

Decisions taken by the Cabinet on Wednesday, 22 January 2020

Agenda Item No	Topic	Decision	Reasons	Alternative Options
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Part A – Items considered in public

A8	Housing Revenue Account (HRA) Budget Options 2020/21	<ol style="list-style-type: none"> 1. That the proposed 2020/21 Revenue & Capital Budgets, as set out in Appendices 1,2 & 3 of CAB3216 be noted, taking into account the budget options outlined in section 11.29 of CAB3216. 2. That the Housing Revenue Account forecast for 2019/20 be approved, as outlined in Appendix 1 of CAB3216. 3. That the Housing Capital Programme forecast for 2019/20 be approved, as outlined in Appendix 2 of CAB3216. 	<p>Report CAB3216 provides an update on the Housing Revenue Account (HRA) forecast outturn for 2019/20 for both revenue & capital and sets out a number of options for Members to consider in relation to the HRA budget for 2020/21. The report also provides a longer term 10 year prediction on the HRA financial position, taking into consideration the impact of the new build capital programme and planned maintenance requirement for existing properties.</p>	<p>No other options were considered.</p>
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		<p>4. That the New Build Capital Programme forecast for 2019/20 be approved, as outlined in Appendix 3 of CAB3216.</p> <p>5. That the Housing Revenue Account capital programme funding forecast for 2019/20 be approved, as detailed in Appendix 5 of CAB3216.</p> <p>6. That up to £3m of property acquisitions before March 2020 be approved, as outlined in section 11.42 and Exempt Appendix 6 of CAB3216; a) Delegate to the Service Lead Legal, authority to negotiate and agree Heads of Terms to purchase the</p>		

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		<p>individual properties. b) Delegate to the Service Lead Legal, authority to negotiate, prepare documentation and complete the necessary transactions in accordance within the agreed Heads of Terms for the purchase of the properties identified in Exempt Appendix 6 of Report CAB3216.</p> <p>7. That the sale of 1 Mews Lane, Winchester be approved, as outlined in sections 11.47- 11.48 of the Report CAB3216; a) Delegate to Service Lead Legal, authority to negotiate and agree Heads of Terms for the sale of 1 Mews Lane, Winchester. b) Delegate to the</p>		

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		<p>Service Lead Legal, authority to negotiate, prepare documentation and complete the transactions within the agreed Heads of Terms for the sale of 1 Mews Lane, Winchester.</p>		
A9	Budget Update - Fees and Charges	<ol style="list-style-type: none"> 1. That the local fees and charges for 2020/21 as set out in Appendix 1 of CAB3212 be approved. 2. That River Park Leisure Centre charges as set by the operator in Appendix 2 of CAB3212 are noted. 3. That statutory fees and charges as set out in appendix 3 of CAB3212 are noted and will be increased in line with national guidance if 	<p>The council is facing unprecedented financial pressures over the medium term financial period to 2023/24. Forecast reductions in government funding and unavoidable growth pressures (for example changes in Hampshire recycling arrangements) have contributed towards a deficit forecast of £3.4m per annum by 2023/24 even taking into account operational savings. In order to maintain the current range of services offered by the</p>	<p>Cabinet can choose not to increase fees and charges however this would mean that the charged for services do not cover costs and council tax payers as a whole bear the cost of service. This is not recommended.</p>

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		received.	<p>council it is imperative that fees and charges are reviewed on an annual basis and that full cost recovery is achieved wherever possible.</p> <p>This report sets out the charges made for services by the council and proposes a 3% inflationary increase. Benchmarking has been undertaken particularly where the council offers a service also provided by the private sector to ensure the council offers a market rate.</p>	
A10	Air Quality Action Plan Update	<ol style="list-style-type: none"> 1. That the positive progress made in the delivery of the Air Quality Action Plan be noted. 2. That the ratified 2020 data set is reviewed in due course and if appropriate an application is submitted 	<p>In 2017 the Council adopted an Air Quality Action Plan (the Plan) to address air quality issues in and around the centre of Winchester which had resulted in the designation of an air quality management area.</p> <p>Report CAB3217 explains</p>	<p>The alternative approach would be to not make any changes to the AQMA but this would not represent the current picture of air quality nor show the improvements made due to interventions by the council. This is not recommended.</p>

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		<p>to DEFRA in the spring of 2021 to revoke the current Air Quality Management Area and to submit a new declaration for a significantly reduced Air Quality Management Area.</p>	<p>the good progress being made specifically in relation to delivering the Air Quality Action Plan objective, which focuses on achieving compliance with statutory nitrogen dioxide standards within the designated Air Quality Management Area. It can be shown that air quality in the city is steadily improving in the central area with the exception of a few locations, and the report explains the work carried out to date on the implementation of the core and complimentary measures of the Plan.</p>	<p>The other alternative would be to adopt a two stage approach with a application made in 2020 and 2021. It is considered that although improvements have been made in air quality, a further years work will bring a more substantial improvement and this 'double entry' may not be supported by DEFRA.</p>
A11	Nitrate Neutrality	<p>1. That the Nitrate Neutrality Position Statement at Appendix A of Report CAB3219 be approved and it be recognised that the</p>	<p>In June 2019, Natural England advised that planning permission can only be granted where Local Planning Authorities in the Solent area are satisfied that</p>	<p>The Council could choose not to have a position statement on nitrate neutrality. This would lead to uncertainty and would result in the refusal of applications</p>

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		<p>Nitrate Neutrality Position Statement will form a policy basis for the Statutory Planning Authority in considering planning applications for residential development outside the South Downs National Park within the District with immediate effect.</p> <p>2. That any minor changes to the Nitrate Neutrality Position Statement be delegated to the Service Lead for Built Environment in consultation with the Cabinet Member for Built Environment and Wellbeing.</p> <p>3. That a report be brought to Cabinet in six months up-dating progress</p>	<p>housing proposals can demonstrate nitrate neutrality. As a consequence, the City Council has been unable to grant planning permission for residential development unless the applicant can demonstrate that their scheme will not contribute to the nitrate problem in the Solent which a maritime area under special protection from the EU Habitats Directive.</p> <p>In cases where nitrate neutrality cannot be shown the Council has, by agreement with applicants, tended to hold back from making a decision rather than refusing consent to see if a solution can be found. Nitrogen contained in wastewater generated by housing schemes which is</p>	<p>where the applicant cannot demonstrate nitrate neutrality which would be in contravention of the Habitat Regulations or proposals remaining un-determined. This is an unsatisfactory situation for all the reasons explained above.</p> <p>It is likely many applicants would appeal such a decision and a government appointed appeal inspectors would make the final decisions. It would be for the Council (rather than Natural England or the Environment Agency) to defend these decisions. This could generate a significant workload for the planning team. Appeal decisions in other authorities where this matter has been addressed have been</p>

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		made on the nitrates neutrality issue.	<p>discharged into, or otherwise reaches, the Solent, along with nitrogen from agricultural sources, can lead to “eutrophication” which is a process that causes excessive growth of green algae. This can harm wildlife habitats and bird species.</p> <p>Recent European case law has indicated that Local Planning Authorities need to have regard to, and meet the requirements of, the Habitat Regulations which give effect to the EU Habitats Directive. In a local context, as the ‘Competent Authority,’ the City Council has to undertake an Appropriate Assessment where development proposals for new residential development and overnight accommodation are</p>	dismissed.

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			<p>proposed because of the potential effects on the Solent maritime environment of increased nitrate levels. Planning permission can only be given therefore if a development can achieve a position where it is nitrate neutral. This can be difficult to deliver and has created a situation in the district, and in the wider Solent area, where it has not been possible for consents to be granted for a range of residential schemes with an overnight stay.</p> <p>The Council has therefore prepared a position statement which explains how we propose to deal with applications moving forwards, including pursuing options which can assist developers in demonstrating nitrate neutrality to avoid</p>	

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			<p>harm to the Solent European sites which will enable planning permissions to be granted for most housing schemes. Some other authorities in south Hampshire are adopting similar approaches as summarised in Appendix E of Report CAB3219.</p>	
A12	Car Parks Major Works Programme	<ol style="list-style-type: none"> 1. Subject to Council approval of the Budget and Capital Investment Strategy in February 2020, expenditure of £400,000 for 2020/21 as outlined in Appendix A of Report CAB3213, be approved. 2. That the indicative programme for 2021/22 totalling £811,000 be noted as a basis for planning and preparing 	<p>The purpose of Report CAB3213 is to consider and agree the proposed Car Parks Major Works Programme for 2020/21 and an indicative programme for 2021/22</p> <p>The programme consists of both capital and revenue expenditure and is part of the Council's Asset Management Plan.</p> <p>The Council's Parking Strategy has achieved the</p>	<p>Not investing in Council car parks and their infrastructure may lead to financial loss if car parks are not able to be used or are unattractive to drivers. Losses may also result if accidents occur which generate successful claims against the Council. There is also a risk of reputational damage to the Council, and an adverse impact on the city and market towns' economies, through lack of good quality parking</p>

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		<p>future works.</p> <p>3. That authority to make minor adjustments to the programme, in order to meet maintenance and operational needs of the car park service throughout the year as required, be delegated to the Corporate Head of Regulatory, in consultation with the Corporate Head of Asset Management and Cabinet Member for the Environment.</p>	<p>aim of increasing the use of edge of city centre parking and park and ride with the majority of car parks now operating at or near to full capacity at times of peak demand. The City of Winchester Movement Strategy recognises the importance of parking as a means to help manage traffic movements through the city and, as part of this objective, the need for additional park and ride provision. Parking management is also a tool to support wider traffic management which enables us to address the Climate Emergency.</p> <p>Report CAB3213 also covers progress made on the 2019/20 programme for maintaining and improving parking assets and sets out</p>	<p>provision which help to underpin these locations in terms of meeting business and visitor needs. .</p> <p>The question of whether ANPR (automatic number plate recognition) technology should be introduced more widely when purchasing new or replacement machinery has been considered. , However whilst two of the Council’s barrier controlled car parks have ANPR systems, this can only be used on a limited basis and it is stipulated by the DFT that local authorities may not use ANPR or other camera technology to carry out enforcement in car parks (this is not the case with private operators).</p>

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			<p>additional proposals for maintenance and enhancements of car parks for 2020/21 as well as proposals for digital transformation and customer service improvements for parking services.</p> <p>An update is provided within the report on any works that have still to be delivered or are no longer required as the business needs have changed.</p>	
A13	Tree Works Framework Agreement	That the Strategic Director – Services be authorised to procure, award and enter into a contract to secure the services of tree contractors to undertake works to Winchester City Council owned and managed trees, by means of a Framework Agreement.	To seek approval to procure, award and enter into a 4 year Framework Agreement to undertake tree works on Council owned and managed trees.	<p>Doing nothing or continuing with the current arrangements is not possible due to the need to achieve value for money and to ensure the Council complies with the <i>Public Contract Regulations 2015</i>.</p> <p>There is an option to employ an in-house contractor in line</p>

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				<p>with other Local Authorities such as Southampton. However, this has been rejected as it would require an increase in resources to deliver this work. In addition, this workforce would be less flexible than external contractors and less able to respond to high/peak demand.</p> <p>There is also an option to offer the tender to a single contractor. This has been rejected, as this would limit the Council's ability to provide a highly flexible and responsive service, particularly in times of greatest need. In addition, the use of multiple contractors will ensure that there is a competitive, realistic schedule of rates which is sustainable for the</p>

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				length of the 4 year contract.
A14	Consultation Response to Southampton Airport Expansion Plan	<ol style="list-style-type: none"> 1. That the contents of Report CAB3220 be noted. 2. That the submission of the response of the Cabinet Member for Built Environment and Well Being, attached at Appendix A to Report CAB3220 be agreed, on behalf of Winchester City Council as statutory consultee to the consultation on the planning application at Southampton Airport, Reference F/19/86707, which is to be determined by Eastleigh Borough Council. 	Report CAB3220 sets out Winchester City Council's response (as adjoining Local Planning Authority) to the consultation received from Eastleigh Borough Council for the planning application ref. F/19/86707 to expand Southampton Airport which includes a runway extension and additional car parking provision.	None at this time.