

WINCHESTER CITY COUNCIL

At an Ordinary Meeting of the Council held in the Guildhall, Winchester on 16 July 2014

Attendance:

Councillor E Berry (The Mayor in the Chair) (P)

Councillors:

Achwal (P)	Mason (P)
Berry J (P)	Mather (P)
Bodtger (P)	Maynard (P)
Byrnes (P)	McLean (P)
Chamberlain (P)	Miller (P)
Clear (P)	Nelmes (P)
Cook (P)	Newman-McKie
Cutler (P)	Osborne (P)
Dibden (P)	Pearson (P)
Evans (P)	Phillips (P)
Fancett (P)	Pines (P)
Gemmell (P)	Power (P)
Godfrey (P)	Prowse (P)
Gosling (P)	Read (P)
Gottlieb (P)	Ruffell (P)
Green (P)	Rutter (P)
Henry (P)	Sanders (P)
Hiscock (P)	Scott (P)
Horrill (P)	Southgate (P)
Humby (P)	Stallard (P)
Hutchison (P)	Tait (P)
Huxstep (P)	Thompson (P)
Izard (P)	Tod (P)
Jeffer (P)	Verney (P)
Johnston (P)	Warwick
Laming (P)	Weir (P)
Learney (P)	Weston (P)
Lipscomb (P)	Wright (P)

1. **MINUTES**

RESOLVED:

That the minutes of the Ordinary and Extraordinary Meetings of the Council held on 2 April 2014 and the Annual Meeting of the Council held on 4 June 2014 be approved and adopted.

2. **COMMUNICATIONS FROM THE MAYOR**

The Mayor referred to Queen's Birthday Honours List and announced that letters of congratulation had been sent to the following people who lived or worked in the District:-

Professor Martin Biddle - awarded a CBE for his services to Archaeology.

Major General A Currie from Winchester - awarded a CBE for his voluntary services to veterans with mental health problems.

Dr P Hawkins from Shawford - awarded an OBE for his services to technology and sport.

Mr Neil Hopkins, recently retired Principal of Peter Symonds College - awarded an OBE for his services to Education.

Mr Tommy Geddes and Dr Teresa Sandison of Winchester University - both awarded MBE's for their services to Higher Education.

The Mayor then mentioned the forthcoming Mayor's Charities Flower Festival to be held in Abbey House from Friday 25 to Sunday 27 July. Tickets were available on the door for £5 per person.

3. **DISCLOSABLE PECUNIARY INTERESTS**

Having regard to their roles as Hampshire County Councillors, Councillors Humby, Huxstep, Mather, Stallard and Tod each declared a disclosable pecuniary interest in any matter on the agenda which may have a County Council involvement. Councillor Godfrey made the same declaration due to his role as a County Council employee. However, as there was no material conflict of interest, they all remained in the room under the dispensation granted on behalf of the Standards Committee, to participate and vote in all such matters.

Councillor Verney declared a personal, but not prejudicial, interest in respect of agenda Item 6 (j) Silver Hill Regeneration (less Exempt Appendices) and also 9 (j) Silver Hill Regeneration (Exempt Appendices). This was because of his involvement as the Council's nominee to the St Johns Charity Trustees, which owned properties in and adjacent to the Silver Hill development area. He participated and voted in debate, as any decision with regard to the Silver Hill Development Agreement would be a matter for Cabinet to determine and the issue before Council did not affect any terms related to the acquisition of the Trust's properties.

4. **QUESTIONS UNDER COUNCIL PROCEDURE RULE 14**

1. **Estate Agent Signage**

The Portfolio Holder for Built Environment, Councillor Weston, answered a question from Councillor Hiscock.

2. **Low Carbon Policies**

The Portfolio Holder for Built Environment, Councillor Weston, answered a question from Councillor Tod.

3. **INDIES Event in Bishops Waltham**

The Leader of the Council, Councillor Humby, answered a question from Councillor McLean.

4. **Annual Appointments to External Bodies**

The Leader of the Council, Councillor Humby, answered a question from Councillor Clear.

5. **Bullington Cross Wind Farm Planning Application**

The Portfolio Holder for Built Environment, Councillor Weston, answered a question from Councillor Wright.

6. **Portable Event Space**

The Leader of the Council, Councillor Humby, answered a question from Councillor Henry.

7. **Bus Service Improvements**

The Portfolio Holder for Communities and Transport, Councillor Southgate, answered a question from Councillor Gottlieb.

8. **Code Level 5 Requirements or Affordable Housing**

The Portfolio Holder for Built Environment, Councillor Weston, answered a question from Councillor Scott.

8a. **On Street Parking in Alresford**

The Portfolio Holder for Communities and Transport, Councillor Southgate, answered a question from Councillor Jeffs.

9. Commemorating World War 1

The Leader, Councillor Humby, answered a question from Councillor Lipscomb.

10. Bullington Cross Wind Farm - Possible Financial Benefits if Approved

The Portfolio Holder for Finance and Organisational Development, Councillor Godfrey, answered a question from Councillor Thompson.

11. Apprenticeship Scheme

The Leader of the Council, Councillor Humby, answered a question from Councillor Pines.

12. Recycling in Hampshire

The Portfolio Holder for Environment, Health and Wellbeing, Councillor Warwick, answered a question from Councillor Learney.

13. Land for Council House Building Programme

The Portfolio Holder for Housing Services, Councillor Tait, answered a question from Councillor Ruffell.

14. Impact of Supporting People Cuts

The Portfolio Holder for Housing Services, Councillor Tait, answered a question from Councillor Tod.

15. Bus Timetable – Connecting Trains

The Portfolio Holder for Communities and Transport, Councillor Southgate, answered a question from Councillor Gottlieb.

16. Pitt Vale Development Site

The Portfolio Holder for Built Environment, Councillor Weston, answered a question from Councillor Scott.

17. Living Wage

The Portfolio Holder for Finance and Organisational Development, Councillor Godfrey, answered a question from Councillor Pines.

18. Solar Panels on Council Owned Buildings

The Portfolio Holder for Business Services, Councillor Miller, answered a question from Councillor Thompson.

19. Special Projects - Winchester Master Plan

The Leader of the Council, Councillor Humby, answered a question from Councillor Gottlieb.

20. Council Tenants Garden Maintenance

The Portfolio Holder for Housing Services, Councillor Tait, answered a question from Councillor Pines.

21. Road Markings in Winnall

The Portfolio Holder for Communities and Transport, Councillor Southgate, answered a question from Councillor Pines.

In view of the amount of business on the agenda, Council agreed that oral supplementary questions would not be taken at this meeting. Members could submit supplementary questions to the Democratic Services Manager by 22 July 2014. The portfolio holders' written replies would then be made available to all Members and published on the website.

5. **CONSIDERATION OF RECOMMENDED MINUTES**

Reports CL96 (including exempt appendix), CL97, CL98 and CL99 (including exempt appendix) and Exempt Appendix 5 of Report CAB2603 were circulated with Supplementary Agendas after the statutory deadline. The Mayor decided to accept the Reports and the Exempt Appendices onto the agenda, because of the urgent need for Council to consider the Recommended Minutes from The Overview and Scrutiny Committee, Cabinet (Housing) Committee and Cabinet.

Cabinet – 10 July 2014

The Overview and Scrutiny Committee – 7 July 2014

Silver Hill Regeneration (Less Exempt Appendices)

The item before Council related to the Council's position as landowner. The Head of Legal and Democratic Services had previously circulated advice to members of the Planning Committee who would need to give separate consideration to any planning applications in due course. The following members of the Planning Committee, Councillors Clear, Evans, Izard, Jeffs, Johnston, Lipscomb, McLean, Pearson, Read, Ruffell, Rutter and Scott, requested that it be recorded in the minutes:

(a) That they were only considering the landowner issues at this meeting

(b) Each member would at the Planning Committee consider the relevant planning matters with an open mind, having regard to all additional information and representations received.

The Leader of the Council, Councillor Humby, moved that Recommended Minute 1 in Report CL99 be approved and adopted, subject to the following additional Recommendation.

Proposed (1) Councillor Godfrey (2) Councillor Humby

“Add additional Recommendation 2 to read as follows:

2. That a new ring-fenced reserve is set up to be funded from monies received by the Council as a direct result of the Silver Hill development. The purpose of this reserve will be to provide funds for affordable housing, limited to the difference between the affordable housing contribution generated by the Silver Hill development account after scheme completion (where this is below £1.7m) and £1.7m.”

The meeting resolved to move into Exempt Session to allow it to discuss the information set out in the Exempt Appendices before returning to open session to consider the proposals further and to make its decision.

6. **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 item 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>
##	Silver Hill Regeneration - Exempt Appendices) Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Para 3 Schedule 12A refers)
	Silver Hill Regeneration – Exempt Minutes of Cabinet and The Overview and Scrutiny Committee) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. (Para 5 Schedule 12A refers)

Cabinet – 10 July 2014
The Overview and Scrutiny Committee – 7 July 2014

Silver Hill Regeneration – Exempt Appendices

The meeting discussed the information set out in the Exempt Appendices of Report CAB2603 and the Exempt Minutes of the meetings of Cabinet and The Overview and Scrutiny Committee (held on 10 and 7 July 2014 respectively).

RESOLVED

1. That the meeting now return to open session to consider the proposals further and to make its decision.
2. That the Exempt Recommended Minute of Cabinet as set out in Report CL99, be noted.
3. That Recommended Minute of The Overview and Scrutiny Committee as set out in Report CL96, be noted.

Cabinet – 10 July 2014
The Overview and Scrutiny Committee – 7 July 2014

Silver Hill Regeneration (Less Exempt Appendices)

After some debate, the proposer and seconder of additional Recommendation 2 previously moved in open session (Councillors Godfrey and Humby respectively) agreed, with the leave of Council, to withdraw additional Recommendation 2.

Amendment (1) Councillor Learney (2) Councillor Evans

“Replace original motion before Council with

That in the light of public and Council concerns over current proposals and the Council’s planning policy aimed at achieving 40% affordable housing provision on developments, prior to giving consent to submit a planning application or vary an existing application Cabinet reconsider resolution 1.h regarding the removal of the requirement in the Silver Hill development agreement for 35% of the residential units on-site to be affordable or for an equivalent off-site financial contribution and seek to achieve a more beneficial arrangement for Winchester residents.”

Amendment carried, which now became the Substantive Motion.

Amendment (1) Councillor Gottlieb (2) Councillor Hutchison

“That the following be added to the Substantive Motion

That Cabinet be asked to reconsider its decision as follows:

That the developer not be given consent to submit a planning application or an application to vary an extant application, until such time as a comprehensive external review of the development finances is satisfactorily completed by a leading firm of Chartered Surveyors. If agreed, the Cabinet should extend the long stop date in the Development Agreement by a period of time commensurate with the period of the review.”

Amendment lost.

Amendment (1) Councillor J Berry (2) Councillor Pines

“That in view of the high level of profit shown in the scheme, Cabinet reconsider the case made by the Developer for making no affordable housing provision, with the aim of ensuring that the scheme does make much needed affordable housing available.”

Following some discussion, the amendment, with the leave of the Council, was withdrawn.

Substantive Motion carried.

RESOLVED:

1. That in the light of public and Council concerns over current proposals and the Council’s planning policy aimed at achieving 40% affordable housing provision on developments, prior to giving consent to submit a planning application or vary an existing application Cabinet reconsider resolution 1.h regarding the removal of the requirement in the Silver Hill development agreement for 35% of the residential units on-site to be affordable or for an equivalent off-site financial contribution and seek to achieve a more beneficial arrangement for Winchester residents.

2. That Recommended Minute 1 and 3 of The Overview and Scrutiny Committee as set out in Report CL96, be noted.

Cabinet – 2 July 2014

The Overview and Scrutiny Committee – 7 July 2014

Capital Expenditure Outturn 2013/14

The Leader of the Council, Councillor Humby, moved that Cabinet Recommended Minute 78 be approved and adopted.

RESOLVED:

1. That Cabinet Recommended Minute 78 be approved and adopted.
2. That Recommended Minute 2 of The Overview and Scrutiny Committee as set out in Report CL97, be noted.

Cabinet – 2 July 2014

The Overview and Scrutiny Committee – 7 July 2014

General Fund Revenue Outturn 2013/14

The Leader of the Council, Councillor Humby, moved that Cabinet Recommended Minute 79 be approved and adopted.

RESOLVED:

1. That Cabinet Recommended Minute 79 be approved and adopted.
2. That Recommended Minute 3 of The Overview and Scrutiny Committee as set out in Report CL97, be noted.

Cabinet (Housing) Committee – 9 July 2014

The Overview and Scrutiny Committee – 7 July 2014

Housing Revenue Account 2013/14 Outturn

The Leader of the Council, Councillor Humby, moved that Cabinet (Housing) Committee Recommended Minute 1 as set out in Report CL98 be approved and adopted.

RESOLVED:

1. That Recommended Minute 1 of Cabinet (Housing) Committee as set out in Report CL98, be approved and adopted.
2. That Recommended Minute 5 of The Overview and Scrutiny Committee as set out in Report CL97, be noted.

Cabinet – 2 July 2014

The Overview and Scrutiny Committee – 7 July 2014

Gold Standard for Homelessness Prevention

The Leader of the Council, Councillor Humby, moved that Cabinet Recommended Minute 82 be approved and adopted.

RESOLVED:

1. That Cabinet Recommended Minute 82 be approved and adopted.
2. That Recommended Minute 4 of The Overview and Scrutiny Committee as set out in Report CL97, be noted.

Cabinet – 2 July 2014

The Overview and Scrutiny Committee – 7 July 2014

Electoral and Governance Reviews: Submission to the Local Government Boundary Commission on the Future Size of the Council

The Leader of the Council, Councillor Humby, moved that Recommended Minute 81 be approved and adopted. The item was introduced by the Portfolio Holder for Finance and Organisational Development, Councillor Godfrey.

A Member asked that the following correction be made to the text of Appendix 1 to Report CAB2593:

In paragraph 7.7 line 4 delete “agreed to propose” and replace by “proposed”.

This was agreed.

Amendment (1) Councillor Pines (2) Councillor J Berry

“Amend Recommendation 1 to read as follows:

That a submission be made to the Local Government Boundary Commission recommending that the future Council size be 57 Members.”

Amendment lost.

Amendment (1) Councillor Clear (2) Councillor Evans

“Amend Recommendation 1 to read as follows:

That a submission be made to the Local Government Boundary Commission recommending that the future Council size be 48 Members.”

Amendment lost.

Original Motion carried.

RESOLVED:

1. That Cabinet Recommended Minute 81 be approved and adopted.
2. That Recommended Minute 1 of The Overview and Scrutiny Committee as set out in Report CL97, be noted.

Cabinet – 2 July 2014

Council Tax Flooding Discount

The Leader of the Council, Councillor Humby, moved that Cabinet Recommended Minute 84 be approved and adopted.

RESOLVED:

That Cabinet Recommended Minute 84 be approved and adopted.

The Overview and Scrutiny Committee – 9 June 2014

Draft Annual Scrutiny Report 2013-14

A Member pointed out a typographical error in the minute. The words “to be” should be inserted before “held on 28 October 2014” in relation to a future meeting of The Overview and Scrutiny Committee.

The Chairman of The Overview and Scrutiny Committee, Councillor Pines, moved that Recommended Minute 34 be approved and adopted.

RESOLVED:

That Recommended Minute 34 of The Overview and Scrutiny Committee be approved and adopted.

Cabinet – 5 June 2014

Appointment of Special Committee re: Members' Allowances Independent Remuneration Panel

The Leader of the Council, Councillor Humby, moved that Cabinet Recommended Minute 16 be approved and adopted.

RESOLVED:

1. That Cabinet Recommended Minute 16 be approved and adopted.

2. That the following appointments to a Special Committee re: Members' Allowances Independent Remuneration Panel be confirmed as follows – Councillors Bodtger, Byrnes, Gosling, Henry, Johnston and McLean.

Audit Committee – 20 June 2014

Anti-fraud and Corruption Policy

The Chairman of the Audit Committee, Councillor Cutler, moved that Recommended Minute 63 be approved and adopted.

RESOLVED:

That Recommended Minute 63 of the Audit Committee be approved and adopted.

7. **MEMBERSHIP CHANGES TO COMMITTEES**

RESOLVED:

That Councillor Laming be replaced by Councillor Clear as a deputy member of the Planning Committee.

The meeting commenced at 7.00pm and concluded at 12.35am

The Mayor