



<b>Meeting</b>	Council
<b>Date and Time</b>	Wednesday, 23rd September, 2020 at 6.00 pm.
<b>Venue</b>	This meeting will be held virtually and a live audio stream can be listened to via <a href="http://www.winchester.gov.uk">www.winchester.gov.uk</a> .

## **S U P P L E M E N T A R Y   A G E N D A**

Agenda Item.

8. Questions from Members of Council (Pages 3 - 24)

City Offices  
Colebrook Street  
Winchester  
SO23 9LJ

**Laura Taylor**  
**Chief Executive**



23 September 2020

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### **COUNCIL MEETING – 23 September 2020**

#### **Question under Council Procedure Rule 15(3)**

##### **QUESTION 1**

From: Councillor McLean

To: The Cabinet Member for Built Environment and Wellbeing (Cllr Porter)

“The planning enforcement team, is it running at full strength? How many part time employees does it currently have? Finally and most importantly for the Southern Parishes what cover does enforcement have in the district at weekends?”

##### **Reply**

“The Council’s Local Enforcement Plan was updated earlier this year and published on 1<sup>st</sup> July 2020. You will know that this sets out how the Enforcement Team investigate alleged breaches of planning control and aligns with enforcement resource available.

The Enforcement Team comprises the following staff:

Enforcement Team Leader – 1 FTE full time  
Principal Enforcement Officer – 1 FTE full time  
Senior Enforcement Officer – 1 FTE full time  
Enforcement Officer – 1 FTE full time  
Enforcement Officer – 1 FTE full time  
Compliance Officer – 1.1 FTE covered by 2 staff on a part time basis  
Enforcement Technician 0.83 covered by 2 staff on a part time basis

As with any team there are times when posts are vacant or staff are absent for a variety of reasons and Enforcement is no exception. In order to maintain this resource therefore we do utilise agency staff to cover the important work of the service.

There is no statutory requirement to provide an enforcement service in the evenings or weekends and like many authorities the City Council does not operate an out of hour’s service for planning matters.

My understanding is that this has been the case for many years and in fact I cannot recall a time when such a service was in place. We need to bear in mind that the national enforcement regime means that it is not possible to actually prevent or stop planning breaches from taking place in most

instances, I am not satisfied that having an out of hours service would represent the best use of resources in a time where Council budgets are already under pressure given the broader picture regarding local government finances.”



## **COUNCIL MEETING – 23 September 2020**

### **Question under Council Procedure Rule 15(3)**

#### **QUESTION 2**

From: Councillor Power

To: The Cabinet Member for Climate Emergency (Cllr Murphy)

“When will Alresford get EV charging points?”

#### **Reply**

“The electrical vehicle charging infrastructure is undergoing the final legal checks on site leases. In the case of Alresford, the electric vehicle charging points have been identified on sites which are owned by Perins School and Mid Hants Railway Ltd. It is expected that both these parties will consent to their installations and that subject to any unforeseen issues, the project agents JoJu, will commence installation during October.”

**COUNCIL MEETING – 23 September 2020****Question under Council Procedure Rule 15(3)****QUESTION 3**

From: Councillor Godfrey

To: Deputy Leader (Cllr Cutler)

“Could the Cabinet Member inform me what proportion of City Council staff are now working most of their contracted hours in the City Offices and West Wing? How does this compare to the proportions working normally in February and May of this year?”

**Reply**

“Like many businesses the council has a flexible working policy but the majority of staff routinely work from the offices in Winchester. At the beginning of the outbreak, essential staff remained in the office to support delivery of critical services and the majority of staff worked from home. Unless prevented by COVID restrictions our teams provided the full range of services throughout the pandemic.

The council provided a COVID secure workspace in City Offices and has further increased measures to enable more staff to return to the office to continue to provide our services. The West Wing office has been closed but for the meeting rooms as it was not practical to make the office floors COVID secure for the small numbers of staff that could be accommodated there.

The table shows that in the last two weeks 35% of staff at work were in the office, however, the PMs announcement yesterday means that we have to pause in welcoming more of our staff back to the office on a more regular basis.

	Average proportion of staff working from:	
	Home	Office / site
February 2020	3%	97%
May 2020	82%	18%
September 2020	65%	35%

Wherever they've been working, we owe a tremendous debt to our staff who have put in incredible efforts to ensure that the council continues to deliver residents great services – and I would like to take this opportunity to thank them.”



## **COUNCIL MEETING – 23 September 2020**

### **Question under Council Procedure Rule 15(3)**

#### **QUESTION 4**

From: Councillor Evans

To: The Leader (Cllr Thompson)

“Could The Leader assure me that all staff will communicate with ward members regarding visits to their ward by Cabinet, the Mayor or leading officers and copy them in on any correspondence to their Parish Councils on important matters?”

#### **Reply**

“I can assure you that we require teams to let ward members know when Cabinet, the Mayor or leading officers are visiting their wards. The communications team also now, upon my request, let ward members know of any media activity arranged so they can opt to attend.

Officers across the council have been asked to ensure that Ward Councillors are copied into correspondence to Parish Councils on important matters, and a reminder has gone senior managers from the Chief Executive last week.”



## **COUNCIL MEETING – 23 September 2020**

### **Question under Council Procedure Rule 15(3)**

#### **QUESTION 5**

From: Councillor Lumby

To: The Cabinet Member for Sport, Leisure and Communities (Cllr Prince)

“Please could the Cabinet Member provide an update in relation to the Meadowside Leisure Centre in Whiteley, covering in particular the following points:

- whether all the promised improvement works were carried out and completed prior to the centre re-opening
- the cost of those works
- the timetable for completing any works not yet completed and for remedying any defects either in those works or otherwise in the centre
- what residual liability (if any) Places for People have in relation to the centre, including for claims relating to its period as operator and for any breaches of any repair obligations
- what contractual protections were put in place prior to providing members' details to Everyone Active
- what protections were put in place to prevent Everyone Active using its status as operator and the members' details provided to it either to promote in other centre in Fareham and/or to gain a competitive advantage in any retender of the operator contract the programme and proposals for retendering the operator contract?”

#### **Reply**

“The promised improvement works that were due to be undertaken by the city council have been commissioned and are due to commence within the next few weeks. The total cost for these works is approximately £32,000 to £37,000. At the point of handover to the interim contractor there was one item in need of repair which Places Leisure has agreed to pay for.

As data controllers, Places Leisure and Everyone Active are responsible for how they handle their customers' personal data along with compliance with data protection legislation. This is a legal not a contractual obligation. There are provisions in the legal agreement with Everyone Active which are designed to prevent an unfair advantage over its competitors, use the contract for marketing and misuse of membership information and any diversion of members to another centre.”





## **COUNCIL MEETING – 23 September 2020**

### **Question under Council Procedure Rule 15(3)**

#### **QUESTION 6**

From: Councillor Bell

To: The Cabinet Member for Service Quality and Transformation (Cllr Tod)

“What impact has Covid19 had on waste collection?”

#### **Reply**

“The council continued to deliver the full range of waste and recycling services to residents throughout the pandemic. The only services that were paused were access to the HWRC’s which are managed by the County Council, and bulky waste services, both have which have now restarted subject to some limitations, including booking an appointment at the HWRC’s.

#### **Tonnage collected**

Around 3,000 more tonnes of waste has been collected compared to the corresponding period last year (25 Feb to 13<sup>th</sup> Sept) - a 15% increase in waste collected, up to 23,000 tonnes from 20,000 tonnes.

On a weekly basis this means that on average during the pandemic we have collected an additional tonnage of;

	<b>Average weekly additional tonnage</b>
<b>Refuse</b>	40
<b>Recycling</b>	4
<b>Garden Waste</b>	16
<b>Glass Collections*</b>	43

\*The period is not directly comparable as Winchester City Council began its glass collections in October 2019.

#### **Contractor performance**

In terms of performance of the contractor, the number of missed bins per month is also significantly lower than the performance in the comparable period last year, and well within the contractual performance levels.

There were more bins to collect as the kerbside glass collection was not in place during the comparable period of 2019 and during July 2020 the council expanded its recycling collections systems to the most difficult to access properties. An additional 600 houses were included to receive the full range of recycling services, glass, recycling and green waste.

<b>MISSED BINS</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>August</b>
<b>2019</b>	661	512	574	993	843	727
<b>2020</b>	359	244	288	276	241	308

Our contactors at BIFFA have worked tirelessly during this period to deliver this level of performance, and have done so within the health and safety restrictions placed upon them by government guidance on waste collections.

Our sincere thanks are due to them over this very difficult period for maintaining a level of service that other authorities have not been able to offer.”



## **COUNCIL MEETING – 23 September 2020**

### **Question under Council Procedure Rule 15(3)**

#### **QUESTION 7**

From: Councillor Mather

To: The Cabinet Member for Service Quality and Transformation (Tod)

“I can understand why the Winchester traffic restrictions and lane narrowing were put in force to enable social distancing. However these measures have caused tailbacks and congestion, and difficulties for emergency vehicles and for buses trying to keep to their timetables. How is the Cabinet Member going to work with the County Council to overcome these problems?”

#### **Reply**

“The City Council has been working closely with the County Council who are the authority responsible for the pop-up schemes in the city centre. Where residents or businesses have identified problems we have passed these on to the County Council. In the Square, where the City Council has led implementation on behalf of the County Council, active consultation has taken place with residents and businesses and we have met county officers to jointly agree changes to the measures to reflect concerns raised.

All of the measures are being monitored by the County Council as lead authority. In addition, I as Cabinet Member am taking an active role in reviewing these schemes and requesting amendments to them, such as those recently undertaken in Jewry Street, to reflect changes in traffic conditions.

As I’m sure Cllr Mather is aware, recent changes to the layout of the schemes and to traffic light timings have dramatically cut tailbacks and reduced congestion – but we continue to work with the County Council to identify ways to improve them further and address outstanding issues.

As the risk of COVID continues to increase, social distancing remains a high priority and we will continue to work with the County Council on existing schemes, as well as the other schemes that have been agreed for design and assessment, and any future schemes that may be agreed by the Government as part of Tranche 2 of the Emergency Active Travel Fund.”



## **COUNCIL MEETING – 23 September 2020**

### **Question under Council Procedure Rule 15(3)**

#### **QUESTION 8**

From: Councillor Hutchison

To: The Cabinet Member for Local Economy (Cllr Ferguson)

“Firstly I’d like to congratulate all those who have had a part in arranging for the Sunday markets in Winchester to take place in the Broadway as part of the changes to enable improved social distancing. I’ve received many positive comments from both traders and people at the markets saying that it just looked like the natural place for the markets, and was working well. Can the Cabinet Member now please give any information about arrangements being made to monitor the change with a view to guiding the potential for using the Broadway in the longer term for markets? It’s such a wonderful space it’s a pleasure to see it being used and appreciated by many.”

#### **Reply**

“Thank you for your support for the recent changes to the Sunday market location, particularly as we move to support the High Street in current times.

Central Winchester Regeneration development proposals include plans to accommodate the market long term in the central area in line with the guidance set out in the Central Winchester Regeneration Supplementary Planning Document.

The new Sunday market arrangements in the Broadway are being trialled to enable an informed decision on the future of our markets going forward.

Current monitoring measures comprise;

- Ongoing monitoring of traffic both Colebrook Street and The Square and Great Minster Street
- Monitoring of Colebrook Street car park traffic movements
- Regular liaison and dialogue with local businesses, market operator and traders
- Visitor Information Centre and town centre officers out and about monitoring visitor numbers, particularly in light of COVID 19

- Regular reviews of market operation

As the Central Winchester Regeneration project moves forward, we will be looking to longer term market contract arrangements that ensure flexibility to respond to the CWR development proposals.”



**COUNCIL MEETING – 23 September 2020**

**Question under Council Procedure Rule 15(3)**

**QUESTION 9**

From: Councillor Brook

To: The Cabinet Member for Built Environment and Wellbeing (Cllr Porter)

“If a challenge to the housing numbers in the new Local Plan white paper is refused, how exposed does the change in housing numbers leave us regarding adhoc developments in the Winchester district? What plans do the administration have to prevent this unwanted development?”

**Reply**

“The White Paper and the proposed changes to the current planning system that are both being consulted on, reiterates that the Government is strongly committed to a plan-led system which means that the city council will continue to be in a strong position to maintain our local plan policies/settlement boundaries until we develop a new local plan, provided it can demonstrated that we have a 5-year housing land supply. To date the Council has been able to do this and this has meant that it has been possible to resist speculative housing proposals which do not comply with the plan.

However, whether the city council can continue to do this will depend very much on the outcome of the Government consultation and what advice there is on applying the new ‘interim’ housing requirement and when it would come into effect. The White Paper does not include any details on this or whether the Government intends to put in place any transitional arrangements.

Developing a new Local Plan remains very much our priority because it is the way in which to manage growth in our district but the major changes being consulted on now have created uncertainty both in terms of how much housing we will need to plan for and what form a plan will need to take in future. This position is by no means unique to Winchester but is typical of a number of other authorities both in Hampshire and beyond.”



## **COUNCIL MEETING – 23 September 2020**

### **Question under Council Procedure Rule 15(3)**

#### **QUESTION 10**

From: Councillor Craske

To: The Leader (Cllr Thompson)

“Can you detail the evolution in interpretation of a Disclosable Pecuniary Interest (DPI) and explain how we will address this in the constitution?”

#### **Reply**

“A slimmed-down standards regime was introduced to replace the former system through the Localism Act 2011. This included a new definition of Disclosable Pecuniary Interests (DPIs) and were set out under the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012/1464). The seven specific categories of DPIs showed significant changes from the previous Model Code of Conduct.

Although these arrangements certainly offered much greater flexibility in authorities’ approach to standards, they were and still are often considered unfit for purpose when it comes to promoting public confidence in local democracy. This included, in relation to DPI’s, a range of interpretations from Monitoring Officers and legal experts as to the extent of a DPI, arising both from the facts of cases before them as well as conflicting law and non-statutory but published guidance.

The Committee on Standards in Public Life (CSPL) undertook a wide review of current arrangements and in respect of DPI’s the CSPL stated these were unclear, too narrow and did not meet the expectations of councillors or the public. They recommended that;

1. the current criminal offences relating to Disclosable Pecuniary Interests were disproportionate in principle and ineffective in practice, and should be abolished;
2. the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 should be amended to include: unpaid directorships; trusteeships; management roles in a charity or a body of a public nature; and membership of any organisations that seek to influence opinion or public policy; and
3. Section 31 of the Localism Act 2011 should be repealed, and replaced with a requirement that councils include in their code of

conduct that a councillor must not participate in a discussion or vote in a matter to be considered at a meeting if they have any interest, whether registered or not, “if a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your consideration or decision-making in relation to that matter”.

Following the CSPL report in January 2019, on 8 June 2020 the Local Government Association (LGA) issued a draft Model Member Code of Conduct for consultation. The outcome of the consultation is not yet known. The model code is broadly in line with the City Council current code of conduct but there are certainly some helpful amendments and improvements that will be suggested as part of the constitution review which is currently being finalised for presentation to the Constitution Working Group before going through Audit & Governance committee and Full Council.

Finally many of the CSPL recommendations, including those related to DPI's, require legislative amends and therefore further changes to our code of conduct may be needed to reflect those changes in law.”





## **COUNCIL MEETING – 23 September 2020**

### **Question under Council Procedure Rule 15(3)**

#### **QUESTION 11**

From: Councillor Pearson

To: The Cabinet Member for Climate Emergency (Cllr Murphy)

“Would the Cabinet Member advise Council how the semi closure of Hyde Street and the subsequent diversion of traffic onto Worthy Lane and Andover Road leading to increased congestion on City Road and North Walls has improved Air Quality (NOx emissions), and reduced climate change gases CO2 et al in that area?

Could the Cabinet Member also explain how these changes, along with the closure of the Square has improved Air Quality on Chesil Street, St George's Street, and the lower end of Romsey Road?

Finally, would the Cabinet Member also comment on the general switch by motorists out of diesel vehicles into petrol powered SUV vehicles with too few into E-vehicles has reduced climate change emissions in Winchester?”

#### **Reply**

“The level of air quality, specifically levels of nitrogen dioxide, within the City's Air Quality Management Area', has generally improved during the initial stages of the government's response to the Covid pandemic, arising from a significant drop in vehicular traffic accessing the City Centre.

It is however too early to accurately evaluate the impact to air quality in Worthy Lane, Andover Road, and Romsey Road as a result of the closure of Hyde Street, because these areas rely on NOx tube data which necessitates a longer term trending analysis. In order for such impacts to be determined data sets need to be compared before and during the Hyde Street closure and for these to be conclusive, NOx tube data spanning a longer period of closure is necessary. There are currently NOx tubes on Worthy Lane, Andover Road and Romsey Road and these can be used for this comparative analysis.

A report is due to the cross party Air Quality Steering Group in due course and this will include any potential impacts on air quality arising from the Hyde Street closure.

Currently the national local authority air quality monitoring regime is centered on public health and not climate change determinants, hence the monitoring of nitrogen dioxide and particulates. Consequently local authorities are not duty bound to monitor for greenhouse carbon emissions so it is currently not possible to evaluate increased carbon emissions arising within the district from the national trend in the uptake of petrol SUVs over electric vehicles.

However, next month the City Council will embark on the roll out its electric vehicle charging point infrastructure, which seeks to give confidence to and thereby encourage the uptake of sustainable plug in alternatives by its residents and visitors to the district.”



## **COUNCIL MEETING – 23 September 2020**

### **Question under Council Procedure Rule 15(3)**

#### **QUESTION 12**

From: Councillor Gemmell

To: The Leader (Cllr Thompson)

“Now the majority of the working members have returned to the office, is it too much to ask that this Council goes back to a reasonable evening time for its meeting - or are you going to continue excluding us?”

#### **Reply**

“The professional advice from the IT team around bandwidth and 4G network availability was that a virtual meeting, reliant on technology, should finish by 8pm. Therefore virtual meetings that are held in the evening, start at 6pm and aim to finish by 8pm.”



## **COUNCIL MEETING – 23 September 2020**

### **Question under Council Procedure Rule 15(3)**

#### **QUESTION 13**

From: Councillor Horrill

To: The Leader (Cllr Thompson)

“When the ex Lib Dem MP for Winchester openly tells the residents of the District that he “... totally agrees with Steve Brine's comments (Chronicle, Letter from Westminster, August 27) about the need for Winchester politicians to end years of indecision”.... and to “call for better local leadership and vision”.

Would the Leader be prepared to work proactively with me, as suggested by her party, to present a united vision and strategy that sets out how Winchester can be a great city once again?

I am certainly happy to stand up and be counted and welcome that opportunity or do we anticipate more dither, delay and decay from the Liberals?”

#### **Reply**

“Thank you for your question. Winchester is of course already a great City and it is a shame that our MP always seeks to run it down. Indeed surveys repeatedly reflect how happy our residents are here. A Council that is tackling the climate emergency, continuing to build new homes and taking difficult decisions about introducing improved recycling is not one I would describe as dithering. As we have demonstrated, we are happy to work with anyone who has the interest of Winchester at its heart.”



## **COUNCIL MEETING – 23 September 2020**

### **Question under Council Procedure Rule 15(3)**

#### **QUESTION 14**

From: Councillor Miller

To: The Cabinet Member for Housing and Asset Management (Cllr  
Learney)

“The budget update implies that sales of assets are being considered due to the financial pressure of COVID-19.

Could we please be assured that the Liberal Democrats are not proposing fire sales at a time of a weak property market?”

#### **Reply**

“We are fully aware of current market uncertainties in the property sector and have no intention to pursue any sales at a time when the most promising offers to benefit the district may not come forward. The timing of any sales will be made to optimise value to the Council and there are indeed some areas of the property market that are currently very buoyant such as the healthcare sector where investor demand is strong.”



## **COUNCIL MEETING – 23 September 2020**

### **Question under Council Procedure Rule 15(3)**

#### **QUESTION 15**

From: Councillor Cook

To: The Cabinet Member for Sport, Leisure and Communities (Cllr Prince)

“Could the Cabinet Member please explain what arrangements were made to inform members of River Park personal details from one Operator to another? Ref GDPR Regulations”

#### **Reply**

“The arrangements made to inform the members of River Park Leisure Centre of a transfer of their personal details from one operator to another was undertaken by Places Leisure who contacted all members to notify them of the change of operator and re-opening arrangements for the leisure centre.

Emails were sent out on 30 July to members paying by direct debit and 13 August to all other members and users of the leisure centre. This gave sufficient notice to allow members to cancel their membership if they wished. Everyone Active have followed up with a number of service delivery updates to customers relating to changed booking arrangements and use of the leisure centre.

If the question is whether the transfer of personal data from one leisure centre operator to another was GDPR compliant – yes, it is considered that the transfer of personal data was compliant.”



## **COUNCIL MEETING – 23 September 2020**

### **Question under Council Procedure Rule 15(3)**

#### **QUESTION 16**

From: Councillor Power

To: The Cabinet Member for Built Environment and Wellbeing (Cllr Porter)

“When will parishes hear on response to CIL project bids?”

#### **Reply**

“Regrettably the panel meeting which considers community CIL bids was delayed due to additional workload associated with the pandemic. The panel considers which schemes to recommend for funding in line with our agreed protocol for prioritising the allocation of CIL funds to infrastructure projects.”

The panel has now met and community requests for funding will be formally considered by Cabinet on 21<sup>st</sup> October. As this is some weeks away, all organisations who applied will be sent a letter this week indicating the provisional recommendation to Cabinet.”



**COUNCIL MEETING – 23 September 2020**

**Question under Council Procedure Rule 15(3)**

**QUESTION 17**

From: Councillor McLean

To: The Leader (Cllr Thompson)

“Why does the Council persevere with the asking of members questions at the end of the meeting?”

**Reply**

“As an administration we prioritised public questions over Councillor questions. There was some debate on this at the time but we believe the public questions are an important part of our processes and should take priority.”