

**CABINET****Wednesday, 17 July 2019**

## Attendance:

Councillor Cutler (Vice-Chair)	– Deputy Leader and Cabinet Member for Finance and Risk
Councillor Learney	– Cabinet Member for Housing and Asset Management
Councillor Murphy	– Cabinet Member for Environment
Councillor Porter	– Cabinet Member for Built Environment and Wellbeing
Councillor Prince	– Cabinet Member for Sport, Leisure and Communities
Councillor Weir	– Cabinet Member for Local Economy

Others in attendance who addressed the meeting:

Councillors Bell, Bronk, Brook, Horrill, Miller and Pearson

Others in attendance who did not address the meeting:

Councillors Ferguson

Apologies for Absence:

Councillors Thompson (Leader and Cabinet Member for Communications and Transformation)

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**1. MINUTE OF THE PREVIOUS MEETING HELD ON 19 JUNE 2019**

## RESOLVED:

That the minutes of the previous meeting held on 19 June 2019 be approved and adopted.

**2. PUBLIC PARTICIPATION**

Paul Williams spoke regarding CAB3179 and Ian Tait spoke regarding report CAB3161 and their comments are summarised under the relevant minutes below.

### 3. **LEADER AND CABINET MEMBERS' ANNOUNCEMENTS**

The following announcements were made:

#### New Leisure Centre

- The project remained on time and on budget. It would be named the Winchester Sport and Leisure Park to emphasise both indoor and outside facilities;
- Various sustainability initiatives were being worked on and plans were continuing to make the best use of the internal facilities, including exploring providing a crèche and spectator seating in the sports halls.

#### Drinking Water Fountain

- A new drinking water fountain would shortly be installed in Abbey Gardens;

#### Review of Taxi Services

- Consultation ended on 31 July 2019; thanks to the Officers and taxi drivers involved to date.

#### Heritage Champion

- Councillor Gordon-Smith had been appointed as the Council's Heritage Champion.

### 4. **MAYORS FOR PEACE**

(CAB3179)

Councillor Cutler introduced the report.

Paul Williams spoke during public participation in support of the Council joining Mayors for Peace - an international organisation established by the Mayors of Hiroshima and Nagasaki to impress on governments, through the structure of the United Nations Nuclear Non-Proliferation Treaty, to bring about a nuclear weapon free world. Activities were planned to commemorate the atomic bombings between 6 and 9 August.

At the invitation of the Deputy Leader, Councillors Bell, Pearson and Horrill addressed Cabinet as summarised below:

#### Councillor Bell

- Contacted by Mr Williams in 2018 regarding the proposal and suggested that he organise a petition. The petition had been made available on the Council's website for a relatively limited amount of time and had failed to reach the threshold for debate at Council;
- The UK Chapter of Mayors for Peace recognised the largely ceremonial nature of many UK Mayors and therefore clarified the role of the Leader in this regard;
- The movement included over 7,000 towns and cities worldwide, including 81 in the UK;
- In August 2019, it was proposed to organise a memorial event including a photographic exhibition in Abbey House including a minutes silence on 6

August and an evening talk or lecture. In future years, it was hoped to expand this to involve schools and colleges.

#### Councillor Pearson

- Whilst supporting the sentiment of achieving world peace, he spoke against the proposal as he believed it was inappropriate for a civic Mayor (as in Winchester) to become involved in politics;
- Inappropriate to commit future Mayors to continue to support due to political nature.

#### Councillor Horrill

- Thanked Mr Williams for organising the petition and it was important that the Council took account of public views;
- However, it was not appropriate for the Mayor to be aligned with a political stance. Of the 81 Councils in the UK, how many had civic mayors as opposed to elected mayors?
- She suggested that the Council find alternative means to support the aims of Mayors for Peace.

During debate, Cabinet Members disagreed that supporting Mayors for Peace was a political act and suggested it could instead be compared with other acts of remembrance which were recognised by the Council. The vast majority of the 81 other Councils supporting the proposal had civic mayoralities, rather than elected. Members believed that showing support, which is a commitment made through the Leader of the Council, would offer an opportunity to commemorate and also work alongside other organisations within Winchester, such as the University.

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

#### RESOLVED:

That Cabinet endorses that Winchester City Council, as represented by Mayor, joins the UK and Ireland Chapter of 'Mayors for Peace'.

#### 5. **MEDIUM TERM FINANCIAL CHALLENGE** (CAB3175)

Councillor Cutler introduced the report and noted that the matter had been considered by Scrutiny Committee on 4 July 2019. He emphasised that there remained significant uncertainty regarding Government funding, with further information hopefully expected by December 2019.

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

RESOLVED:

That the budget options be approved to be presented to an autumn meeting for consideration.

6. **Q4 FINANCIAL AND PERFORMANCE MONITORING**  
(CAB3168)

Councillor Cutler introduced the report and noted that the matter had been considered by Scrutiny Committee on 4 July 2019

At the invitation of the Deputy Leader, Councillor Horrill addressed Cabinet as summarised below:

- Emphasis on the significance of ongoing projects in generating future income streams for the Council;
- Important to continue to focus on smaller projects, such as the impact of Universal Credit on residents, in addition to more far-reaching aims such as tackling climate change;
- Welcomed the results of the recent residents' survey;
- The comments made at Scrutiny Committee were not addressed in the report.

Councillor Learney stated that the future recording of meetings was being investigated to provide a full record of proceedings.

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

RESOLVED:

1. That the progress achieved during the final quarter of 2018/19 be noted and the contents of the report be endorsed.

2. That the transfers to/from the Major Investment Reserve and other earmarked reserves and note the closing balances at 31 March 2019 be agreed (as set out in Appendix 2 of the Report).

7. **HOUSING REVENUE ACCOUNT OUTTURN 2018/19**  
(CAB3161)

Councillor Learney introduced the report and welcomed the achievements during over 2018/19. She thanked the Housing Team for their work.

Ian Tait spoke during public participation as summarised below:

- Very concerned regarding the discontinuation of the previous Cabinet (Housing) Committee and the consequential lack of involvement of TACT members in housing related decisions;

- He believed the lack of a dedicated committee on housing also gave the impression that the Council did not consider housing matters to be as important, as for example the new Kings Barton development (as there was a Kings Barton Forum).

At the invitation of the Deputy Leader, Councillor Horrill addressed Cabinet as summarised below:

- Congratulations to the Housing Team for their work;
- Further consideration would be given to the future involvement of TACT;
- The Housing Strategy should continue to examine new ways to provide additional new homes;
- The Council should continue to focus on ensuring the quality of the existing housing stock was maintained, including the broader environment in which residents' lived.

During debate, Cabinet Members commented that the Kings Barton Forum fulfilled an important role in ensuring the cohesion for a growing new housing development. With regard to the discontinuation of the Cabinet Committees, the role of the new Policy Committees was emphasised, in particular the Business and Housing Policy Committee. In addition, it was proposed to establish "decision days" where Cabinet Members took decisions in public, which could include housing related matters.

Councillor Learney acknowledged the criticism regarding the requirement to continue to involve TACT members and advised that she, and the Chair of Business and Housing Policy Committee, would shortly be meeting TACT Members to discuss their effective involvement in the democratic process. She also emphasised the importance of providing new housing for residents in general, not just through the HRA, and proposals for the establishment of a housing company were being progressed to examine this further.

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

**RESOLVED:**

1. That the HRA Outturn figures for 2018/19 be approved, as detailed in Appendices 1 and 2 of the Report.
2. That the carry forward items from 2018/19 be noted and the re-forecast HRA Budget for 2019/20 as detailed in Paragraph 11.4 and Appendix 3 of the Report be approved.
3. That the Housing capital programme outturn for major works and new build developments be noted, as detailed in Paragraphs 11.7 to 11.8 and Appendices 4 & 5 of the Report.
4. That the funding of the 2019/20 HRA capital programme be approved, as detailed in Paragraph 11.10 and Appendix 6 of the Report.

5. That the re-forecast capital programme budget of £34.46m for 2019/20 be supported, as detailed in Paragraphs 11.13 and Appendix 7 of the Report.

8. **APPROVAL OF STATEMENT OF COMMON GROUND - EASTLEIGH LOCAL PLAN**  
(CAB3174)

Councillor Porter introduced the report and the Strategic Director confirmed that Eastleigh Borough Council had now approved the Statement of Common Ground.

At the invitation of the Deputy Leader, Councillors Brook, Bronk and Horrill addressed Cabinet as summarised below.

Councillor Brook

- She welcomed the report and retention of objections 1 and 2 as agreed previously by her as Portfolio Holder
- She supported the report on the basis that the City Council was required to be party to a Statement of Common Ground, however remained concerned regarding the lack of evidence for policy and data being missing;
- She acknowledged the potential difficulties caused by having no agreed Local Plan but considered these applied equally to a poorly evidenced plan.

Councillor Bronk

- He was a Ward Member and resident of Colden Common and he had submitted comments to Eastleigh Borough Council (EBC) in a personal capacity. These related to concerns regarding the impact on the countryside, particularly ancient woodland;
- He understood that the City Council was not able to challenge EBC's site selection.
- He requested a change to Paragraph 14 of the statement be strengthened to require that the link road be constructed prior to a substantial element of the development being constructed;
- He also emphasised that substantial improvements were required to existing roads in the area.

Councillor Horrill

- She requested that Ward Councillors be notified of any changes to the Statement prior to publication;
- General concern regarding the process used by EBC in preparation of their Local Plan and a request that the Inspector be made aware of the lack of community consultation;
- Concern that the requirements of the duty to cooperate had not been met;

- Concern that the EBC response detailed at paragraph 11.19 of the report implied an element of bargaining with the Council for example in relation to the Botley by-pass;

In response, the Strategic Director advised:

- With regard to phasing of the link road, it would not be reasonable for the Council to require it to be wholly in place before any occupations took place;
- The County Council as Highway Authority would need to be satisfied by proposals for interim arrangements;
- With regard to the duty to cooperate, this related to fundamental issues between the authorities (such as housing numbers or management of important infrastructure) and was not a duty to agree. On this basis, it was now reasonable to conclude the duty to cooperate had been fulfilled;
- He emphasised that although the Council could not reasonably refuse to safeguard the route of the road on which an EBC development was based, this did not amount to consent.
- Any further changes to the Statement were likely to be very minor in basis and Ward Councillors would be informed.

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

**RESOLVED:**

1. That the Strategic Planning Manager be authorised to sign and submit the Statement of Common Ground set out at Appendix 1 to the Planning Inspector holding the examination of Eastleigh Local Plan.
2. That authority be granted to the Strategic Planning Manager, in consultation with the Cabinet Member for the Built Environment and Wellbeing, to make any minor edits to clarify the Statement of Common Ground as attached, prior to submission to the Inspector.

9. **THE FUTURE OF THE TRAFFIC MANAGEMENT AND CIVIL PARKING ENFORCEMENT AGENCY AGREEMENTS**  
(CAB3173)

Councillor Murphy introduced the report and welcomed the proposal to retain the agency agreements, emphasising the local knowledge of the district held by City Council officers.

At the invitation of the Deputy Leader, Councillors Pearson and Horrill addressed Cabinet as summarised below.

**Councillor Pearson**

- Supported the Council retaining control of the traffic management and civil parking enforcement;

- Concern that additional resources were required within the Parking Team to undertake the necessary enforcement measures, particularly in rural areas.

#### Councillor Horrill

- Important for the Council to retain control of the service, particularly if the County Council was proposing to outsource;
- Disappointed with regard to lack of reference to the Winchester Movement Strategy;
- Potential for significant impacts on Market Towns, for example the proposed removal of the 30 minute free parking.
- Requested that the City Council adopt a tough negotiating stance with the County Council and that further information be provided before a decision to enter into an agency agreement was reached.

In response, the Strategic Director: Services (Interim) and Corporate Head of Regulatory advised that the County Council required a decision by the end of July. Discussions were ongoing with the County Council, including regarding on-street parking charges. Whilst there is a requirement that a county wide resident permit charge of £50 be achieved within 3 years, no timeline for the introduction of on-street charges is set out in the agreement. There would be the opportunity to negotiate further with the County Council.

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

#### RESOLVED:

1. That the City Council enters into new agency agreements with Hampshire County Council in relation to the delivery of traffic management and on-street civil parking enforcement with effect from April 2020.
2. That the Strategic Director: Services (Interim) be delegated to finalise and enter into the agency agreement with Hampshire County Council in relation to the delivery of traffic management and on-street civil parking enforcement with effect from April 2020.

#### 10. **REPLACEMENT GP SURGERY UPDATE (LESS EXEMPT APPENDICES)** (CAB3180)

Councillor Learney introduced the report and welcomed the proposals therein. The new surgery was in a sustainable location and would be built to BREEAM standards. Discussions were advanced with other providers of health services to lease the space allocated for a new pharmacy.

At the invitation of the Deputy Leader, Councillors Miller and Horrill addressed Cabinet in summary they both welcomed the proposals and the sustainable location (in particular, regarding the intention to relocate the bus station) and

congratulated the Officers involved. Councillor Horrill also requested to speak during the exempt session.

Cabinet moved into exempt session to consider the exempt appendices to the Report before returning to open session to agree the resolution set out below.

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

RESOLVED:

1. That the development appraisal set out in Exempt Appendix B of the Report be noted.
2. That the provisionally agreed terms for the letting of the proposed new surgery set out in Exempt Appendix C of the Report be approved and the Corporate Head of Asset Management be authorised to finalise the terms of the agreement and leases.
3. That the development of the Surgery is proceeded with, noting the revised financial implications as set out in Exempt Appendix D of the Report.
4. That an increase to the capital budget and expenditure of £250,000 be approved.
5. That the Service Lead - Legal be authorised to enter into a Building Agreement and Lease with the St Clements Doctors Practice.
6. That the "Pharmacy" space is let for a Health related use; that the Strategic Director: Place be authorised to agree the use in consultation with the Cabinet Member for Housing and Assets and that the terms of any letting are agreed by the Corporate Head of Asset Management.
7. That the Corporate Head of Asset Management be authorised to seek statutory consent for any amendment to the planning consent resulting from the letting referred to in 5 above.
8. That subject to approval of 5 above, the Service Lead - Legal be authorised to enter into a Building Agreement and Lease with a prospective tenant of the "Pharmacy" space and thereafter to complete the lease.
9. That Architecture PLB be retained as architects and Scott White Hookins be retained as Structural engineers to develop the design of the new surgery up to RIBA Stage 4 to facilitate the tendering of the construction work and accordingly a direction to this effect be made under Contracts Procedure Rule 41.1 e and f).

10. That the Corporate Head of Asset Management be authorised to appoint the consultant team required to carry the project forward in accordance with Contracts Procedure Rule 13; to include Project Manager, Cost Consultant, Structural and Mechanical and Electrical Engineers, BREEAM advisers and such other consultants as are necessary from time to time.

11. That the Corporate Head of Asset Management be authorised to select the procurement procedure to be used (including the evaluation model and the selection of any frameworks if appropriate) and to seek tenders for the construction of the property taking account of appropriate advice from Cost Consultants and in compliance with Contract Procedure Rules.

12. That the Corporate Head of Asset Management be authorised to accept tenders received and to appoint and award contracts to enable the works to proceed in accordance with the Contract Procedure Rules following their assessment by the Cost Consultant and subject to the tenderers being able to undertake the works in the required timescale.

#### 11. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

That the list of future items, as set out in the Forward Plan for August 2019, be noted.

#### 12. **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>
13.	Replacement GP Surgery (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)

13. **REPLACEMENT GP SURGERY UPDATE (EXEMPT APPENDICES)**  
(CAB3180 Exempt Appendix B)

Cabinet noted that exempt Appendices B and D had not been notified for inclusion on the agenda within the statutory deadlines. The Deputy Leader therefore agreed to accept these items onto the agenda as matters requiring urgent consideration in order that regard to be had to their content in reaching its decision on the way forward for the replacement surgery.

At the invitation of the Deputy Leader, Councillor Horrill asked a number of detailed questions regarding the proposed finances of the project to which the Corporate Head of Asset Management provided responses.

Cabinet then moved back into open session to agree the report's recommendations (as set out above).

The meeting commenced at 9.30 am and concluded at 11.30 am

Chairman