

CABINET

30 July 2003

Attendance:

Councillors:

Campbell (Chairman) (P)

Beveridge (P)

Cook (P)

Evans (P)

Hiscock (P)

Learney (P)

Nelmes (P)

Wagner

Others in attendance and speaking:

Councillors Davies, Pearson and Pines

Others in attendance and not speaking:

Councillors Craig, de Peyer, Lipscomb, Mitchell and Oxley

D Chafe and J Berry (TACT)

317. **APOLOGIES**

Apologies were received from Councillor Wagner.

318. **PUBLIC PARTICIPATION**

Mr R Atkins (New Alresford Town Councillor) spoke on the subject of proceedings of Planning Development Control Committee. In summary, he raised a number of concerns about the conduct of the meetings in general, and in particular in relation to an application in Broad Street, New Alresford. His concerns related to the public not being given sufficient time to contribute at these Committees, the need to ensure Members had the correct information on which to make decisions, and for proceedings to be fair.

Mr Atkins handed a letter to the Chief Executive and the Portfolio Holder for Environment, Economy and Development setting out his concerns in more detail.

The Chairman thanked Mr Atkins for his comments and stated he would receive a written reply to his letter. She advised that an Informal Member/Officer Working Group had recently been established to review the operation of the Planning Development Control Committee.

319. **APPOINTMENTS TO CABINET COMMITTEES ETC**

RESOLVED:

That Councillor Busher be appointed to the Local County Highway Management Advisory Panel for the 2003/04 Municipal Year (Deputy: Councillor Hammerton)

Full Membership: Councillors Bailey, Beveridge, Busher, Clohosey, Davies and Pearson (Deputies: de Peyer, Hammerton, Lipscomb and Wagner)

320. **MINUTES**

RESOLVED:

That the minutes of the meeting held 16 July 2003 (less exempt business) be approved and adopted.

321. **PRESENTATION OF PETITION – AREA PLANNING COMMITTEES**

Cabinet received a petition from Mr Paul Waterworth containing 14 signatories. In summary, the petition requested the establishment of three local Area Planning Committees – Winchester West, Winchester Central and Winchester East. It suggested that each Committee should comprise of ten local Councillors together with four additional Councillors who would sit on all three Committees (in order to ensure consistency of decision making across the District).

Mr Waterworth stated that the advantages of such Area Planning Committees included decisions being made by local councillors who had better knowledge of the area concerned, shorter meetings which could be held locally and in the evenings, and more opportunity for the views of parish councils to be taken into account.

Mr Waterworth advised that he had contacted all parish councils within the District for their views on his proposals and distributed copies of the responses received. In summary, 35 parish councils had responded and of these, 28 had reached a decision. Of the 28 who had decided, 21 were in favour of the proposals.

The Chairman thanked Mr Waterworth for his presentation. She advised that an Informal Member/Officer Working Group had recently been established to review the operation of the Planning Development Control Committee. The Portfolio Holder for Environment, Economy and Development advised that the Group had already met and agreed its terms of reference and work programme. The Group would be considering how other local authorities deemed to be similar to the City Council operated, in addition to investigating the cost implications of any change.

Following discussion, Cabinet agreed that the matters raised by Mr Waterworth be referred to the Working Group for further consideration. Members noted that the Working Group would report back to Cabinet on its findings and Mr Waterworth would be given the opportunity to address the meetings again at this time.

RESOLVED:

That the issues raised in the petition be referred to the Informal Member/Officer Working Group established to review the operation of the Planning Development Control Committee, to consider further and report back to a future Cabinet.

322. **COMPREHENSIVE PERFORMANCE ASSESSMENT – SELF-ASSESSMENT**
(Report CAB693 refers)

Members noted that at its meeting on 28 July, Principal Scrutiny Committee had made a number of comments about the CPA self-assessment. In summary, that Committee had raised three key issues:

- the emphasis on the Council's work on Health for All should be strengthened;
- the eight medium term priorities set out in the aims for the District should be referred to throughout the document;
- the format of the diagnostic section should be reconsidered in order to ease understanding (Cabinet noted that following Principal Scrutiny Committee, the Chief Executive had queried this point with the CPA Inspection Team who had indicated the current format was acceptable).

The Portfolio Holder for Housing requested that the document should increase the emphasis on partnership working, particularly with TACT. This was agreed.

The Portfolio Holder for Community Services suggested that Meadowside Centre be mentioned in a number of sections within the document. Another Member requested that proposals for improving customer care be included. The Chief Executive noted these comments but reminded Cabinet that it might not be possible to include additions within the limited space available. However, such matters could be drawn to the attention of the CPA Inspection Team when they visited the Council.

The Chairman thanked the Chief Executive and his staff for their work in compiling the self-assessment document. She requested that any further comments be forwarded to the Chief Executive as soon as possible. The final date for submission to the CPA team was the week commencing 11 August.

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

RESOLVED:

1. That the draft self-assessment attached as Appendix 1 to the report and as amended by Principal Scrutiny Committee and Cabinet as outlined above, be agreed as giving an accurate picture of the Council, subject to any further information that comes to light by the deadline date for its submission to the CPA team.

2. That the Chief Executive, in consultation with the Leader, Chairman of Principal Scrutiny Committee and Portfolio Holder for Performance Management, be given authority to amend the self-assessment in light of any new information received prior to the deadline date for its submission to the CPA team.

323. **SWANMORE COMMUNITY FACILITIES – PROJECT DETAILS**
(Report CAB664 refers)

Councillor Evans declared a personal and prejudicial interest in respect of this item as a Governor of Swanmore College. She left the room and took no part in the debate.

Under Council Procedure Rule 35, the Chairman stated that Councillor Pearson had requested to speak on this item. In summary, Councillor Pearson welcomed the proposals outlined in the report, but stressed that the Council should ensure there was a written agreement governing how the facilities were to be used by the wider community. In addition, he raised concerns about the additional costs of the facilities and whether the future revenue costs required would be able to be met locally.

In response, the Director of Community Services outlined the reasons for the increase in costs for the project of £200,000. He confirmed that before any grant was made, an agreement would be sought from the County Council and the College. Recent discussions with these organisations had indicated that the agreement would specify that the facilities could be used by the wider community during evenings, weekends and school holidays. In addition, a post would be established by the College to oversee the community use of the proposed facilities.

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

RECOMMENDED:

THAT SUBJECT TO THE PROPOSAL NOT BEING CALLED IN BY PRINCIPAL SCRUTINY COMMITTEE, THE COUNCIL APPROVE A SUPPLEMENTARY CAPITAL ESTIMATE TO INCREASE FUNDING PROVISION FOR THE PROJECT BY £200,000, TO A TOTAL OF £700,000.

RESOLVED:

That subject to approval by Council of the additional capital funding proposed and the matter not being called-in by Principal Scrutiny Committee:

1. The detailed proposals and costing of £670,000 for the provision of additional indoor sports facilities at Swanmore College of Technology be approved.

2. The Director of Community Services be authorised to offer a grant not exceeding £670,000 to the County Council to meet the cost of the provision by them of the new facilities at Swanmore College of Technology.

3. The grant offer be subject to the agreement by the County Council and the Governors of Swanmore College of Technology to the establishment of suitable arrangements to ensure community use of the facilities to be agreed by the Director of Community Services and the City Secretary and Solicitor in consultation with the Portfolio Holder for Finance and Resources.

4. The proposed provision of an outdoor multi-use games area at a cost of £290,000 be agreed as an objective which should be actively pursued.

5. The submission of a grant application to the Football Foundation in respect of the multi-use games area be noted.

6. The Director of Community Services be instructed to seek contributions from partners to balance the shortfall in capital funding in respect of the multi-use games area.

7. A further report be submitted to Cabinet when the outcome of responses to requests for partnership funding in respect of the multi-use games area are received.

324. **DENMEAD YOUTH PAVILION – GRANT AID**
(Report CAB690 refers)

One Member expressed concern that the Parish Council did not appear to have clear plans about how the additional capital funding required would be raised. She also raised concerns about whether the Parish Council could meet the future revenue funding required should the Pavilion be built. She requested that a long term business plan should be approved by the City Council before any funding was released. Members agreed that the report recommendation be amended to clarify that any grant would be subject to a satisfactory business plan being approved by Cabinet.

Another Member expressed concern that if the funding was released, the actual building of the facility might take many years with the likely consequence of increasing costs. The Director of Community Services noted these concerns and stated that this matter could be considered as an element of whether the Parish Council had provided a reasonable business plan.

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

RESOLVED:

1. That Denmead Parish Council be informed that the offer of a grant of £150,000 towards the new pavilion in Denmead will remain open until 1 August 2004.

2. That before any grant be released, the Parish Council be requested to provide a management plan for the facility including both capital and revenue funding for approval by Cabinet.

325. **CAPITAL STRATEGY AND PROGRAMME**
(Report CAB674 refers)

In response to Members' questions, the Director of Finance confirmed that interest earned on the Council's investments provided revenue of approximately £1 million per year.

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

RESOLVED:

That the Capital Programme and draft Capital Strategy be approved.

326. **SUPPORTED HOUSING IN HIGHCLIFFE**
(Report CAB696 refers)

Under Council Procedure Rule 35, the Chairman stated that Councillor Pines had requested to speak on this item. Councillor Pines reported that he was speaking on behalf of the whole community of Highcliffe, of whom not one person, as far as he was aware, was in favour of the proposed development of supported housing at Fivefields Road. He also drew attention to a letter from Mr R Cassidy, a local resident, which had responded to a number of the points made in the report and had been sent to all Councillors.

Councillor Pines raised five main comments on the report as summarised below:

- The Urban Capacity Study referred to in paragraph 5 was a desktop exercise which he considered was not about supported housing. Its results were not reported to Members and in particular no reasons were given as to why Highcliffe was considered to be suitable for supported housing.
- With regards to paragraph 3 of the report, the Highcliffe community had worked hard together with John Thompson Partners (JTP), but now were suspicious about the true worth of the study as a decision about supported housing had been made before the results were published. Councillor Pines reported that plans for the supported housing units on behalf of Eastleigh Housing Association (EHA) were drawn up in September 2001. The officer discussions which probably took place at the time should have been reported to Members.
- Regarding paragraph 2 and the impact on the community, concerns that as consultation did not take place, local understanding was not taken into account.
- With regards to paragraph 4, Councillor Pines reiterated concerns that officers had known about the proposals for some time and should have informed the appropriate Members. He stated that guidelines for discrete consultation on this type of development had not been followed and inadequate reasons for the delays in informing Members and carrying out consultation had been given.
- Regarding the meeting with Two Saints (paragraph 6), Councillor Pines stated that this had not reassured the community. In particular residents were concerned about dangerous ex-offenders “slipping through the net” and the lack of cover at weekends and evenings.

In conclusion, Councillor Pines advised that because of the problems with the management of the consultation process, the local community would remain opposed to the proposal, and the Council should therefore withdraw the plans and seek to rebuild trust with the residents of Highcliffe.

The Portfolio Holder for Housing responded to the comments made about the meeting with Two Saints. He reported that Two Saints had advised that no person on the sex offenders register would be housed in the unit. The Chairman added that Two Saints had indicated they would continue to meet with local residents on a regular basis with the aim of increasing understanding of their work and addressing concerns.

The Chairman reminded Members that the Council had a duty to house people with special needs, including ex-offenders. The aims of the proposed supported housing unit in Highcliffe was to provide a well-managed hostel for six ex-offenders who had made a commitment to change.

The Chairman noted Councillor Pines' comments about the events leading up to the disposal of land to EHA and advised that these matters would be considered in more detail by the Principal Scrutiny Committee. In addition, she requested that a protocol on how the Council would deal with future supported housing proposals be prepared by the Director of Health and Housing and brought back to Cabinet for approval.

With regard to rebuilding relationships with the Highcliffe community, the Portfolio Holder for Housing advised that once the results of the JTP review were received, it was proposed to establish two Working Groups (one for Stanmore and one for Highcliffe) to consider the results in more detail. The membership of these Working Groups would include local Ward Councillors and representatives from the local community.

In response to Councillor Pines' request that the proposal for the units be withdrawn, the Director of Health and Housing stated that he did not consider this a possibility at this time. The next stage involved consideration by the Planning Development Control Committee of the application by EHA.

RESOLVED:

1. That the responses to the matters raised at the 30 June 2003 Public Participation session, as contained in the report, be noted.
2. That the Director of Health and Housing be requested to prepare a protocol on how the Council would deal with supported housing proposals for approval by a future Cabinet.

327. **HOMELESSNESS STRATEGY**
(Report CAB669 refers)

Under Council Procedure Rule 35, the Chairman stated that Councillor Davies had requested to speak on this item. Councillor Davies raised concerns that the draft Strategy had not been circulated to all Councillors for comment and stated that this was a reflection of the Council generally failing to consult Councillors on all relevant matters.

The Director of Health and Housing responded that a report explaining the need for a Homelessness Strategy had been submitted to Housing Performance Improvement Committee and the Sussex Street Informal Member/Officer Working Group had been involved in preparing the draft Strategy. The Working Group included Members from all political parties. In addition, the Portfolio Holder for Housing had been consulted.

The Chief Executive commented that there were already mechanisms in place for engaging Councillors and suggested that further consideration should be given as to how these Working Groups etc could encourage debate across all Councillors.

The Portfolio Holder for Housing advised that the Strategy would be an evolving document and suggested it be referred to the Housing Performance Improvement Committee for further consideration. This was agreed.

In discussion of the content of the Strategy itself, a number of minor textual amendments were noted including the following:

- rephrasing of the wording regarding women fleeing domestic violence to remove reference to targets and to note that men could also be affected;
- clarification of the figures quoted in the table on page 13 regarding number of homeless households to indicate whether it referred to average or actual figures.

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

RESOLVED:

1. That the Homelessness Strategy as attached as Appendix A to the report be approved and adopted with effect from 31 July 2003.
2. That the Housing Performance Improvement Committee be asked to consider whether any further revisions are needed to the document.

328. **DEVELOPMENT SERVICES (PLANNING) PRINCIPAL PLANNING OFFICER**
(Report CAB694 refers)

In response to Members' questions, the Director of Development Services confirmed the post would be open to job-share applications.

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

RESOLVED:

1. That an increase in the salary ceiling for 2003/04 of £27,000 be approved for an increase in establishment of one additional Principal Planning Officer post.
2. That the Chief Executive be requested to exercise his emergency powers, in consultation with the Chairman of Personnel Committee and the Mayor, to authorise the increase in establishment accordingly.

329. **MINUTES OF THE COMMUNITY, ARTS AND SOCIAL PERFORMANCE IMPROVEMENT COMMITTEE**

(as published in the Council Minute Book, 23 July 2003, pages 117-119)

Cabinet considered the minutes of the Community, Arts and Social Performance Improvement Committee held 1 July 2003. The City Secretary and Solicitor reported that the carry forward request had been dealt with under consideration of Report CAB663, Overview of Final Accounts 2002/03, at the previous Cabinet meeting on 16 July.

RESOLVED:

That the minutes of the Community, Arts and Social Performance Improvement Committee held 1 July 2003 be noted.

330. **MINUTES OF THE HEALTH PERFORMANCE IMPROVEMENT COMMITTEE**
(as published in the Council Minute Book, 23 July 2003, pages 123 - 126)

Cabinet considered the minutes of the Health Performance Improvement Committee held 3 July 2003. The City Secretary and Solicitor reported that the carry forward request had been dealt with under consideration of Report CAB663, Overview of Final Accounts 2002/03, at the previous Cabinet meeting on 16 July.

With regard to the request to establish a Working Group to consider issues relating to recycling, the City Secretary and Solicitor reported that at its meeting on 28 July, Principal Scrutiny Committee had suggested that a scoping report be prepared first. Cabinet agreed with this proposal but suggested that the work be undertaken by the Committee itself rather than an establishing an Informal Group for the purpose.

With regard to the request for a Member training session on drug issues, the City Secretary and Solicitor reported that Principal Scrutiny Committee had suggested the Director of Health and Housing be requested to investigate the need for this further and report back to the Performance Improvement Committee. Cabinet agreed with this proposal and also suggested that the Chairman of the Performance Improvement Committee discuss the issue further with the Portfolio Holder for Health and Wellbeing.

RESOLVED:

1. That with regard to Minute 172 (Committee Workplan) of the Health Performance Improvement Committee held 3 July 2003, the second and third recommendations be replaced with the following:

(2nd) "That the Director of Health and Housing be requested to prepare a report on the wider issues relating to recycling for consideration by the next Health Performance Improvement Committee for recommendation to Cabinet."

(3rd) "That the Director of Health and Housing be requested to prepare a report, in consultation with the Portfolio Holder for Health and Wellbeing, on drug awareness and associated issues for consideration by the Health Performance Improvement Committee for recommendation to Cabinet as to whether further action is necessary at this stage."

2. That the remaining minutes of the minutes of the Health Performance Improvement Committee held 3 July 2003 be noted.

331. **MINUTES OF THE ENVIRONMENT AND ACCESS PERFORMANCE IMPROVEMENT COMMITTEE**
(as published in the Council Minute Book, 23 July 2003, pages 127 - 133)

Cabinet considered the minutes of the Environment and Access Performance Improvement Committee held 8 July 2003.

Cabinet noted that the meeting had considered the following Notice of Motion from Councillor Allgood (originally raised at Council on 16 April 2003):

"This Council:-

Notes with dismay the muddle created over parking arrangements for Councillors in Winchester and the unhappiness of many Members over the current proposals and over the consultation process.

Directs the Portfolio Holder for Transport and Access to ensure that Members of the Council have a permit or swipe card to park in any Council car park that suits them while in Winchester on Council business.

Also requests the Portfolio Holder as a matter of urgency to review arrangements for disabled drivers who park in those car parks covered by the new 'Pay on Foot' system."

Cabinet noted that Councillor Allgood has addressed the Committee and explained that his comments concerning Members' Parking were drafted in late March 2003 and since that time the confusion over this issue had been satisfactorily resolved. He therefore withdrew this aspect of his Notice of Motion.

However, Councillor Allgood has stated that his concerns over the parking arrangements for disabled drivers remained and the Committee had focussed on this issue.

Cabinet agreed with the proposed amendment to the Notice of Motion as set out in the minutes of the Environment and Access Performance Improvement Committee (and repeated in the recommended minute below).

RECOMMENDED:

THIS COUNCIL:

THANKS COUNCILLOR ALLGOOD FOR RAISING THE ISSUE, AND

- A) WILL UNDERTAKE ALL NECESSARY STEPS TO ENSURE THE PARKING ARRANGEMENTS FOR DISABLED DRIVERS IN ALL CAR PARKS MANAGED BY THE COUNCIL COMPLY WITH THE PROVISIONS OF THE DISABILITY DISCRIMINATION ACT, WILL REVIEW THE NUMBER AND LOCATION OF PLACES AND WILL CONSULT WITH THE APPROPRIATE BODIES REPRESENTING THE DISABLED TO ENSURE THAT THE VIEWS OF DISABLED BADGE HOLDERS ARE CONSIDERED AND THEIR NEEDS ADDRESSED.**
- B) WILL REVISE THE PARKING IN WINCHESTER LEAFLET TO LIST ALL AVAILABLE PARKING SPACES FOR THE DISABLED.**

RESOLVED:

That the remaining minutes of the Environment and Access Performance Improvement Committee held 8 July 2003 be noted.

332. **MINUTES OF THE HOUSING PERFORMANCE IMPROVEMENT COMMITTEE**
(Report CAB691 refers)

Cabinet considered the minutes of the Housing Performance Improvement Committee held 10 July 2003. The City Secretary and Solicitor reported that the carry forward request had been dealt with under consideration of Report CAB663, Overview of Final Accounts 2002/03, at the previous Cabinet meeting on 16 July.

RESOLVED:

That the minutes of the Housing Performance Improvement Committee held 10 July 2003 be noted.

333. **MINUTES OF THE CENTRAL SERVICES PERFORMANCE IMPROVEMENT COMMITTEE (LESS EXEMPT ITEM)**
(Report CAB692 refers)

Cabinet considered the minutes of the Central Services Performance Improvement Committee held 14 July 2003 (less exempt item). The City Secretary and Solicitor reported that the carry forward request had been dealt with under consideration of Report CAB663, Overview of Final Accounts 2002/03, at the previous Cabinet meeting on 16 July.

RESOLVED:

1. That Minute 240 (approval of write off) of the Central Services Performance Improvement Committee held 14 July 2003 be agreed.

2. That the remaining minutes of the Central Services Performance Improvement Committee held 14 July 2003 be noted.

334. **MINUTES OF THE PERSONNEL COMMITTEE**
(as published in the Council Minute Book, 23 July 2003, pages 75 - 78)

Cabinet considered the minutes of the Personnel Committee held 9 June 2003.

RESOLVED:

That the minutes of the Personnel Committee held 9 June 2003 be noted.

335. **MINUTES OF THE WINCHESTER TOWN FORUM**
(as published in the Council Minute Book, 23 July 2003, pages 17 -23)

Cabinet considered the minutes of the Winchester Town Forum held 19 May 2003.

RESOLVED:

That the minutes of the Winchester Town Forum held 19 May 2003 be noted.

336. **MINUTES OF THE WINCHESTER DISTRICT LOCAL PLAN COMMITTEE**
(Report CAB697 refers)

Cabinet considered the minutes of the Winchester District Local Plan Committee held 18 July 2003.

RESOLVED:

1. That with regard to Minute 266 (Amendments to Wickham Technical Assessment) of the Winchester District Local Plan Committee held 18 July 2003, recommendations one and two be replaced with the following:

“That further discussion in respect of Issue 1 (Methodist Chapel/Fareham Road railway bridge – possible extension of the Wickham Conservation Area) take place, the proposed changes included within the appendix to Report WDLP22 be endorsed, and the amended Wickham Technical Assessment be referred back to the Winchester District Local Plan Committee for consideration and recommendation to Cabinet and Council as Supplementary Planning Guidance.”

2. That the remaining minutes of the Winchester District Local Plan Committee held 18 July 2003 be noted.

337. **FUTURE ITEMS FOR CONSIDERATION BY CABINET**

The Director of Health and Housing confirmed that a further report on issues raised under the Supported Housing in Highcliffe item above would be submitted to Cabinet on 3 September 2003.

RESOLVED:

That the list of future items for consideration by Cabinet, as set out on the agenda sheet and amended above, be noted.

338. **EXEMPT BUSINESS**

RESOLVED:

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>
339	Exempt Minute from Cabinet 16 July 2003 – ICT Technical Infrastructure) Information relating to the financial or business affairs of any particular person (other than the authority). (Para 7 Schedule 12A refers).)) Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services. (Para 9 to Schedule 12A refers).
340	Exempt Minutes of the Central Services Performance Improvement Committee 14 July 2003 - (i) Finance Department Performance Monitoring to March 2003 (exempt appendix) (ii) Commercial Property Arrears and Voids and Performance Monitoring Outturn) Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the authority. (Para 5 to Schedule 12A refers).)) Information relating to the financial or business affairs of any particular person (other than the authority). (Para 7 Schedule 12A refers).

339. **EXEMPT MINUTES**

RESOLVED:

That the exempt minutes of the meeting held 16 July 2003 be approved and adopted.

340. **MINUTES OF THE CENTRAL SERVICES PERFORMANCE IMPROVEMENT COMMITTEE - EXEMPT ITEM**
(Report CAB692 refers)

Cabinet considered the exempt minutes of the Central Services Performance Improvement Committee held 14 July 2003.

With regard to the recommendation on Commercial Property Arrears, Cabinet noted that since the meeting, the significant debt referred to had been paid in full.

Members also noted a minor amendment to the minutes under the Finance Department Performance Monitoring item as follows (amendment shown in italics):

“... the Director of Finance was satisfied that the organisation *could* be operating at a surplus in six months time.”

RESOLVED:

That the exempt minutes of the Central Services Performance Improvement Committee held 14 July 2003 be noted and the recommendations contained therein be agreed subject to the above.

The meeting commenced at 9.00am and concluded at 11.50am.

Chairman