

CABINET**13 April 2006****Attendance:**

Councillor Campbell – *Leader and Portfolio Holder for Community Strategy* (Chairman) (P)

Councillor Beveridge – *Portfolio Holder for Planning* (P)

Councillor Collin – *Portfolio Holder for Healthy and Inclusive Communities* (P)

Councillor Evans – *Portfolio Holder for Culture, Heritage and Sport* (P)

Councillor Hiscock – *Portfolio Holder for Housing* (P)

Councillor Knasel – *Portfolio Holder for Economy and Transport*

Councillor Learney – *Portfolio Holder for Finance and Resources* (P)

Councillor Wagner – *Portfolio Holder for Environmental Health* (P)

Others in attendance who addressed the meeting:

Councillors Beckett, Davies and Hammerton

1. APOLOGIES

Apologies were received from Councillor Knasel.

2. MINUTES

Councillor Learney updated Members with regard to the request made by Councillor Mitchell at the previous Cabinet meeting in relation to a possible grant for Weeke Community Centre. She advised that the Winchester Town Account was currently being finalised and funding might be available from underspends in 2005/06. However, if this was not possible, there would be some alternative funding available as a result of the recent Local Authority Business Growth Incentive Scheme (LABGI) to enable a decision on the grant to be made within the next six weeks.

Cabinet noted that the minute relating to LABGI (Report CAB1243 refers) should be corrected to require that the Portfolio Holder for Environmental Health would be consulted by the Director of Communities regarding the 'Winchester in Bloom' funding, rather than the Portfolio Holder for Economy and Transport as stated.

RESOLVED:

That the minutes of the previous meeting held on 22 March 2006, less exempt items, be approved and adopted, subject to the correction outlined in italics below (Minute relating to CAB1243 (Allocation of LABGI funding), Resolution One, first bullet point):

- 'Winchester in Bloom' - £35,000, subject to agreement of a SLA and a sustainable planting scheme by the Director of Communities in consultation with the *Portfolio Holder for Environmental Health*.

3. **PUBLIC PARTICIPATION**

There were no questions asked or statements made.

4. **LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

Councillor Campbell updated Cabinet on a meeting she had attended with the Leader and officers from the County Council about the disposal of recreational land at Meadowside, Whiteley. At this meeting, the County Council had clarified that the figure of five per cent stated by Mr Smith (County Council Director of Property, Business and Regulatory Services) as the likely total loss of City Council land at Meadowside, actually related to the amount of playing pitches lost during the school construction period. She was seeking further clarification from the County Council, as their drawings indicated that the likely total loss of City Council land was nearer thirty per cent. In addition, the County Council were now investigating the possibility of locating the school on an alternative site to enable a better comparison of costs to be made. The DFES had extended the deadline for the project until 30 September 2006.

Councillor Wagner reported on the progress with the Air Quality Action Plan and advised that DEFRA had now responded and had ratified the principles of the Plan. A report would be submitted to Cabinet in due course.

Councillor Beveridge advised that the amount of the Planning Delivery Grant had been finalised at £364,769, which was an increase of approximately £80,000 on the amount received in 2004/05.

Councillor Evans reported that a new External Funding Officer had now been appointed.

Councillor Campbell stated that the Freedom of the City Parade for the King's Royal Hussars held 12 April 2006 had been successful. She thanked all the staff involved in its preparation, and in particular the Assistant City Secretary (Administration) and the Mayor's Secretary for their work.

The Chief Executive reported that nationally the next round of staff strikes over changes to the pension scheme had been called off pending further discussions between the parties.

5. **DISPOSAL OF HRA LAND: WESLEY ROAD, KINGS WORTHY, WINCHESTER
(LESS EXEMPT APPENDIX)**

(Report CAB1249 refers)

Under the Council's Constitution Access to Information Procedure Rules (Rule 15.1 General Exception), this was a Key Decision, which had not been included in the Forward Plan. Under this procedure, the Chairman of Principal Scrutiny Committee had been informed.

Cabinet agreed to the following for the reasons outlined in the report.

RESOLVED:

That, the disposal of the area of land at Wesley Road, Kings Worthy, to Hyde Housing Association Ltd at a nominal consideration be approved, subject to terms and conditions to be agreed by the Chief Estates Officer and taking account of the requirements of General Consent A (Disposal of Land to Registered Social Landlords) 2005 under Section 25 of the Local Government Act 1988.

6. **GRANTS FOR COMMUNITY TRANSPORT SCHEMES**
(Report CAB1251 refers)

Councillor Campbell updated Cabinet on the progress to date regarding community transport and the free fare bus pass scheme, including the various difficulties that had been encountered on a national basis. As a consequence, the Government were intending to introduce a national free fare bus pass scheme from 2008.

At the invitation of the Chairman, Councillors Hammerton, Beckett and Davies spoke regarding this item.

Councillor Hammerton expressed concern that the proposals would cause difficulties for people living in rural areas away from bus routes. She believed that the sum of £10,000 proposed to help subsidise voluntary transport groups would be insufficient.

Councillor Beckett welcomed the report in general, but requested that the Council's role should be to encourage the registration of voluntary bus services and not just provide advice. He also requested that Cabinet undertake to review the whole concessionary travel scheme at the end of the year when the real cost of the new free bus pass scheme could be ascertained.

Councillor Davies agreed with the comments made above and queried whether the Council could assist in finding drivers for the existing community transport schemes in the Winchester Town area. He emphasised the requirement for cooperation between the bus companies and local authorities.

The Director of Development confirmed that the Council would provide assistance for groups wishing to operate a registered bus service and had contacted one group already to suggest that they register. Once a service was registered, it would accept the new free fare bus pass. The aim was to encourage flexible services which could divert from given routes to people's homes.

Councillor Evans queried whether the operation of the community transport scheme could be undertaken by the External Funding Officer? The Director of Health and Housing agreed to investigate the feasibility of this suggestion further.

In response to the concern raised by Councillor Hammerton, Councillor Campbell advised that the proposal to make £10,000 available for community transport schemes was almost twice the sum currently being received by these groups for travel tokens. However, this sum could be reviewed later in the year.

In response to Councillor Beckett's comments, Councillor Campbell advised that Cabinet had agreed at its previous meeting on 14 December 2005 that the scheme would be reviewed later this year. She requested that this review include

investigation of provision of transport to hospital, ways of encouraging registration of bus services and the possibility of working with the taxi trade. This was agreed.

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

RESOLVED:

1. That a community transport grants scheme be established within the £10,000 approved in the 2006/07 budget for the promotion and support of community transport.
2. That the award of grants be made annually by a decision of Cabinet.
3. That the detailed terms of operation of the scheme be devised by the Director of Development and Director of Communities in consultation with the relevant Portfolio Holders in accordance with the Council's established policies in relation to grant schemes.
4. That a review of the community transport scheme in general and the grants scheme in particular be undertaken by the end of 2006, to include consideration of transport provision for hospital patients and visitors, ways of encouraging community bus service registration and the possibility of working with the taxi trade.

7. **PROJECT INTEGRA WASTE MANAGEMENT STRATEGIES AND ASSOCIATED ISSUES**

(Report CAB1236 refers)

Cabinet agreed to the following for the reasons outlined in the report.

RESOLVED:

1. That the Council endorse the Project Integra Hampshire Joint Waste Management Strategy subject to the following;
 - (i) that prior to the introduction of any collection arrangements for commercial recyclables, clarification and agreement be obtained concerning cost implications and risks to the City Council;
 - (ii) Option 5 is supported in principal subject to the proviso that the Council will maintain its current arrangements of providing a free collection of garden waste with an incremental charging scheme for additional sacks.
2. That the Project Integra Annual Business Plan (ABP) for 2006 - 2011 be approved subject to the revised sub strategy for Winchester City Council as detailed in Appendix 3 of the Report being incorporated in the final plan.
3. That the changes to the Project Integra Constitution be approved, as detailed in Section 4.6 of the report.

8. **KNOWLE CHAPEL**
(Report CAB1225 refers)

Under the Council's Constitution Access to Information Procedure Rules (Rule 15.1 General Exception), this was a Key Decision, which had not been included in the Forward Plan. Under this procedure, the Chairman of Principal Scrutiny Committee had been informed.

At the invitation of the Chairman, Councillor Beckett spoke in support of the Report's proposals but requested that the capital sum available to the Council not be confirmed to Berkeley Homes at this stage to allow flexibility in the negotiations.

In response to questions, the Chief Executive confirmed that no options were closed at this stage regarding future use of the Chapel.

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

RESOLVED:

1. That the provision of a new community building at Knowle Village part funded by the City Council be further investigated.

2. That the previous proposal for the City Council to take a freehold transfer of the former Chapel (as detailed in Report CAB864) be not proceeded with at this stage.

3. That officers commence detailed discussions with Berkeley Homes and provide a further report(s) to Cabinet with details of financial and operational arrangements for a new community facility.

9. **CAPITAL GRANT – WICKHAM COMMUNITY ASSOCIATION**
(Report CAB1248 refers)

Cabinet agreed to the following for the reasons outlined in the report.

RESOLVED:

That the capital grant awarded to Wickham Community Association on 7 February 2006 be increased from £1,200 to £1,500, subject to compliance with the approved conditions of grant.

10. **SPORT AND PHYSICAL ACTIVITY STRATEGY 2006-2012**
(Report CAB1229 refers)

Councillor Evans reported that the Council were holding discussions with the University of Winchester, the County Council and the Winchester Athletics Club about the provision of a six or eight lane athletics track in Winchester.

The Director of Communities confirmed that the Strategy had been presented to the Local Strategic Partnerships for its comments. He also highlighted the importance of encouraging the uptake of sport and physical activity by older people.

RESOLVED:

That the draft proposals and process leading up to the creation of the Sports and Physical Activity Strategy be approved.

11. **MINOR AMENDMENTS TO THE CONSTITUTION**

(Report CAB1253 refers)

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

Cabinet agreed to the following for the reasons outlined in the report.

RECOMMENDED:

1. THAT THE MINOR AMENDMENTS TO PART 3 - RESPONSIBILITY FOR FUNCTIONS (SECTION 6 – THE SCHEME OF DELEGATION TO OFFICERS) OF THE CONSTITUTION AS SET OUT IN APPENDIX 1 TO THE REPORT BE APPROVED.

2. THAT THE MINOR AMENDMENTS TO PART 3 – RESPONSIBILITY FOR FUNCTIONS (SECTION 4 - THE REGULATORY COMMITTEES AND OTHER NON-EXECUTIVE DECISION MAKING COMMITTEES) OF THE CONSTITUTION AS SET OUT IN APPENDIX 2 TO THE REPORT BE APPROVED.

12. **INSURANCE RESERVE REVIEW**

(Report CAB1233 refers)

Cabinet agreed to the following for the reasons outlined in the report.

RESOLVED:

1. That the Provision of £185,000 in respect of MMI is retained until further information is made available about outstanding MMI liabilities.

2. That, subject to the matter not being called-in by Principal Scrutiny Committee, £125,000 is released from the Insurance Reserves, of which £75,000 is released to the Major Investment Reserve and £50,000 to the Housing Revenue Account.

3. That a review of the Insurance Reserves is undertaken on an annual basis.

13. **POLICY FOR REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)**

(Report CAB1260 refers)

One Member queried what processes were in place to ensure the IT Contractors have the necessary authority from a senior officer to undertake any requested checks on information held on employee's computer. The Director of Finance confirmed that such authority was required and procedures were in place. The City Secretary and

Solicitor agreed to consider whether any cross references to the procedures were also required in the RIPA Policy.

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

RESOLVED:

1. That the Policy, as set out in Appendix 1 to the report, be approved.
2. That the City Secretary and Solicitor, in consultation with the Portfolio Holder for Finance and Resources, be given delegated authority to update the policy.

14. **MINUTES OF THE ENVIRONMENT SCRUTINY PANEL**
(Report CAB1254 refers)

Cabinet noted that the recommendations relating to the various Divisions' Business Plans had been reported to the previous Cabinet meeting on 22 March 2006.

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

RESOLVED:

That the minutes of the Environment Scrutiny Panel held on 13 March 2006 be received, and the recommendations contained therein be noted.

15. **MINUTES OF THE LOCAL ECONOMY SCRUTINY PANEL**
(Report CAB1255 refers)

Cabinet noted that the recommendations relating to the various Divisions' Business Plans and the Economic Action Plan had been reported to the previous Cabinet meeting on 22 March 2006.

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

RESOLVED:

That the minutes of the Local Economy Scrutiny Panel held on 15 March 2006 be received, and the recommendations contained therein be noted.

16. **MINUTES OF THE SOCIAL ISSUES SCRUTINY PANEL**
(Report CAB1256 refers)

Cabinet noted that the recommendations relating to the various Divisions' Business Plans had been reported to the previous Cabinet meeting on 22 March 2006.

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

RESOLVED:

That the minutes of the Social Issues Scrutiny Panel held on 16 March 2006 be received, and the recommendations contained therein be noted.

17. **MINUTES OF THE RESOURCES SCRUTINY PANEL**

(Report CAB1257 refers)

Cabinet noted that the recommendations relating to the various Divisions' Business Plans had been reported to the previous Cabinet meeting on 22 March 2006.

Cabinet considered the Panel's request that it re-examine the options for the future management of Hockley Viaduct. The Chief Estates Officer confirmed that this suggestion would be considered but that it was not a priority for 2006/07.

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

RESOLVED:

That the minutes of the Resources Scrutiny Panel held on 21 March 2006 be received, and the recommendations contained therein be noted.

18. **EMERGENCY PLANNING – ANNUAL UPDATE OF INCIDENTS**

(Report CAB1238 refers)

In addition to the incidents outlined in the above Report, the Chief Executive reminded Members of the recent situation when a vehicle crashed into the City Offices and confirmed that emergency planning principles were utilised in dealing with the situation.

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

RESOLVED:

That the information regarding the response to emergency incidents as outlined in the Report be noted.

19. **SOUTHAMPTON INTERNATIONAL AIRPORT CONSULTATIVE COMMITTEE**

Councillor Wagner reported about a recent meeting he had attended of the Southampton International Airport Consultative Committee at which his request for representation of the Winchester District to be improved had been refused. Therefore, he requested that the Council write to the Committee formally requesting that this decision be reconsidered as there were a number of groups, such as Parish Councils, which would welcome representation on the Committee. This was agreed.

RESOLVED:

That the Director of Communities write to the Southampton International Airport Consultative Committee requesting that the representation for the Winchester District be increased.

20. **REPRESENTATION ON OUTSIDE BODIES**

(Report CAB1245 refers)

Councillor Evans requested that her nomination for the body listed in the Report be withdrawn.

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

RESOLVED:

That Councillor Beveridge be appointed as the City Council's Nominated Trustee on the Hospital of St Cross and Almshouses of Noble Poverty until 30 April 2010.

21. **SILVER HILL DEVELOPMENT AGREEMENT - VARIATION**

(Report CAB1262 refers)

Councillors Beveridge and Evans declared personal and prejudicial interests in respect of this item, as they were both members of Planning Development Control Committee, and left the room during its consideration. Councillors had previously been advised that it would not be appropriate for Members of this Committee to take part in discussions in the Council's capacity as landlord, if they were to be involved in the determination of the Silver Hill planning application.

The Chief Estates Officer advised that the reduction requested was the worst case scenario as Thornfields were aiming to only reduce the minimum number of residential units by three. If the maximum of eight residential units was lost, this would have a consequential effect of losing five market units, which was insignificant in relation to the size of the development as a whole.

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

RESOLVED:

That the Broadway/Friarsgate Development Agreement be varied to reduce the minimum number of residential units from 285 to 277.

22. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

That the list of future items, as set out in the Forward Plan for April 2006, be noted.

23. **VOTE OF THANKS**

On behalf of Cabinet, Councillor Evans expressed her thanks to Councillor Campbell for her work as Chairman over the past year. Councillor Campbell reciprocated appropriately.

24. **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 of the previous meeting) Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Para 3 Schedule 12A refers)	
##	Disposal of HRA Land: Wesley Road, Kings Worthy- Exempt Appendix		
##	Purchasing of Recycling Bins		
##	Offices Options		
##	EDRMS		
	Decisions under Section A2 of the Scheme of Delegation to Officers:		
##	• Award of Guildhall Cleaning Services Contract		
##	• 5 Upper Brook Street, Winchester		
##	EDRMS) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. (Para 5 Schedule 12A refers)

25. **EXEMPT MINUTE**

RESOLVED:

That the exempt minute of the previous meeting held 22 March 2006 be approved and adopted.

26. **DISPOSAL OF HRA LAND: WESLEY ROAD, KINGS WORTHY, NEAR WINCHESTER - EXEMPT APPENDIX**
(Report CAB1249 refers)

Cabinet agreed to the following for the reasons outlined in the report.

RESOLVED:

That the information contained within the Exempt Appendix to the Report be noted.

27. **OFFICES OPTIONS**
(Report CAB1258 refers)

Under the Council's Constitution Access to Information Procedure Rules (Rule 15.1 General Exception), this was a Key Decision, which had not been included in the Forward Plan. Under this procedure, the Chairman of Principal Scrutiny Committee had been informed.

Cabinet considered the above Report which set out various options (detail in exempt minute).

28. **PURCHASE OF RECYCLING BINS**
(Report CAB1252 refers)

Under the Council's Constitution Access to Information Procedure Rules (Rule 15.1 General Exception), this was a Key Decision, which had not been included in the Forward Plan. Under this procedure, the Chairman of Principal Scrutiny Committee had been informed.

Cabinet considered the above Report which set out options regarding the purchase of recycling bins (detail in exempt minute).

29. **ELECTRONIC DOCUMENT AND RECORDS MANAGEMENT SYSTEM (EDRMS)**
(Report CAB1261 refers)

Cabinet considered the above Report which set out options regarding the procurement of an EDRMS (detail in exempt minute).

30. **DECISION UNDER SECTION A.2 OF THE SCHEME OF DELEGATION TO OFFICERS: AWARD OF CONTRACT FOR CLEANING SERVICES AT WINCHESTER GUILDHALL AND ABBEY HOUSE**
(Report CAB1250 refers)

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

RESOLVED:

That the decision made under Section A.2 of the Scheme of Delegation to Officers, as detailed in the Report, be noted and approved.

31. **DECISION UNDER SECTION A.2 OF THE SCHEME OF DELEGATION TO OFFICERS: PREMISES 5 UPPER BROOK STREET, WINCHESTER**
(Report CAB1259 refers)

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

RESOLVED:

That the decision made under Section A.2 of the Scheme of Delegation to Officers, as detailed in the Report, be noted and approved.

The meeting commenced at 9.00am and concluded at 12.10pm

Chairman