

CABINET

13 January 2010

Attendance:

- Councillor Beckett - *Leader and Portfolio Holder for Economy and Tourism (Chairman) (P)*
Councillor Allgood – *Portfolio Holder for Finance and Efficiency*
Councillor Coates – *Portfolio Holder for Housing*
Councillor Cooper – *Deputy Leader and Portfolio Holder for Communities and Safety*
Councillor Godfrey – *Portfolio Holder for Performance and Organisational Development (P)*
Councillor Pearson – *Portfolio Holder for Environment (P)*
Councillor Stallard - *Portfolio Holder for Heritage, Culture and Sport*
Councillor Wood – *Portfolio Holder for Planning and Access (P)*

Others in attendance who addressed the meeting:

Councillors Humby, Learney and Thompson

Others in attendance who did not address the meeting:

Councillor Bell

1. **MINUTES**

RESOLVED:

That the minutes of the previous meeting held on 9 December 2009, less exempt items, be approved and adopted.

2. **PUBLIC PARTICIPATION**

Mr A Rickman (TACT) spoke regarding Report CAB1951 and his comments are summarised under the relevant agenda item below.

3. **LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

Councillor Beckett welcomed to the meeting two members of the Standards Committee, Mr P Smith and Mr M Evans, who were attending as independent observers.

Councillor Beckett advised that he would be making a statement to Council that evening regarding the latest situation regarding the proposed Silver Hill

development, since the parent company of the Council's partners, Thornfields, had gone into administration.

Councillor Pearson suggested that he write to the Council's waste collection service (including Serco) expressing Cabinet's thanks for the service and regular updates provided during the recent snow falls. This was agreed.

4. **LEASING OF VACANT HOUSING REVENUE ACCOUNT (HRA) DWELLINGS**

(Report [CAB1951](#) refers)

The Head of Landlord Services advised of a correction to the Report because, although initial informal discussions had taken place with residents of Firmstone Road, the recent bad weather had prevented the formal consultation meeting taking place. This meeting with residents was due to take place soon and he suggested that the Report's recommendations be amended to give agreement, subject to the consultation. Cabinet agreed to this amendment.

The Corporate Director (Governance) advised that there was a proposal for the Council to allocate financial assistance to a further scheme by means of the Portfolio Holder Decision process and, if agreed, this would take the Council to the limit under General Consent F for 2009/10. Consequently, the Report's proposals in Recommendation 2, to approve a further four one-bedroom flats, would either have to wait until 2010/11 or the Council would need to apply for Special Consent. However, the Head of Landlord Services advised that this further proposal was unlikely to be ready to come forward before 1 April 2010.

The Head of Landlord Services confirmed that Barnes House was already in the process of being closed and the feedback from relocated residents had proved positive.

At the invitation of the Chairman, Councillor Thompson supported the Report's recommendations, but requested reassurances about how the Council could deal with any situations where there were difficulties concerning the behaviour of new tenants.

The Head of Landlord Services advised that leases were drafted with stringent clauses regarding anti-social behaviour etc allowing the Council to terminate leases in such circumstances. Stonham Housing also adopted similar provisions.

Mr A Rickman (TACT) stated that TACT had some concerns over the possibility of the Council being challenged about the loss of wardens in its properties, following recent legal rulings on this matter.

The Head of Landlord Services explained that rulings against local authorities had been made where Councils had not carried out adequate consultation with tenants prior to wardens being removed, which was not the case with

Winchester City Council. In addition, the City Council's wardens had never provided out-of-hours support. This continued to be provided by Central Control and so there was no formal requirement for wardens to live-in.

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

RESOLVED:

That, subject to the matter not being called in by Principal Scrutiny Committee:

1. Ex-scheme manager accommodation at Mildmay Court and Colson Close be leased to Stonham for a term of 10 years and that lease charges be based on the Government's Rent Restructuring formula (i.e. the same as City Council tenants would pay).

2. Subject to consultation with residents, the Head of Landlord Services, in consultation with the Portfolio Holder for Housing be given delegated authority to lease Ex-scheme manager accommodation at Firmstone Road to Stonham for a term of 10 years and that lease charges be based on the Government's Rent Restructuring formula (i.e. the same as City Council tenants would pay).

3. Following consultation with residents, the Head of Landlord Services, in consultation with the Portfolio Holder for Housing, be given delegated authority to approve a further 4 one bedroom flats be leased to Stonham for a term of 10 years, on the basis set out in paragraph 2.2 of the Report.

4. The Head of Landlord Services determine, in consultation with the Corporate Director (Governance), whether to allocate the assistance against the limit in S25 General Consent F, or to obtain a special consent from the Secretary of State.

5. **GENERAL FUND BUDGET 2010/11 – PROGRESS REPORT**
(Report [CAB1956](#) refers)

The Head of Finance advised that, in addition to the Revenue Support Grant (RSG), the Council's proposals included approximately £100,000 in LABGI and Area Based Grants funding plus £2.2m in other revenue grant income for 2010/11. Winchester Town Forum had requested that officers bring forward options to reduce expenditure and increase its income and a Report to the next Forum meeting on 20 January 2010 contained proposals for savings of approximately £30,000.

With regard to comments from Principal Scrutiny Committee that the Council should seek to maximise grant aid, the Head of Finance clarified that the Committee had not suggested any specific examples of which additional grant aid the Council might be able to apply for. The Chief Executive highlighted that the Council should be cautious when considering new sources of grant aid

as it often involved a large amount of additional work with a low prospect of success. Consequently, the Council made applications in cases where the Government initiatives would help with local priorities.

Following further discussion, Councillor Beckett advised that he would request further clarification from Principal Scrutiny Committee at its next meeting as to where its Members suggested additional grant aid could be sought.

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

RESOLVED:

That the results of the consultations be noted as part of the deliberations on the budget.

6. **COMPREHENSIVE AREA ASSESSMENT 2009 – ORGANISATIONAL ASSESSMENT**
(Report [CAB1949](#) refers)

Councillor Godfrey expressed Cabinet's thanks to the officers for the improvement in performance demonstrated by the Report.

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

RESOLVED:

That the Council's Organisational Assessment report be noted together with the actions to be taken into account in the Council's business planning process, as outlined in Paragraph 3 of the Report.

7. **PROCUREMENT POLICY 2010-2013**
(Report [CAB1950](#) refers)

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

RESOLVED:

That the revised Procurement Policy be adopted, as attached as Appendix A to the Report.

8. **DRAFT ECONOMIC STRATEGY FOR THE WINCHESTER DISTRICT 2010-2020**
(Report [CAB1952](#) refers)

The Head of Economic and Cultural Services explained that although the Strategy covered a ten year period, its action plans would be reviewed on a regular basis, in line with the regular reviews of the Council's Sustainable Community Strategy. She also emphasised that the Economic Strategy had

been produced in close cooperation with the Council's emerging Local Development Framework.

The Head of Economic and Cultural Services confirmed that the Strategy reflected both the existing business activities within the District, together with future aspirations regarding developments across the sectors. She agreed to ensure that the final version of the Strategy emphasised this point.

The Head of Economic and Cultural Services advised that it was intended that the Strategy's action plans would be delivered by both the Council and its partners, who would be included in the proposed consultation on the Draft Strategy.

At the invitation of the Chairman, Councillor Humby stated that he considered the Strategy could do more to support the rural economy, including seeking to develop relevant Local Development Framework policies to encourage re-use of redundant agricultural buildings.

The Chairman thanked Councillor Humby for his comments and the Head of Economic and Cultural Services offered to meet him to try and address his concerns.

The Head of Economic and Cultural Services advised that consultation on the Draft Strategy would be largely e-based and highlighted that consultees would be asked five questions, outlined in the Report, to guide their responses.

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

RESOLVED:

1. That the draft of the new Economic Strategy for the Winchester District (2010-2020) be approved, as attached at Appendix 1 to the Report, as a basis for a programme of public consultation in January and February 2010.

2. That a revised draft Strategy (taking into account any comments received under the consultation) be brought to Cabinet at its meeting on 17 March 2010, for final approval.

9. **MEMBERSHIP OF THE SOUTH DOWNS NATIONAL PARK AUTHORITY**
(Report [CAB1947](#) refers)

Cabinet noted that under the proposed arrangements, the City Council would be entitled to one representative on the Park Authority and that nominations were being sought by the end of January 2010. It was therefore proposed that Councillor Wood be appointed to this position.

At the invitation of the Chairman, Councillor Learney confirmed that as leader of the principal opposition group, she had no objection to the appointment being made at this meeting without the usual invitations to all Members.

Councillor Wood advised that discussions were ongoing with other councils regarding the proposals for delegating planning decisions to individual local authorities within the Park. However, further clarification was required from the Government as to the exact detail of their proposals before negotiations could be progressed.

Councillor Wood confirmed that he would keep Members informed as to progress and ensure that Cabinet received regular update reports on this matter.

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

RESOLVED:

1. That the recent decision by the Secretary of State be noted, confirming the designation, final boundaries and member size of the National Park.

2. That Councillor Wood be confirmed as the City Council's appointment to join the South Downs National Park Authority for a term of office of four years, commencing on 1 April 2010.

10. **MINUTES OF THE CABINET (LOCAL DEVELOPMENT FRAMEWORK) COMMITTEE HELD 15 DECEMBER 2009**
(Report [CAB1954](#) refers)

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

RESOLVED:

That the minutes of the Cabinet (Local Development Framework) Committee held 15 December 2009 be received (as attached as Appendix A to these minutes).

11. **MINUTES OF THE WINCHESTER TOWN FORUM HELD 25 NOVEMBER 2009**
(Report [CAB1953](#) refers)

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

RESOLVED:

That the minutes of the Winchester Town Forum held 25 November 2009 be received.

12. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

That the list of future items, as set out in the Forward Plan for January 2010, be noted.

13. **DECISIONS TAKEN BY PORTFOLIO HOLDERS UNDER THEIR DELEGATED POWERS**

RESOLVED:

That the decisions taken by Portfolio Holders under their delegated powers since the last Cabinet meeting, as set out on the agenda sheet, be noted.

14. **EXEMPT BUSINESS**

The Chairman invited the two representatives from the Standards Committee to remain in the room during the exempt session in order to assist them in preparing their report on the manner in which the Council undertook its 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)
##	Decision under Section A2 of the Scheme of Delegation to Officers – Avalon House	
##	Joint Working with East Hants DC on Environment Contract Services	

##	Exempt minutes of the previous meeting)	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority. (Para 4 Schedule 12A refers)
##	Exempt minutes of the previous meeting)	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. (Para 5 Schedule 12A refers)
##	Joint Working with East Hants DC on Environment Contract Services)	

15. **EXEMPT MINUTES**

RESOLVED:

That the exempt minutes of the previous meeting, held on 9 December 2009 be approved and adopted.

16. **JOINT WORKING WITH EAST HAMPSHIRE DISTRICT COUNCIL ON ENVIRONMENT CONTRACT SERVICES**

(Report CAB1948 refers)

Cabinet considered the above Report which set out proposals regarding joint working with East Hampshire District Council on Environment Contract Services (detail in exempt minute).

17. **DECISIONS UNDER SECTION A.2 OF THE SCHEME OF DELEGATION TO OFFICERS – AVALON HOUSE**

(Report CAB1955 refers)

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

RESOLVED:

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

The meeting commenced at 10.00am and concluded at 12.15pm

Chairman