

THE OVERVIEW AND SCRUTINY COMMITTEE

23 January 2012

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 Gemmell (Standing Deputy for Councillor Gottlieb)

Others in attendance who addressed the meeting:

Councillor Beckett (Leader)

Councillor Coates (Portfolio Holder for Strategic Housing and Landlord Services)

Councillor Humby (Portfolio Holder for Planning and Enforcement)

Councillor Weston (Portfolio Holder for Environment and Transport)

Others in attendance who did not address the meeting:

Councillor Mitchell

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

1. **DECLARATION OF INTERESTS**

Councillors Beckett, Coates, Humby, Stallard and Weston declared personal and prejudicial interests, due to 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.

2. **MINUTES**

RESOLVED:

That, subject to a correction to the spelling of Mr Shelton's name on page 2, the minutes of the previous meeting of the Committee held on 14 November 2011 be approved and adopted.

3. **PUBLIC PARTICIPATION**

No comments were made or questions asked during the public participation period of the meeting.

4. **CAPITAL PROGRAMME 2011/12 TO 2014/15**
[\(Report CAB2283 refers\)](#)

The Committee noted that the Report had been considered by Cabinet at its meeting held on 18 January 2012, where the recommendations had been agreed as set out.

The Head of Finance explained that the Capital Programme was likely to require amendment to respond to changes to the housing finance spending plans, which would be considered by the Cabinet (Housing) Committee on 1 February 2012.

In response to questions, Councillor Beckett explained that the Council's financial commitment to the Hockley Viaduct remained at approximately £500,000 with anticipated funding from Sustrans and the County Council.

Councillor Beckett also explained that the proposed expenditure on IT projects would be undertaken in partnership with Test Valley Borough Council and it was hoped that this would drive down the final costs of the Projects, beneath the estimated figures set out in the Report. During debate, a concern was raised that a clear business case should be made for each major IT project and, due to their short life spans, these projects should be funded from a revenue contribution to capital, rather than from capital receipts or prudential borrowing. Councillor Beckett confirmed that business cases would be considered before individual projects were approved and the issue of revenue funding could be considered in future budget rounds.

The Committee noted that, although the vendors had withdrawn the church site from the market, the Report had still proposed a £300,000 commitment to develop the North Winchester Youth and Community Action Facility.

Councillor Beckett explained that this commitment was recognition of the current shortfall in youth facilities in the area and would allow options to be considered.

In response to questions, Councillor Beckett explained that, notwithstanding the maintenance issues of River Park Leisure Centre, the Council was open-minded about its long term future and that this included considering the viability of working with partners to develop a new facility.

At the conclusion of debate, the Committee raised no issues for Council to consider during its debate on the Capital Programme.

RESOLVED:

That that Report be noted.

5. **GENERAL FUND BUDGET UPDATE 2012/13**
(Report CAB2276 refers)

The Committee noted that the Report had been considered by Cabinet at its meeting held on 18 January 2012, where the recommendations had been agreed as set out.

Councillor Beckett explained that the detailed budget had not been included in the Report, as a significant element had been dependent on staff organisational changes that had yet to be considered by Personnel Committee. Members noted that the date of Personnel Committee that would consider these proposed changes had been postponed to 8 February 2012, to allow more time for consultation and to link the Report in with other changes relating to how the Council's teams worked.

Councillor Beckett stated that these changes would lead to a balanced budget, subject to minor additional savings yet to be identified by the Administration.

In response to questions, Councillor Beckett commented that, because the anticipated additional income from the refurbished Guildhall was below target, the task of marketing the Guildhall was now supported by the Communications Team, to take advantage of their marketing expertise.

During debate, the Committee noted the effect of the Government's Council Tax Freeze Compensation Grant and that the Committee would have a better opportunity to scrutinise a more detailed budget report at its next meeting.

RESOLVED:

That the Report be noted.

6. **HOUSING REVENUE ACCOUNT REFORM AND BUSINESS PLANNING FOR 2012/13**

[\(Report CAB2260\(HSG\) refers\)](#)

The Committee noted that the Report had been considered by Cabinet (Housing) Committee at its meeting held on 6 December 2011 and Cabinet at its meeting held on 7 December 2011, where the recommendations had been agreed as set out. Councillor Coates also explained that, following the publication of the Report, there had been two meetings of the Housing Self Financing Informal Policy Group which had considered further detail on the proposals set out in the Report.

Councillor Coates updated the Committee that the latest predictions were that self financing was likely to enable the Council to spend £11.3m on maintaining its existing stock during 2012/13, leaving a surplus of £2-3m that could be used to build new affordable homes. The Scheme required the Council to make a payment expected to be of £157.4m to the Government on 28 March 2012 and the Committee noted the significance of interest rates on that day.

Councillor Coates explained that the Council's treasury consultants had advised 3.8% as a working assumption of the interest rates on 28 March and that the Council had calculated that it could deliver the proposed Business Plan and repay the debt up to an interest rate level of 4.2%. He stated that the effect of a higher interest rate would be to reduce the number of new homes the Council could develop. During debate, a Member raised concern regarding the risk of higher interest rates and, in the light of the current world economy, questioned whether now was the right time for the Council to commit to such a large debt.

The Head of Finance explained that the Council had no option but to make the payment, as this was required under the Housing refinancing provisions in the Localism Act 2011. However, it had a number of options as to how it structured this debt over differing terms, to retain flexibility to deliver its proposed Business Plan. Councillor Beckett added that Cabinet had indicated a preference that the debt profile should release more money earlier on during the period of the loan, to enable the Council to start building Council houses sooner, to tackle the housing waiting list and benefit from the income the new homes would generate.

The Committee also considered how the Council would manage the new developments, assess the effectiveness of energy efficiency measures and the potential that some of the new investment could be used for loft conversions, to enable existing tenants to remain in their properties and make better use of the existing housing stock. Members also noted that, alongside creating its own affordable homes, the Council would continue to work with

housing associations to maximise the development of affordable homes from private schemes.

At the conclusion of debate, the Committee acknowledged the long term significance of the decisions highlighted within the Report and that further details (including the risks and governance issues) would be scrutinised at subsequent meetings. However, in summary, all Members welcomed self-financing as an exciting opportunity for the Council to create potentially 300 plus new affordable homes over a ten year period.

RESOLVED:

That, whilst noting further details would be considered at a future meeting, the proposals in the Report be supported.

7. **SILVER HILL - UPDATE**
[\(Report CAB2272 refers\)](#)

The Committee noted that the Report had been considered by Cabinet at its meeting held on 7 December 2011 where the recommendations had been agreed as set out.

The Corporate Director (Operations) explained that the compulsory purchase procedures were continuing and it was likely that the Inquiry would be held in May or June 2012. In response to questions, he outlined the nature of the objections the Council had received against the scheme and confirmed that these would be considered by the Inspector at the Inquiry.

RESOLVED:

That the Report be noted.

8. **INTEGRATED MUSEUMS SERVICE: PREFERRED OPTION FOR APPROVAL**
[\(Report CAB2278 refers\)](#)

The Committee noted that the Report had been considered by Cabinet at its meeting held on 18 January 2012 and that Cabinet had agreed the recommendations as set out.

The Assistant Director (Economic Prosperity) stated that the Council was working with the County Council and Southampton City Council to integrate the three Councils' museum services, to provide long term resilience and to maintain the quality of the services. At this stage, Portsmouth City Council was not part of the proposed integrated museums service.

In response to questions, the Committee noted that the respective Councils would retain ownership of their collections and buildings and that the details of proposed governance arrangements would be presented with the spring Cabinet update for Member consideration.

At the conclusion of debate, whilst the Committee supported the proposed integrated service in principle, concerns were raised regarding Winchester's possible influence as the smaller partner in the service, in addition to concerns about accountability.

RESOLVED:

That, whilst the Committee supported the integrated service in principle, concerns were raised regarding Winchester's influence in the proposed service and the accountability of the service.

9. **MEMBERS' ALLOWANCES – REPORT OF THE INDEPENDENT REMUNERATION PANEL AND OTHER RELATED MATTERS**
[\(Report CAB2277 refers\)](#)

The Committee noted that the Report had been considered by Cabinet at its meeting held on 18 January 2012, and the Corporate Director (Governance) reported that Cabinet had agreed that Members' mileage rate should be maintained at 40p per mile for 2011/12 and 2012/13. In addition, Cabinet had agreed that there should be no increase in Members' Allowances for 2012/13 and that Council-sourced mobile phones should be available to all Members, if required, on the basis that they should cover the Council's full costs (ie purchase and all monthly charges). The Mayor would continue to be provided with a Council funded mobile phone because of the revised arrangements for the supporting the Mayoralty and the need to make frequent contact with the office between engagements.

During debate, the Committee noted that in 2010, the Panel had considered and rejected a special allowance for Members who served on the Planning Development Control Committee. The 2011 review did not include this issue within its terms of reference.

RECOMMENDED:

THAT THE REPORT BE NOTED.

10. **COMMUNITY INFRASTRUCTURE LEVY (CIL) – UPDATE**
[\(Report OS31 refers\)](#)

The Head of Strategic Planning and Councillor Humby explained that the CIL would effectively act as a tax (set at a sum per square metre) on new developments, as a replacement for developers' contributions in certain circumstances. His Team were currently in the early stages of the process of developing the CIL Charging Schedule, working on the technical data that would in due course feed into reports for the Cabinet (Local Development Framework) Committee, to be followed by public consultation and examination by a Planning Inspector. This process would involve Member consideration and approval of the Charging Schedule.

During debate, the Committee noted that Government guidance recommended that a meaningful proportion of the CIL should be spent in the area from which it was collected. Members raised concerns regarding the current absence of a clear definition of "area" and how this related to the South Downs National Park area which would collect CIL in that part of the District. The Chief Executive added that the PUSH area was currently considering cross-boundary pooling of CIL contributions.

A concern was also raised regarding how the CIL would affect investment in rural areas with little or no new development.

The Committee noted the importance of the emerging CIL to local people and a Member raised concerns regarding what he considered to be a lack of Member involvement in the development of the CIL. Following debate, the Committee agreed that to establish an Informal Scrutiny Group to examine the CIL at this stage would be both premature and likely to duplicate the work of the Cabinet (Local Development Framework) Committee.

However, arising from this debate, the Committee had concerns regarding Section 106 Agreements, which would remain the source of developers' contributions for approximately the next 18 months until the CIL was adopted and thereafter remain for large MDAs. The Committee, therefore, agreed that this could be considered as a potential topic for a future ISG (see OS28 below) to examine whether the public were getting value for money and to focus on issues of consistency, transparency, co-ordination between the City and County Councils and viability.

RESOLVED:

That the Report be noted and the production of the Council's Community Infrastructure Levy Charging Schedule in accordance with the programme set out in the 2011 Local Development Scheme be supported.

11. **WASTE COLLECTION SERVICE UPDATE**
[\(Report OS32 refers\)](#)

The Assistant Director (High Quality Environment) and Councillor Weston introduced the Report. It was explained that the difficulties arising from the start of the new contract continued to be resolved and that both Councils were looking to recover the additional costs they had incurred from the contractor. There had been no penalty clauses during the honeymoon period of the contract, but Members noted that the cost to the contractor to resolve these issues was considerably greater than any clause was likely to extract.

During debate, Members noted the contractor's proposed awards scheme (based on a similar scheme in Oxfordshire), which recognised individuals or groups' work to improve the environment.

In response to Members' concerns, the Assistant Director explained that some refuse freighters had twin containers, which might have led some constituents to think that different types of waste were being mingled. The Committee also noted that the collection of dog waste bins had been awarded to a separate contractor and that officers were working to resolve any issues that had arisen. A possible solution was to bring this aspect of the contract in-house.

RESOLVED:

That the Report be noted.

12. **AIR QUALITY INFORMAL SCRUTINY GROUP (ISG) – FINAL REPORT**
[\(Report OS27 refers\)](#)

Councillor Pearson, as Chairman of the Group, introduced the Report. He explained that the Group had examined what progress had been made to improve air quality in Winchester town and what further improvements could be made. He added that many of these further improvements were the responsibility of the County Council and its own progress on the Winchester Town Access Plan.

During debate, the Committee noted the need for more detailed analysis of the traffic that caused air pollution and the trans-shipping and bike pod proposals. Several Members also suggested that the proposed 20mph speed limit were more relevant to safety issues, rather than an attempt to improve air quality.

Councillor Wright clarified that his information (page 34 of the Report) had come from DEFRA.

At the conclusion of debate, the Committee thanked the Members and officers that had worked on the ISG and agreed the recommendations as set out.

RESOLVED:

That the following be recommended to Cabinet:

1. That Winchester City Council should 'un-declare' for PM10's within its Air Quality Management Area in accordance with the approved DEFRA report submitted by Winchester City Council in 2011. However the monitoring of PM10s should continue throughout the period of the Silver Hill development with funding contributions from the developer being explored as part of the planning process;
2. That WCC with HCC explores the feasibility of adjusting the phasing of the traffic lights at the top of St Georges Street to reduce congestion.
3. That the BID be encouraged to investigate the feasibility of trans-shipping goods from a suburban depot into town centre shops.
4. That BID be encouraged to investigate the introduction of a park and ride user voucher scheme.
5. That a report be taken to Cabinet identifying the costs and opportunities for the provision of an additional Park & Ride site to serve the northern approaches of Winchester City.
6. That the car parking price structure should be linked with distance from the town centre and that air quality impacts should be a demonstrable consideration built into the pricing structure.
7. That a report be taken to Cabinet identifying the costs and opportunities for the provision of electric vehicle charging points within WCC car parks.
8. That a feasibility study be undertaken to determine whether meaningful real time air quality information can be made available on a public information display in the Guildhall and in the Colebrook Street customer point.

9. That the car park season ticket and residents parking pricing structure should continue to encourage the use of low emission vehicles.

10. That a more realistic trial be undertaken within the whole of the Air Quality Management Area regarding the impacts of a 20mph zone on air quality.

11. That the City Council engage with HCC to gather robust data on traffic profiles to inform whether a Low Emission Zone is a viable future opportunity for air quality management within Winchester City.

12. That sites for additional secure cycle stands should be found within Winchester City centre car parks.

13. That a scheme to encourage cycling from the Park & Rides should be put in place, i.e. drive to Park & Ride – cycle into town from there.

14. That a feasibility study be undertaken for opportunities for the provision of cycle contra-flows within Winchester City.

15. That Hampshire County Council be requested to ensure that the measures implemented through the Local Sustainable Transport Fund secured from a Central Government, includes a quantitative assessment of likely impact on air quality.

16. That all bus companies should be encouraged to introduce the green-dash board scheme.

17. That, subject to Cabinet approval on the above recommendations, that the current Air Quality Action Plan be updated to include the outcomes of the ISG process, in order to give Winchester City Council clear direction in air quality management for the medium to long term.

13. **HOUSING ALLOCATIONS INFORMAL SCRUTINY GROUP -
RECOMMENDATIONS**
[\(Report OS29 refers\)](#)

As Chairman of the ISG, Councillor Thompson introduced the Report and, together with the Head of Strategic Housing, explained that it proposed a community lettings plan that could be used on a scheme by scheme basis; not just at exception sites.

During debate, concerns were raised that a greater emphasis was being placed on a housing applicant's local connection, rather than their housing need. Others welcomed the proposals, as it was likely to make new schemes more acceptable to the neighbouring community and the Committee noted recent Government advice that recommended a higher priority for ex-service people and those in employment.

Although a concern was raised regarding the possible interpretation of the community lettings plan as social engineering, the Committee agreed that recommendation d) should refer to child "distribution" rather than "child density".

At the conclusion of debate, the Committee thanked the ISG for its work and, subject to the above amendment, approved the recommendations as set out. The Committee also agreed that the necessity and pressure on the allocation criteria was a result of a shortage of affordable homes. In addition, the Local Development Framework should seek to ensure a good mix of residents through a good mix of housing types in any one area.

RESOLVED:

That the following be recommended to Cabinet:

1. That the option to adopt Community Lettings Plans (CLP) be considered in the following circumstances:
 - a) Any new-build development on Council-owned land where it is important for the stability of the community that local families are given priority. In these circumstances up to 50% of the initial lets will be prioritised for established local households.
 - b) Any new-build developments in villages and market towns where no significant development has recently occurred. In these circumstances up to 50% of the lets will be prioritised for households living, working or providing some benefit to that community (this could include neighbouring Parishes and Wards).
 - c) Vacancies created in existing Council stock in a village caused by tenants moving to a rural exception scheme. In these circumstances up to 50% of the resulting vacancies will be prioritised for local people in that community.

d) Major Development Areas (MDAs) where it is critical for the stability and future success of the community that careful consideration is given to child distribution and socio-economic profile.

e) New vacancies in existing Council-owned stock in communities that have particular local issues that need to be addressed. In these circumstances evidence would need to be provided about the issues faced by the community and how a CLP would help alleviate these. The evidence threshold would be set at a high level and any subsequent CLP would be time-limited and reviewed at the end of that period to evaluate its outcomes.

2. That key statistical information on allocation of affordable properties in the Winchester District be presented on a six monthly basis to Cabinet (Housing) Committee.

3. The action taken on the ISG's recommendations be reviewed one year after receiving this report.

14. **YOUNG PEOPLE AND EMPLOYMENT INFORMAL SCRUTINY GROUP - RECOMMENDATIONS**
[\(Report OS25 refers\)](#)

As Chairman of the ISG, Councillor Huxstep introduced the Report.

During debate, the Committee noted the Council's proactive approach to apprenticeships (including encouraging their use by the BID members) and its links with the Prince's Trust. Members also discussed the proposed commission for the Stanmore Job Club.

In response to concerns that the ISG had not adequately considered rural issues, the Assistant Director (Economic Prosperity) explained that the Group had focused on Winnall and Stanmore as these had been identified by Job Centre Plus as the areas with the greatest number of NEETs (people not in employment, education or training). The areas were also one of the Council's stated priorities. However, the ISG had recognised the need to better understand the issues and had therefore recommended a commissioned study, to accurately assess the number of NEET young people across the whole Winchester District.

At the conclusion of the debate the Committee agreed the recommendations as set out and Councillor Huxstep thanked the Members and officers involved in the Group's work.

RESOLVED:

1. That Cabinet be recommended to approve:
 - i) That Officers proceed with a commission for a study to:
 - a) accurately assess the number of NEET young people in the Winchester District;
 - b) map current provision to help these young people into work;
 - c) identify gaps in provision, where the system is failing young people;
 - d) develop an outline action plan identifying pragmatic and cost-effective actions which could be taken by the Council and its partners in helping young people into training, education or employment.
 - ii) That the Council, through the Head of Organisational Development, makes a formal commitment to making a target number of 20 unpaid work placements per annum available to Job Centre Plus or other recognised agencies/organisations working with young people, and reports these to the Personnel Committee on an annual basis;
 - iii) That the Head of Organisational Development and Head of Economy and Arts produce a clear protocol to support the work placement programme;
 - iv) That the Council, through the Head of Organisational Development, makes a formal commitment to making a target number of 3 apprenticeships per annum available to Sparsholt College or other recognised organisations, as an example to other employers, and that these are reported these to the Personnel Committee on an annual basis. This commitment is made on the basis of no additional direct cost to the Council;
 - v) That the Council plays an active role in promoting both work placements and apprenticeships to other employers in the District, making information accessible and clear, and celebrating successful examples;
 - vi) That officers commission a Job Club in Stanmore, using seed funding from the economic prosperity commissioning budget with the intention of establishing a self-sustaining, volunteer-based operation after two years;

vii) That the Council convenes a conference of arts providers in and around the Winchester District to consider opportunities for non-conventional interventions to support young people, in line with the Council's stated objective of drawing on the District's cultural strengths to find innovative new approaches to supporting the local economy.

2 That other member organisations of the Local Strategic Partnership be encouraged to consider measures designed to reduce youth unemployment in their own programmes and initiatives.

15. **INFORMAL SCRUTINY GROUPS (ISG) 2011/12 - UPDATE**
[\(Report OS28 refers\)](#)

Councillor Pearson reported that, following a meeting with officers, he did not consider it necessary to establish the Planning Management ISG, as set out in the Report. Following debate, the Committee agreed that the Planning Improvement Plan, which had benefitted from the work of the Planning and the Rural Economy ISG, had a positive effect on the performance of the Planning Team and that it would be premature to establish an ISG whilst the Improvement Plan continued to be implemented. In response to Members' comments, Councillor Humby confirmed that he was striving to improve the customer's experience of the Planning Team.

Following debate, the Committee requested that the Head of Policy should prepare a report for the next meeting setting out possible subjects for Batch 3 of the ISGs. Subject to any further suggestions received after the meeting, the Committee suggested that this list could include:

- Section 106 Agreements (see Report OS31 above)
- An IT Strategy
- Access to Services in the Market Towns and Rural Areas
- The River Park Leisure Centre

RESOLVED:

1. That the Committee support ISGs having a membership of up to six Councillors, including the Chairman, whilst remaining broadly politically balanced.

2. That the Batch 2 ISGs for the 2011/12 Municipal Year be agreed as set out in paragraph 3.2 and that their terms of reference as set out at paragraphs 3.3 – 3.5 of this report be endorsed, subject to the deletion of the Planning Management ISG.

3. That a report be prepared for the next meeting suggesting potential issues for future ISGs for Batch 3, taking into account the Committee's suggestions outlined above.

16. **SCRUTINY WORK PROGRAMME AND JANUARY 2012 FORWARD PLAN**
[\(Report OS30 refers\)](#)

The Committee noted that it would not receive "Detailed Change Plans" at its meeting on 19 March 2012 as set out in the Work Programme. Rather progress on individual Outcomes of the Plans were monitored through regular reports to the Committee.

The Committee also noted that Councillor Hutchison was the Chairman of the Commissioning ISG, not Councillor Banister.

RESOLVED:

That, subject to the above updates, the Report and Forward Plan be noted.

The meeting commenced at 6.30pm and concluded at 10.45pm.

Chairman