monitored by The Overview and Scrutiny Committee. Having regard to the ISG's work, a revised Plan was attached as an updated Appendix C to the Report, which was inclusive of revised figures being considered in the Capital Programme.

As Chairman of the ISG, Councillor Wright explained that the Group had been keen for the backlog of maintenance to be urgently addressed, so to reduce the likely impact on capital value, or on revenue. The ISG also

referred to the development of an Asset Management Policy to influence the delivery of the Plan.

Councillor Wright highlighted that Recommendation 2 should include the words 'and wider Policy' after Asset Management Plan on the second line.

Councillor Beckett advised that proposals related to the Council's Estate, would be determined either via Cabinet or the individual portfolio holder decision making process. Any Asset Management Policy should encompass the necessary flexibility to allow negotiations before a proposal was brought forward for Member decision.

During further discussion, and with reference to paragraph 1.80 on page 27, it was noted that potential changes on using Developers Contributions would be considered when finalised details of the proposed 'community infrastructure levy' were forthcoming. The Plan and any future policy should also refer to the benefits of the Council having strategic land holdings, which might be beneficial to proposed development in some instances, such as the Silver Hill development.

RESOLVED:

That the following recommendations of the ISG be accepted and recommended to Cabinet for approval:

- 1 **That the attached updated draft Asset Management Plan (Appendix 1) be adopted and the Cabinet decisions in recommendations 4-13 on the AMP in CAB 2209 (Appendix 2) be confirmed, subject to:**
 - (a) **The work programme identified in updated Appendix C to the Plan being reviewed in the light of available financial and staffing resources and subject to a further report to Cabinet.**
 - (b) **The inclusion of updated Appendix D2 and updated exempt Appendix D1.**
 - (c) **That Cabinet consider adding the review of the long term future property requirements of the City Museums and Abbey House to the work plan.**
- 2 **That Cabinet consider arrangements for involving a wider group of Members in overseeing the implementation of the Asset Management Plan and wider Policy and the property aspects of the Community Strategy.**

- 3 **That an annual report be submitted to The Overview and Scrutiny Committee detailing progress toward the delivery of the objectives set out in the AMP.**

12. **SCRUTINY WORK PROGRAMME AND SEPTEMBER 2011 FORWARD PLAN**

[\(Report OS18 refers\)](#)

The Chairman reported that immediately prior to this meeting, the Scrutiny Chairs had met and recommended that Batch 2 of the Informal Scrutiny Groups (ISGs) be revised to include ISGs to scrutinise the functioning of the Project Integra Group and increasing recycling rates and also to investigate Leader funding and the impact the scheme has had on the Council as the accountable body.

Several Members raised concerns at the recent performance of the new waste management contract in some areas of the District.

In response, Councillor Beckett advised that he had been assured by the contractor that it had increased its resources to deal with the backlogs of bin collections in some areas. Councillor Beckett suggested that the new contract be given the opportunity to settle down and he agreed to an update report to the next meetings of Cabinet and the Committee on progress to improve performance.

RESOLVED:

1. That the following Batch 2 ISGs be agreed (with membership and terms of reference to be confirmed):
 - (i) Leader funding ISG
 - (ii) Project Integra Group ISG
2. That an update report be made to the next meeting of the Committee to detail progress to improve performance of the waste management contract, in particular, bin collections in some areas of the District.

13. **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>
##	Exempt Minutes –) a) Progress to secure a) new tenant or new use) for Avalon House,) Winchester)	Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Para 3 Schedule 12A refers)
###	b) 75 Hyde Street,) Winchester – Additional) Funding) Asset Management Plan) 2011 – 2016 – Exempt) Appendix)	

14. **EXEMPT MINUTES**

RESOLVED:

That the exempt minutes of the previous meeting, held 17 October 2011 be approved and adopted.

15. **ASSET MANAGEMENT PLAN 2011 – 2016 (EXEMPT APPENDIX)**
(Report OS24 refers)

RESOLVED:

That the information in the exempt appendix be noted.

The meeting commenced at 6.30pm and concluded at 10.20pm.

Chairman