



Meeting	Cabinet
Date and Time	Wednesday, 22nd June, 2022 at 9.30 am.
Venue	Walton Suite, Winchester Guildhall

Note: *This meeting is being held in person at the location specified above. In line with relevant legislation and public health guidance the following arrangements apply. Members of the public should note that a live audio feed of the meeting will be available from the councils website (www.winchester.gov.uk) and the video recording will be publicly available on the council's YouTube channel shortly after the meeting.*

For members of the public and "visiting councillors" who are unable to utilise this facility a limited number of seats will be made available at the above named location however attendance must be notified to the council at least 3 clear working days before the meeting. Please note that priority will be given to those wishing to attend and address the meeting over those wishing to attend and observe.

AGENDA

PROCEDURAL ITEMS

- 1. Apologies**
To record the names of apologies given.
- 2. Membership of Cabinet bodies etc.**
To give consideration to the approval of alternative arrangements for appointments to bodies set up by Cabinet or external bodies, or the making or terminating of such appointments.
- 3. Disclosure of Interests**
To receive any disclosure of interests from Members and Officers in matters to be discussed.
Note: Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests in accordance with legislation and the Council's Code of Conduct.



4. **To note any request from Councillors to make representations on an agenda item.**

Note: Councillors wishing to speak about a particular agenda item are required to register with Democratic Services three clear working days before the meeting (contact: democracy@winchester.gov.uk or 01962 848 264). Councillors will normally be invited by the Chairperson to speak during the appropriate item (after the Cabinet Member's introduction and questions from other Cabinet Members).

BUSINESS ITEMS

5. **Public Participation**

– to note the names of members of the public wishing to speak on general matters affecting the District or on agenda items (in the case of the latter, representations will normally be received at the time of the agenda item, after the Cabinet Member's introduction and any questions from Cabinet Members).

NB members of the public are required to register with Democratic Services three clear working days before the meeting (contact: democracy@winchester.gov.uk or 01962 848 264).

6. **Minutes of the previous meeting held on 24 May 2022.** (Pages 5 - 12)

Members of the public and visiting councillors may speak at Cabinet, provided they have registered to speak three working days in advance. Please contact Democratic Services **by 5pm on Thursday 16 June 2022** via democracy@winchester.gov.uk or (01962) 848 264 to register to speak and for further details.

7. **Leader and Cabinet Members' Announcements**

8. The Homelessness Prevention Grant/Homes for Ukraine Programme - Spending Plan 2022/23 (Pages 13 - 42)

Key Decision (CAB3340)

9. Winchester Business Improvement District ballot 2022 (Pages 43 - 120)

Key Decision (CAB3348)

10. Open space land disposal at Wellington Park, Newlands (Pages 121 - 138)

Key Decision (CAB3346)

11. Members' Equality Diversity and Inclusion Forum (Pages 139 - 150)

(CAB3343)

12. To note the future items for consideration by Cabinet as shown on the July 2022 Forward Plan. (Pages 151 - 156)

Lisa Kirkman
Strategic Director and Monitoring Officer

All of the Council's publicly available agendas, reports and minutes are available to view and download from the Council's [Website](#) and are also open to inspection at the offices of the council. As part of our drive to minimise our use of paper we do not provide paper copies of the full agenda pack at meetings. We do however, provide a number of copies of the agenda front sheet at the meeting which contains the QR Code opposite. Scanning this code enables members of the public to easily access all of the meeting papers on their own electronic device. Please hold your device's camera or QR code App over the QR Code so that it's clearly visible within your screen and you will be redirected to the agenda pack.



14 June 2022

Agenda Contact: Nancy Graham, Senior Democratic Services Officer
Tel: 01962 848 235, Email: ngraham@winchester.gov.uk

**With the exception of exempt items, Agenda, reports and previous minutes are available on the Council's Website www.winchester.gov.uk*

CABINET – Membership 2022/23

Chairperson: Councillor Tod (Leader and Asset Management)

Councillor	- Cabinet Member
Ferguson	- Deputy Leader and Cabinet Member for Community and Housing
Gordon-Smith	- Cabinet Member for Service Quality
Learney	- Cabinet Member for Climate Emergency
Power	- Cabinet Member for Finance and Value
Porter	- Cabinet Member for Place and Local Plan
Thompson	- Cabinet Member for Business and Culture

Quorum = 3 Members

Corporate Priorities:

As Cabinet is responsible for most operational decisions of the Council, its work embraces virtually all elements of the Council Strategy.

Public Participation at meetings

Representations will be limited to a maximum of 3 minutes, subject to a maximum 15 minutes set aside for all questions and answers.

To reserve your place to speak, you are asked to **register with Democratic Services three clear working days prior to the meeting** – please see public participation agenda item below for further details. People will be invited to speak in the order that they have registered, subject to the maximum time period allowed for speaking not being exceeded. Public Participation is at the Chairperson's discretion.

Filming and Broadcast Notification

This meeting will be recorded and broadcast live on the Council's website. The meeting may also be recorded and broadcast by the press and members of the public – please see the Access to Information Procedure Rules within the Council's Constitution for further information, which is available to view on the [Council's website](#).

Disabled Access

Disabled access is normally available, but please phone Democratic Services on 01962 848 264 or email democracy@winchester.gov.uk to ensure that the necessary arrangements are in place.

Terms Of Reference

Included within the Council's Constitution (Part 3, Section 2) which is available [here](#)

CABINET

Tuesday, 24 May 2022

Attendance:

Councillors
Tod (Chairperson)

Ferguson
Gordon-Smith
Learney

Porter
Power
Thompson

Members in attendance who spoke at the meeting

Councillors Horrill and Read

Other members in attendance:

Councillors Kurn, Wallace, Clear and Williams

[Audio and video recording of this meeting](#)

1. **DISCLOSURE OF INTERESTS**

Councillors Tod and Porter both declared personal (but not prejudicial) interests in respect of various agenda items due to their roles as County Councillors.

2. **PUBLIC PARTICIPATION**

Patrick Davies spoke during public participation as summarised briefly below.

Noted the intention to review how major projects were dealt with and emphasised that it was essential that people understood how they could be involved in discussions from the earliest opportunity. Commented that the format and remit of the Winchester Town Forum required further consideration to ensure it played a meaningful role for residents of the Winchester town area. Made a general comment that the information provided on the council's website on various significant projects and matters required updating (for example, the local plan).

3. **MINUTES OF THE PREVIOUS MEETING**

RESOLVED:

That the minutes of the previous meeting held on 9 March 2022 be agreed as a correct record.

4. **THE LEADER TO APPOINT CABINET MEMBERS AND ALLOCATE RESPONSIBILITIES FOR 2022/23**

The Leader expressed his thanks to the previous Leader, Councillor Thompson, together with previous Cabinet Members, Councillors Clear, Cutler and Williams for their work over the previous years.

He announced the following Cabinet Members and responsibilities for 2022/23:

Councillor	Responsibility
Tod	Leader and Cabinet Member for Asset Management
Ferguson	Deputy Leader and Cabinet Member for Community and Housing
Gordon-Smith	Cabinet Member for Service Quality
Learney	Cabinet Member for Climate Emergency
Power	Cabinet Member for Finance and Value
Porter	Cabinet Member for Place and Local Plan
Thompson	Cabinet Member for Business and Culture

5. **LEADER AND CABINET MEMBERS' ANNOUNCEMENTS**

The Leader and Cabinet Members made a number of announcements as summarised briefly below.

The Leader

Announced that a review of the governance and progress of major development projects would be undertaken which would include a focus on early involvement of local people and businesses.

Reported that the work to replace the wall outside Kings Walk with fencing had been completed and emphasised that the improvements were a temporary and interim solution pending proposals to be developed by architects working alongside key groups, including Kings Walk tenants.

Welcomed the opportunity to represent the Council at a recent expert panel meeting arranged as part of the Southampton City of Culture Bid 2025.

Councillor Thompson

Reported on the successful recent first year anniversary event for the Winchester Sport and Leisure Park and thanked Everyone Active and the Council for their work in organising the event.

Councillor Ferguson

Announced that a new weekly hub for Ukrainian refugee families and their hosts to access support and advice would be held in the Guildhall, initially for a four week period.

6. **ANNUAL APPOINTMENTS TO CABINET INFORMAL GROUPS AND FORA
22/23**
(CAB3344 and addendum)

Cabinet noted that nominations for the various appointments had been received prior to the meeting and had been published as an Addendum to the report.

At the invitation of the Leader, Councillors Read and Horrill addressed the meeting as summarised briefly below:

Councillor Read

Requested clarification of the assertion in the report that members of the three development fora were happy to continuing to meeting virtually as he believed no consultation had been undertaken. Highlighted the important role of the West of Waterlooville Forum. Also emphasised the importance of the West of Waterlooville Major Development Joint Planning Committee meeting regularly.

Councillor Horrill

Queried why the appointment of the various Council champions was limited to one councillor per position and suggested it would be more appropriate to appoint more than one champion, where additional interest had been expressed.

In response to Councillor Read, Councillor Porter responded that she was in discussions with the chairman of Newlands Parish Council regarding the points raised. The Service Lead – Built Environment also explained what consultation had been undertaken and feedback received with regard to the development fora continuing as virtual meetings.

The Leader and Cabinet Members responded to the comments made regarding virtual meetings and the selection of Member Champions. The Strategic Director and Monitoring Officer also provided some background information to their suggested appointments.

With regard to the Carbon Neutrality Open Forum, the previously agreed membership comprising solely of the Cabinet Member for Climate Emergency was highlighted. However, the Leader agreed that the two Conservative councillors nominated receive standing invitations to each meeting.

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

RESOLVED:

1. That the following appointments to Fora and other informal groups be made for the 2022/23 Municipal Year:
 - (i) Local Plan Advisory Group – Councillors Porter (Chair), Learney, Tod, Edwards, Evans, Horrill and Read

- (ii) Strategic Asset Purchase Scheme Board
Leader and Cabinet Members with responsibility for Finance; Climate Emergency; Housing; and Business (Councillors Tod, Power, Learney, Ferguson and Thompson)
Finance Manager (Capital & Treasury), Corporate Head of Housing, Corporate Head of Asset Management, Strategic Director: Place and Section 151 Officer – final approver of the purchase.
- (iii) Treasury Investment Group
Cabinet Member with responsibility for Finance (Councillor Power) and Councillor Learney (from Cabinet)
Councillor Cutler (Chair of Audit & Governance Committee)
Councillor Bronk (member of Audit & Governance Committee)
Councillor Miller (Shadow Cabinet Member).
Finance Manager (Capital and Treasury)
(The Section 151 Officer, as final decision maker, would not be a member of the TIG).
- (iv) Kings Barton Forum
Councillors: Cramoysan (Chair), Craske, Batho, Porter, Rutter, Cunningham, Godfrey and Horrill (Deputy: Learney)
- (v) West of Waterlooville Forum –
Councillors: Clear (Chair), Cutler, Read and Brook (Deputies: Evans and Weston)
- (vi) North Whiteley Development Forum –
Councillors: Achwal (Chair), Evans, Small, McLean, Miller and Pearson (Deputy: Fern and Kurn)
- (vii) Winchester Sports and Leisure Park Advisory Board –
Councillors Thompson (Chair), Gordon-Smith, Ferguson, Reach, Edwards and Cook (Deputy: Kurn)
- (viii) Carbon Neutrality Open Forum
Councillors Learney (Chair)

2. That appointments to the Central Winchester Regeneration Open Forum and the Station Approach Open Forum be deferred until a future Cabinet meeting to follow a review of the governance for major projects.

3. That the terms of reference for the Carbon Neutrality Open Forum and Winchester Sport & Leisure Park Advisory Board be approved, as attached as Appendix B and C to the report respectively.

4. That the following roles be appointed to (paragraph 11.7 refers):

- a) Equality, Diversity and Inclusion Member Champion – Councillor Becker; and
- b) Lead Cabinet Member for Equality, Diversity and Inclusion - Councillor Gordon-Smith.

5. That Councillor Tippett-Cooper be appointed as “Sanctuary Champion” (paragraph 11.20(a) refers).

6. That Councillor Green be appointed as “Armed Forces Champion” (paragraph 11.20(b) refers).

7. That the minor changes to the terms of reference in Appendix D and that the development fora continue to meet virtually be agreed.

7. **ANNUAL APPOINTMENTS TO OUTSIDE BODIES 22/23**
(CAB3345 & addendum)

Cabinet noted that a list of nominations received had published as an Addendum to the report.

At the invitation of the Leader, Councillor Horrill addressed the meeting as summarised briefly below:

Thanked the Leader for discussing the appointments prior to the meeting and agreeing not to contest some appointments traditionally held by members of her group. In general, commented that councillors from the Conservative group might have the appropriate background and knowledge to represent the council on external bodies and suggested a different approach to appointments could be examined for future years.

The Leader noted the comments made and advised that some of the appointments to be recommended would be amended to reflect discussions held prior to the meeting.

Cabinet considered the appointments set out in table 4 of the Addendum (where there more nominations put forward than vacancies) and agreed appointments as set out in the resolution below. With regard to Winchester Welfare Charities, it was noted that Councillor Power was stepping down as one of the two trustees.

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

RESOLVED:

1. That the following appointments to external bodies be made for the 2022/23 Municipal Year (unless stated otherwise):

- (a) The Carroll Centre Board of Trustees – Councillor Becker (deputy Councillor Clear) (until May 2025)

- (b) Hampshire & Isle of Wight Association of Local Authorities (HIOWA) – Leader and Deputy Leader (Councillors Tod and Ferguson)
- (c) Hampshire County Council Annual Meeting with Parish & District Councils regarding public transport issues – Cabinet Member with responsibility for Transport (Councillor Learney)
- (d) Hampshire Cultural Trust – Cabinet Member with responsibility for Culture (Councillor Thompson) (Trustee) and Councillor Laming (Observer)
- (e) Hampshire Homechoice Board – Cabinet Member with responsibility for Housing (Councillor Ferguson)
- (f) Hampshire Rural Forum – Cabinet Member with responsibility for the Economy (Councillor Thompson)
- (g) Intergr8 CIC at Unit 12 – Cabinet Member with responsibility for the Economy (Councillor Thompson)
- (h) Local Government Association – Leader and Deputy Leader (Councillors Tod and Ferguson)
- (i) Partnership for South Hampshire (PfSH) Joint Committee – Leader and Deputy Leader (Councillors Tod and Ferguson)
- (j) PATROL (Parking and Traffic Regulations Outside London) Adjudication Joint Committee – Cabinet Member with responsibility for transport/parking – Councillor Learney
- (k) Play to the Crowd (Observer, until May 2025) – Councillor Thompson (as Cabinet Member with responsibility for culture)
- (l) Police and Crime Panel (until May 2025, confirmed annually) – Councillor Power (Councillor Clear)
- (m) Portsmouth Water Customer Forum (until May 2025) – Councillor Brook
- (n) Project Integra Management Board – Cabinet Member with responsibility for Waste (Councillor Learney) plus Councillor Tod (deputy)
- (o) River Hamble Harbour Management Committee (until May 2025, confirmed annually) – Councillor Pearson and Councillor Miller (deputy)
- (p) South East England Councils (SEEC) – Leader and Deputy Leader (Councillors Tod and Ferguson)
- (q) South East Employers – Chair of Audit & Governance Committee (Councillor Cutler)
- (r) South East Employers – Councillors' Local Democracy & Accountability Network – Councillors Cutler & Pearson
- (s) Southampton International Airport Consultative Committee – Cabinet Member with responsibility for Transport (Councillor Learney) plus Councillor Achwal (deputies Councillors Bronk & Cook)
- (t) Streetreach (until May 2025) – Councillor Batho
- (u) Tourism South East – Cabinet Member with responsibility for Tourism (Councillor Thompson)
- (v) Trinity Winchester (until May 2025) – Cabinet Member with responsibility for Housing (Councillor Ferguson), Councillors Clear and Horrill
- (w) WinACC – Cabinet Member with responsibility for Environment (Councillor Learney)

- (x) Winchester Business Improvement District (BID) – Cabinet Member with responsibility for Economy (Councillor Thompson)
- (y) Winchester Charity School Education Foundation (until May 2025) – Councillors Ferguson and Achwal
- (z) Winchester Churches Night Shelter – Cabinet Member with responsibility for Housing (Councillor Ferguson)
- (aa) Winchester District Board of the Council for the Protection of Rural England (CPRE) (until May 2025) – Councillor Pearson
- (bb) Winchester Excavations Committee (Corporate Trustee until May 2025) – Councillor Clear
- (cc) Winchester Housing Trust (until May 2024) – Councillor Ferguson (trustee) and ~~Councillor Westwood (Observer)*~~
- (dd) Winchester Road Safety Council Committee – Councillor Bolton
- (ee) Winchester Sports Stadium Management Committee – Cabinet Member with responsibility for Sport (Councillor Thompson) and Councillor Laming
- (ff) Winchester Welfare Charities– Councillor Achwal (until May 2026) and Councillor McLean (until May 2024)

2. That representatives be reminded of their responsibilities whilst representing the Council on an external organisation, as summarised in Paragraphs 11.6 – 11.9 of the report and in the [Guidance regarding serving on Outside Bodies](#)

**Note: Subsequent to the meeting, it was clarified that the Council is no longer entitled to appoint an Observer to the Trust*

8. **Q3 FINANCE & PERFORMANCE MONITORING** (CAB3339)

Councillor Tod introduced the report noting the progress against council priorities but that it referenced a period ending some months prior.

At the invitation of the Leader, Councillor Horrill addressed the meeting as summarised briefly below.

As Chair of the Performance Panel, provided an overview of the Panel's work and the process undertaken in reviewing the performance monitoring reports.

The Strategic Director & Monitoring Officer explained the reasons for the timing of the report to Cabinet and agreed to examine if it would be possible to reduce the time between the relevant period and date of report, accepting the constraints of the pre-election period.

Councillor Tod drew members' attention to the two recommendations from the Performance Panel which had been endorsed by the Scrutiny Committee for further consideration. These related to request for end of project reports to be continued to be considered by the Performance Panel and that a review be undertaken of the key performance indicators. Cabinet also agreed that future performance monitoring reports include the minutes from the relevant Scrutiny Committee, in addition to the minutes of the Performance Panel.

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

RESOLVED:

1. That the progress achieved during Q3 of 2021/22 be noted the contents of the report CAB3339 be endorsed.

2. That the recommendations of the Performance Panel (as contained as appendix 6 to CAB3339) as endorsed by the Scrutiny Committee held 3 March 2022, regarding the continuation of receipt of “end of project reports” and a review of the key performance indicators be supported.

9. **FUTURE ITEMS FOR CONSIDERATION**

The meeting commenced at 9.30 am and concluded at 10.40 am

Chairperson

CAB3340
CABINET

REPORT TITLE: THE HOMELESSNESS PREVENTION GRANT/HOMES FOR UKRAINE PROGRAMME – SPENDING PLAN 2022/23

22 JUNE 2022

REPORT OF CABINET MEMBER: Cllr Paula Ferguson, Cabinet Member for Community and Housing

Contact Officer: Karen Thorburn Tel No: 01962 848 076 Email kthorburn@winchester.gov.uk

WARD(S): ALL

PURPOSE

The Council has recently had confirmation of two significant grants to support its work on homelessness prevention and the Homes for Ukraine scheme. This report sets out and seeks approval for the proposed spending plans for both schemes.

The Council spends over £660k per annum on Homelessness Prevention from its core General Fund budget and invests more per head of population on this important work than other Hampshire councils. To supplement this work and support the delivery of a key Government priority, the Council has now received the 2022/23 Homeless Prevention Grant (HPG) of £308,247 allocated by the Department for Levelling Up, Housing and Communities (DLUHC). The grant enables local authorities to further control and flexibility in managing homelessness pressures and supporting those who are at risk of homelessness.

In addition, Hampshire County Council has confirmed that a proportion of the central Government allocation per refugee for the Homes for Ukraine scheme will be allocated to district councils to fund housing related services and community support activities for Ukrainian guests. With Winchester hosts welcoming the highest number of guests across Hampshire 459, this will result in a minimum of £740,880 being allocated to the City Council in 2022/23 (this will increase as and when more guests arrive in the area). With demands on council services already increasing, the immediate need to provide direct support to guests as they arrive in the area and the community support hub in Winchester already established, approval for spending proposals is required to help fund this work and to commit the allocation awarded to the Council.

RECOMMENDATIONS:

1. Approve that homelessness prevention grants 2022-23 onwards are funded from the annual homelessness prevention grant award the Council receives from central government.
2. Approve the award of homelessness prevention grants to voluntary and community organisations for 2022-23, as set out in the Officer's report.
3. Approve the spending plan for the Homes for Ukraine Scheme.
4. Delegate authority to the Service lead for Strategic Housing and the Service lead of Communities and Wellbeing in consultation with the Cabinet Member for Community and Housing to be able to amend and extend the spending plan as we respond to the needs and requirements in respect of the Homes for Ukraine Scheme.

IMPLICATIONS:

1 COUNCIL PLAN OUTCOME

- 1.1 Homes for all
- 1.2 Provision of good quality affordable housing options meet the needs of our most vulnerable and socially excluded residents, maximising opportunities to support people out of homelessness.
- 1.3 Vibrant Local Economy
- 1.4 Provision of good quality affordable housing contributes to the local economy and with greater employment opportunities provides a pathway out of poverty and homelessness. To provide equal employment opportunities to the guests we have welcomed on the HFU scheme.
- 1.5 Living Well
- 1.6 The provision of good quality housing is linked to and has a direct impact on wellbeing and health inequalities often faced by those vulnerably housed or homeless. To ensure that the council supports the guest to integrate into our communities be able ensure all our services are accessible.
- 1.7 Your Services, Your Voice
- 1.8 Working with TACT to ensure tenants have a direct say in service priorities and delivery to include tenant led “scrutiny reviews” of Housing services.
- 1.9 Delivering on the Governments White Paper - ensuring residents in social housing are listened to and have account to redress should things go wrong.

2 FINANCIAL IMPLICATIONS

- 2.1 The council’s core general fund budget for Homelessness Prevention services totals £663,000 per annum. This is significantly higher per head of population, than many of our neighbouring authorities, which reflects the Council’s commitment to maintaining its “gold standard” approach to delivering homelessness prevention services.
- 2.2 In addition to the general fund budget, all housing authorities have in recent years been allocated an additional Homelessness Prevention Grant (HPG) to assist with managing homelessness pressures and supporting those who are at risk of homelessness.
- 2.3 The grant for 2022/23 is £308,247. A detailed spending plan which sets out how this full amount will be committed in this financial year is set out in section 13 of this report. The grant determination is set each year and so this is a one off spend for the financial year 2022/23. It should be noted that there

is no guarantee the council will be awarded this level of funding for future years.

- 2.4 HPG awards in the last two years has not been fully committed, partly due to a number of exceptional 'one time only' grants issued by the government. The government funding was awarded to the council to react to Covid-19 pressures regarding homelessness and in-particular rough sleeping initiatives and these funds are unlikely to be reciprocated in 2022/23. Uncommitted funds are held in reserves and currently amount to £426,000
- 2.5 The current HPG reserve and 2021/22 underspend of grant has been earmarked to support;
- A potential reduction in the government's HPG allocation due to a new formula being applied to local authority grant determinations in 2023/24.
 - To prepare for significant funding reductions following the HCC Balancing the Budget consultation and likely cuts to the council's allocation of the social inclusion grant in 2023/24.
 - To commission or match fund local established homelessness services that may lose a percentage of funding through the HCC Balancing the Budget consultation to provide continuity of service.
 - To reevaluate post pandemic service delivery to meet the increasing complex demands associated with homelessness and appropriate provision, such as new Domestic Abuse duties, private sector evictions and associated increase in homelessness due to a cost of living crisis.
- 'One time only' grants include £62,923 to assist private sector housing tenants (vulnerable renter's fund) to support those who have been adversely affected by Covid-19. And Year 4 of Rough Sleepers Initiative (RSI) funding of £132,000.
- 2.6 In addition to its core homelessness prevention services, Housing and Communities teams are facing increasing pressures as a result of the Homes for Ukraine scheme. Until now, no funding has been allocated to support the Council's work. However, in recent weeks, Hampshire County Council has confirmed that a share of the Government funding they have received will be passed to districts to support housing related demands and community support services for Ukrainian guests. The County Council receive £10,500 of Government funding per guest and will pass £1680 of this to districts. HCC has confirmed the City Council's first instalment will be £740,880. This will increase as our number of refugees increase. HCC are holding back 52% of the £10.500 funding for medium and long term support. It is possible that districts may receive a proportion of this 52% going forward.
- 2.7 As the Council is facing immediate pressures to help support the resettlement and integration of Ukrainian guests into the local community, a detailed

spending plan for committing this additional money is also included in this report. However, some flexibility is required to allow officers to vary the specific proposals in light of emerging needs and therefore delegated authority is sought to permit this, subject to consultation with the Cabinet member for Community and Housing.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 The council holds a statutory homelessness duty under the Homelessness Reduction Act 2017. The legislation places a duty on the council so that everyone who is homeless or at risk of homelessness has access to meaningful help as long as they are eligible for such assistance. Councils must try to prevent people from becoming homeless in the first place.
- 3.2 The recommendations in this report implement an accurate implementation of this statutory duty. The proposals outlined in the report for expenditure of this grant funding are all either compliant with the Public Contracts Regulations 2015 (contracts) or are permitted under the subsidy control regime (grants). Ongoing legal support will be provided, as required, in relation to the expenditure of this grant.

4 WORKFORCE IMPLICATIONS

- 5 To be resourced within the existing staff structure and through partnership working opportunities with voluntary sector and statutory partners sharing staffing resources and grant funding through the government's Preventing Homelessness Grant and council core grants programme.
- 5.1 Delivering the programme as set out in this report relies on an additional staff resource. It is proposed that two additional posts are funded directly from the HPG grant as set out in section 12.20.
- 5.2 Additional staffing and community resources will be required in order to implement the HFU spending plan.

6 PROPERTY AND ASSET IMPLICATIONS

- 6.1 Recommendations within the report have no immediate impact on council property and assets.

7 CONSULTATION AND COMMUNICATION

- 7.1 Consultation with local voluntary and housing partners took place on the proposed Preventing Homelessness Grant spending plan through the homelessness pathway group.
- 7.2 The front line Housing Options team were consulted and provided input regarding service delivery gaps and identified future spending needs.

- 7.3 Consultation through a spending review workshop was held with the Portfolio Holder for Housing and Asset Management and the Corporate Head of Housing, for both spending plans.
- 7.4 Consultation with a partnering local authority acting as a critical friend to provide challenge and advice on the spending plan initiatives and projects.
- 7.5 The spending plan presented and discussed at BHP Committee on the 01 March 2022, and was well received by the committee. The committee provided comments regarding the approach, details of the proposed spending plan and the proposals for managing the reserve. The committee were positive and supportive of the new services/projects in the proposed plan. The committee recommended a full briefing on the projects later in the year.
- 7.6 The Hampshire Strategic Housing Officer Group (SHOG) worked in partnership with lead agencies on the HFU scheme to recommend an allocation proposal in respect of the £10,500 per refugee funds to enable the districts to fulfil their statutory homeless duties, full housing needs assessment and community support. The proportion of funds being distributed to the districts has taken this into consideration.
- 7.7 With the confirmation of the HFU scheme allocation only just being announced and because of the urgent need to respond to increasing demands for support, it has not been possible to consult on the spending plan proposals set out in this report. It is important that the proposals is kept under review and can be amended in light of experience. Further information on progress with this scheme will be reported to members in the next six months.

8 ENVIRONMENTAL CONSIDERATIONS

- 8.1 Improved city centre environment through reduced street homelessness and associated street activity by offering sustainable housing provision and support, quality housing options, outreach and community support.

9 EQUALITY IMPACT ASSESSEMENT

- 9.1 An Equality Impact assessment has been completed to assess the Impact of this decision. The Impact assessment as found at Appendix 1 which concluded that discrimination against homeless people is acts of treating people, or people perceived to be homeless unfavourably. In respect to community integration and access to services, consideration is given to the spending plan and its initiatives which seeks to mitigate such impacts and discrimination.
- 9.2 Cabinet should refer to the equality impact assessment at Appendix 1. Overall, the proposed decision is considered to contribute towards advancing equality of opportunity in particular due to on persons with protected characteristics

10 PUBLIC SECTOR EQUALITY DUTY

10.1 Under s149 (1) of the Equality Act the council must have due regard, in the exercise of its functions, (and Cabinet must, as the decision maker in respect of the proposed decision, have due regard) to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act.
- b) Advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share them.
- c) Foster good relations between persons who share relevant protected characteristics and persons who do not share them.

11 DATA PROTECTION IMPACT ASSESSMENT

11.1 Any subsequent change to council service delivery and policy will undergo a Data protection Impact Assessment with service privacy statements reviewed.

12 RISK MANAGEMENT

Risk	Mitigation	Opportunities
Financial –. Risk of not committing resources in line with spending plan	Core duties met from General Fund budget. Grant used to enhance and improve service provision	Increasing and promoting earlier intervention and homelessness prevention services. Exploring alternative and discretionary housing options. An opportunity to offer enhanced and wider community support to the most excluded and vulnerable residents.
Risk of Govt not continuing HPG funding in future years.	All proposals set out in report are “one-off” or fixed term and create no long-term liability on the General Fund Budget monitoring and reviews. SLA with partner agencies	
Risk of HFU monies being insufficient to meet needs of hosts and guests	County wide Finance group and HCC keeping demand under review	

Additional costs to Homelessness services if Homes for Ukraine scheme results in increased breakdown of host arrangements	Specific provision in HFU scheme spending plan to set aside resources to cover accommodation costs resulting in breakdown of host arrangements	
Exposure to challenge	Compliance with the council's Preventing Homelessness duties is a legislative statutory duty.	
Innovation – Opportunities for the council to work in partnership with statutory and voluntary partners on joint preventing homelessness initiatives above its statutory duties.		Opportunity to positively enhance the council's reputation through discretionary and joint preventing homelessness initiatives and projects funded through the HPG spending plan.
Reputation- Risk of failing to deliver the councils statutory preventing homelessness duties.	Prevent and relief homelessness duties implemented at the earliest opportunity.	Opportunity to positively enhance the council's reputation by reducing homelessness and increasing alternative housing options. Good news stories publicly opportunities
Risk of failing to adequately support the needs of HFU hosts/guests	Community hub established with funds to extend if needed	
Achievement of outcome- Meeting homelessness statutory duties. Making best use of the governments Preventing Homelessness Grant. Demonstrating best practice service delivery	Government statistical returns. Budget monitoring and reviews. SLA with partner agencies.	Opportunity to positively enhance the council's reputation through discretionary and joint preventing homelessness initiatives and projects funded through the PHG spending plan.

through partnership working and discretionary grant funding.		
Risk of the Homes for Ukraine spending Plan not addressing customer and service needs	Delegated authority to amend the plan in light of experience is sought in the recommendations	Additional resource has been retained by HCC pending assessment of long term need

13 SUPPORTING INFORMATION:

PART 1: Homelessness Prevention Grant spending plan 2022/23

13.1 **Background**

13.2 The 2022/23 Homelessness Prevention Grant (HPG) of £308,247 as awarded by the Department of Levelling Up, Housing and Communities (DLUHC) is to enable local authorities to have control and flexibility in managing homelessness pressures and to support those who are at risk of homelessness.

13.3 It is recognised that the council cannot prevent or solve homelessness alone. As such the homelessness prevention spending plans sets out areas of spend that best support partnership working opportunities whilst underpinning the council's statutory housing responsibilities to ensure preventative initiatives are central to service delivery.

13.4 The HPG is the primary central government funding stream to assist the council and wider community in delivering their homeless services. The grant is ring fenced to ensure local authorities are fully resourced to take action to prevent homelessness and to continue to embed the changes required through implementation of the Homelessness Reduction Act (2017)

13.5 The purpose of the HPG grant is to;

- Support the council to continue to meet its legislative duties under the Homelessness Reduction Act 2017.
- To prevent and end rough sleeping by increasing activities to prevent single household homelessness.
- Reduce the number of families living in temporary accommodation by maximising family homeless prevention opportunities.
- To reduce the use of bed and breakfast and emergency accommodation for families providing more stable interim housing opportunities.

- 13.6 The government has significantly increased homelessness grant funding over the past two years to enable local authorities to respond to the changing complex nature of homeless with focus on reducing rough sleeping and to help meet the challenges and positive changes in practice identified during the pandemic.
- 13.7 Whilst the HPG is the primary source of central government funding to meet the objectives set out in 13.5 and supports projects and initiatives, the council does receive other funding streams to support wider service provision to prevent homelessness and rough sleeping. Over the past 4 years the council has been successful in bidding for Rough Sleepers Initiative (RSI) funding which has previously or continues to support the complex needs navigators, emergency accommodation placements, severe weather emergency protocol and implementing 'Housing First'
- 13.8 The current HCC commissioning grant for homelessness support services in Winchester totals £407,000 per annum with supporting agency contracts in place until 2023/24. The HCC grant supports the most vulnerable single household clients with complex needs across 52 homelessness beds, with a small contribution towards outreach services targeted at people rough sleeping. However, the grant funding allocated to the Winchester district is proposed to significantly reduce in 2023/24, as part of HCC Balancing the Budget consultation. The spending plan and decisions within this report takes account of the potential HCC cuts to local homelessness services.

Proposed Spending Plan

Homeless Prevention Activity	Proposed Spend
Social Inclusion Grant to HCC	£50,000
Flexible Prevention and Rent Deposit Fund	£40,000
SWEP and Cold Weather Placements	£20,000
Young Persons Emergency Beds	£10,000
The Beacon	£10,000
Mental Health Step Out Pathway	£50,000
Homelessness Out of Hours Provision	£10,000
Enhanced Outreach Service	£20,000
Personalised Budget for Outreach Provision	£10,000
City of Sanctuary	£15,000
Staffing resource (Fixed term contracts)	£72,672
Total	£307,672

- 13.9 The council's Homelessness Prevention Grant spending plan for 2022/23 focuses on change and building on positive housing sector initiatives, practices and partnership working. The spending plan also supports service recovery plans and meet the objectives of the Preventing Homelessness and Rough Sleepers Strategy 2019-2024.

- 13.10 The introduction of the HRA 2017 which was enacted in April 2018 significantly changed the council's homeless statutory duties and administrative burdens. The council now has a statutory duty to prevent homelessness which is blind to priority need and local connection. The Government acknowledged that these new duties were unlikely to be delivered from existing funding sources and as such the allocation of the HPG to the council was significantly increased. If the HPG is not spent on initiatives to prevent homelessness, funds would have to be found from an alternative source or the council would be at risk of not being able to fulfil its statutory duties.
- 13.11 **Social Inclusion Grant.** The council currently co-commission with Hampshire County Council (HCC) accommodation and support for the most complex single homeless households. A contribution of £50,000 secured from the HPG will help support the provision of 29 units of accommodation at West View House and 13 units of accommodation at Sussex Street. HCC's contract has been extended to March 2023 and the joint commission of services ensures that suitable accommodation is available to prevent people from rough sleeping by targeting support to the most excluded and in need. **Proposed spending budget of £50,000**
- 13.12 **Flexible Prevention and Rent Deposit Fund.** A flexible prevention and rent deposit fund of £40,000 to allow front line Housing Options Officers to prevent and relieve homelessness through spend to save initiatives. Including securing accommodation in the private rented sector to cover rent in advance, deposits and security bonds. The fund offers financial help to prevent homelessness through eviction, assisting with court costs to secure a stay of eviction and help to clear current or historic rent arrears or other debts, acting as a barrier to securing and sustaining accommodation. The fund is critical to prevent vulnerable households seeking high interest loans from loan sharks placing them further into poverty and homelessness.
- The fund will also be used to reduce digital exclusion. The link between poverty and digital exclusion means the poorest and most vulnerable are less likely to be online preventing them to digitally connect with benefit, employment and health services. Officers will be able us the fund to purchase basic mobile devices and/or help with Wi-Fi charges. **Proposed spending budget of £40,000**
- 13.13 **Severe Weather Emergency Provision (SWEP) and Emergency Cold Weather Payments.** The council has a responsibility to deliver SWEP to ensure safe emergency accommodation is available to anyone sleeping rough during periods of extreme cold or hot weather. The COVID-19 government advice to local authorities is that shared accommodation spaces are no longer suitable as SWEP and expect councils to provide self-contained emergency accommodation. The council works in partnership with Trinity Winchester and Two Saints who offer emergency placements and support within their housing provision to assist the council to meet its SWEP duties. The council offers financial assistance to meet the costs incurred by of both agencies, should

demand increase the council may also need to make use of hotel or other accommodation to meet its housing duties. A budget of £20,000 is suggested to cover SWEP costs. **Proposed spending budget of £20,000**

- 13.14 **Young Persons Emergency Beds.** To continue to fund 2 emergency beds with high level support for local homeless young persons aged 16-21 years that are accommodated at A2 Dominion supported housing project commissioned by HCC. **Proposed spending budget of £10,000**
- 13.15 **The Beacon Winchester.** To cover void costs incurred by The Beacon Winchester when homeless clients referred by the council fail to attend. Funding the loss of revenue incurred by The Beacon Winchester provides the financial security to allow them to hold the vacancy for a limited time and to continue to prioritise council referrals above other agency referrals. The fund helps to support local homeless people out of rough sleeping. **Proposed spending budget of £10,000**
- 13.16 **Mental Health Step Out Pathway.** There has been an increase in people accessing mental health services during the pandemic. Households who leave mental health in-patient services are more at risk of being placed in unsuitable accommodation on discharge increasing demand on statutory services. Households with complex mental health needs are also at a higher risk of losing their home. Identifying and securing suitable housing pathways is identified as a significant enabler for successful discharges and sustainment of tenancies.
- The mental health step out pathway is a specialist area of work for the housing options team to undertake and the HPG allows an opportunity to trial a secondment with a dedicated Mental Health Practitioner to bridge the knowledge and skill gap between homelessness services and mental health services. Providing an in house specialist resource to direct mental health assessments and coordinated support for a complex caseload of service user's unable to move on from the council's temporary accommodation. The post will support those rough sleeping who present for assistance with undiagnosed or crisis mental health issues. The post will work in partnership with the Community Mental Health Team to meet joint homelessness outcomes. **Proposed spending budget of £50,000.**
- 13.17 **Homelessness Out of Hours Provision:** The council has a statutory duty to provide a comprehensive homeless service that requires members of the team providing a homelessness duty service on evenings, weekends and bank holidays throughout the year. The associated cost for the out of hour's service standby rates is £10,000 per annum. **Proposed spending budget of £10,000**
- 13.18 **Enhanced Outreach Service:** Gaps have been identified in the current outreach service to help people out of rough sleeping. An enhanced outreach service will include working evening and weekend shifts and include support across the wider Winchester district. This builds on the outreach work that is already being carried out in the week. The council will work in partnership with

Winchester Trinity and The Beacon Winchester to scope objectives and requirements to provide an enhanced outreach service with joint identified outcomes to prevent rough sleeping. **Proposed spending budget £20,000**

- 13.19 **Agencies Personalised Housing Budget.** To provide Winchester Trinity and The Beacon Winchester with a small grant of £5,000 each to fund non statutory interventions that prevent homelessness and help to reconnect households to their home area. **Proposed Spending Budget £10,000**
- 13.20 **City of Sanctuary.** To continue the council's commitment for Winchester to be a City of Sanctuary, enabling households who are fleeing violence and/or persecution to settle and remain in the district, creating sustainable communities. Working in partnership with key charities, community groups and other support organisations to support the building of cohesive communities that welcome households seeking sanctuary to make their home in Winchester. **Proposed Spending Budget £15,000**
- 13.21 **Staffing Resources.** To continue to employ, on fixed term contracts, a front line Housing Options Officer and Strategic Housing Support Officer paid through the homelessness grant to manage the increased burdens and the council's responsibilities under the Homelessness Reduction Act 2017 and the Domestic Abuse Act 2021. The additional resource provides the staffing resilience to meet the council's statutory preventative homelessness duties. **Proposed spending budget of £72,672**

14 OTHER OPTIONS CONSIDERED AND REJECTED

- 14.1 The option of not committing the grant for the whole year is rejected as it would significantly reduce early intervention and preventative homelessness work due to a short term commitment of funding. With a potential to increase costly statutory duties to accommodate homeless households when councils are required to prevent people from becoming homeless in the first place.
- 14.2 The option of retaining the HPG grant to balance the general fund or to underpin the core homelessness service is rejected as not sustainable as the government grant is not guaranteed and is awarded on a yearly basis.

PART 2: Homes for Ukraine Scheme spending plan 2022/23

15 **Background**

- 15.1 In March 2022 the Government launched the Homes for Ukraine Scheme. This scheme enables families to open up their homes to families fleeing the war in Ukraine. Since the scheme was launched there have been 933 expressions of interest from families to host in Winchester and as of 23.05.22, 201 hosts have been matched to Ukrainian families, with 73 families already settled in Winchester. Winchester has the highest number of host families in Hampshire and is in the top ten across the country. Ukrainian Families are eligible to access public funds for 3 years, this means they can apply for benefits, work and apply for social housing.

- 15.2 The Government guidance is very clear that from 6 months of the family settling with their host, it is for the host and the Local Authority to support the family into their own accommodation if they are unable to or do not wish to return to Ukraine.
- 15.3 This increases the caseload and pressures on the housing team significantly. Based on the data of 23.05.22, this would mean an additional 200+ families requiring the council's support into independent accommodation or possible homeless applications if suitable accommodation can't be secured. The numbers are likely to increase as many hosts haven't completed their application process yet or been matched to a Ukrainian Family.
- 15.4 The Government has funded each refugee £10,500 to support their resettlement and integration into this country. The Strategic Housing Officers group put a proposal together to HCC to request a proportion of this funding to enable to employ more case officers to complete housing needs assessment & personalised housing plans, provide tailored support and fundamentally prevent homelessness. Guidance also stipulates that the council's statutory homelessness costs are to be drawn down from this funding.
- 15.5 HCC have agreed with the districts that each district will initially receive £1,680 per refugee. HCC have confirmed our first instalment will be £740,880. This will increase as our number of refugees increase. HCC are holding back 52% of the £10,500 funding for medium and long term support. It is possible that districts may receive a proportion of this 52% going forward.

16 **Overall Proposal**

- 16.1 Outlined below is a proposal of how Strategic Housing and Communities, with the wider support of the WCC Ukrainian project team and officers will plan for the possible increase in homeless presentations to WCC and to be able to support the host and family, find move on accommodation and integrate the family into Winchester's community.
- a) The host is required to house the family for a minimum of 6 months and if possible, up to 12 months. The host will be paid £350 a month as a 'thank you' payment. The host receives one payment regardless of how many families they are hosting. The payments are administered by HCC and the first payment will be administered by the end of May 2022. The payments will cease after the 12th month
 - b) If the relationship between the host family and the Ukrainian family breaks down, and the Ukrainian family are rendered homeless, the Local Authorities statutory homeless duties are instigated.
 - c) Department of Levelling up, Housing and Communities are collating data fortnightly from LA's and have confirmed that they are forecasting that 30-40% of host arrangements will breakdown.

New guidance has been released regarding local connection and suitability of accommodation. Based on a 30-40% break down in relationships, this could mean 80 plus presentations to the housing options team based on current data, this could increase. The housing options officers already have caseloads of the recommended amount. The housing options team are also preparing for an increase in caseload due to the cost of living crisis and the lifting of evictions after the pandemic.

- d) It may be possible to prevent homelessness if we can use some of the funding to resolve with the core issues that might result in the relationship with the host breaking down.
- e) The re-matching guidance has been released and a family can only be re-matched if the host has failed their DBS check or there is a safeguarding concern, this makes it more difficult for the council to swap families and hosts to primarily prevent homelessness.
- f) Based on current data, they will be over 200 families looking to find alternative accommodation either via the housing register (Hampshire home choice) or into the private rented sector. There is already a shortage of affordable accommodation within the district, they may need assistance with bonds and deposits to secure alternative accommodation.
- g) All 11 districts have been awarded funding to assist with homeless prevention duties and to employ specialist housing case officers, therefore it is proposed we recruit officers to support the concerns outlined above. All 11 districts will be sourcing similar roles to support this programme of work and therefore this poses a recruitment challenge
- h) Communication can be a barrier. Many Ukrainians have limited English, an average housing options interview based on those we have conducted is taking 3 hours. This is a potential cost of £180 per interview. This may change as we build up a bank of translators and the families might find friends to assist them.

SPENDING PLAN

1. To employ 3 case officers, 1 being a Housing Options Officer (Ukrainian lead) and 2 'Homes for Ukrainian Resettlement Officers'. The HOO will report into the Housing Options Manager and the HOO will line manage the resettlement officers. Their main duties would be to;
 - Visit all the Ukrainian families to ascertain the sustainability of the accommodation, support needs of the host and family and devise a support

plan (this will enable us to identify who is most at risk of homelessness and try and prevent this) 60% of our hosts are in the parishes and the families may not have access to transport and therefore home visits are essential

- To complete a full housing needs assessment for each Ukrainian family and complete the personalise housing plans
- Work with the family and host to find alternative move on accommodation in the private rented sector, inclusive of liaising with private landlords, keeping a register of prospective private landlords, conducting affordability assessments and assisting with bonds and deposits.
- Assist the family in applying to Hampshire Home Choice, liaising with the allocations team, assist with bidding where required.
- The HOO will also make any homeless decisions that are required, along with attending partnering Ukrainian meetings, completing government data returns, operational lead with HCC, signing off temporary accommodation placements
- Signposting and supporting the families to other support such as employment and benefits.
- Participating in any events/hubs that the council or partnering organisations organise that relate to the Ukrainian refugee's
- Partnership working with all relevant partners
- Work closely with the communities team to identify support needs and map out future services

3 officers are based on a case load of 25 each, 73 families have arrived already, as of 23 May, so we already have a backlog of 73 families that we need to assess and visit. **Proposed amount £120,000.**

Going forward we need to plan corporately if the numbers increase, how and at what point we review staffing levels and pressures. Our allocation of funding will increase as numbers of guests increase.

2. To prepare for an increase in homeless presentations and the possibility of having to use emergency accommodation placements. Basing the assessment on the possibility of a 40% break down of relationship between host and guest, based on current data that 80 families may be rendered homeless and need emergency accommodation for a period of six weeks.

With emergency accommodation costing an average of £100per night in Winchester that equates to £4,900 per family for six weeks, (average size family is 2). **Proposed amount of £392,000.**

The guidance regarding funding states that the £10,500 for each refugee has to cover any costs accrued due to homelessness. If the funding isn't used for this purpose, then the costs will have to be sourced from alternative budgets The Budget for Emergency accommodation from the General Fund is only £5,000 and could not sustain this increase in emergency accommodation costs.

If the funding isn't required for emergency accommodation it can be redirected to other identified needs such as community integration and long term housing needs.

3. To fund a translation service (based on 23 May data):

Based on 201 families needing translation, average of 3 hours per family, £180 x 201. **Proposed amount £37,000**

4. Access to a homeless flexible prevention fund to assist the host and Ukrainian refugee to sustain their current accommodation. This will allow the officers to prevent and relieve homelessness through spend to save initiatives. **Proposed amount £50,000**
5. For the staff to access specialist mental health support for supervision, wellbeing and reflective practice. It is acknowledged that the Ukrainian's have suffered severe trauma and maybe witnessed war crimes. The Ukrainian's may talk to the staff and the staff need support and a safe place to be able to process this. Possibility of exploring trauma informed war crimes/refugee training for the relevant staff. Possibility of co-funding the mental health practitioner that is being seconded in from the Southern health and purchasing bespoke training
Proposed amount £10,000

Community Support and integration

A proportion of this funding will be spent on supporting the guests to integrate into Winchester's community across the district. As we identify future needs, this will enable the council to procure bespoke services to support the guests and hosts. The resettlement officers will be key in identifying the fundamental support needs in their assessments and liaising with the community's team to decide how best to deliver these.

The Communities team have initially identified the need for a Ukrainian Community Liaison officer to work 10 hours a week to facilitate the Community Hub and liaise between all the networks that are supporting the Ukrainian guests. The post will also help to develop and ascertain future support needs.

In order to provide integration support in the district for our Ukrainian guests we require the recruitment of one Ukrainian Community Engagement Officer (Ukrainian speaking).

The officer's primary role will be to ensure accessibility to council and other critical services via the provision of a support hub (centrally and at other locations within the district for example in our market towns). Ensuring that families can access community organisations and agencies who can provide longer term assistance and transitioning to independence.

The role will also be required to work across the district engaging with a range of stakeholders: businesses, voluntary organisations, parish councils etc to organise activities/drop-ins/social events for integration in order to provide our guests with maximum exposure to social interaction with local groups. The officer will work with our Economy team in order strengthen and create links to local employers in order to raise awareness of employment opportunities within the district.

The officer will also be required to work alongside the housing team in order to maximise the guests support and smooth transition including their independence in the district.

It is proposed to recruit a part time administrator to support both Housing and Communities team to collate and administer data and performance information, to monitor activity and budget commitments and to prepare regular reports to support future review and decision making

Summary of Spending Plan

Activity	Spend
Recruits 3 FTE housing option/resettlement officers on a 12 month contract	£120,000
Emergency Accommodation costs	£392,000
Translation Costs	£37,000
Homeless Prevention Fund	£50,000
Mental health wellbeing support and training for staff	£10,000
Recruit temporary Liaison Officer for the support hub – June 2022 (initial 4 week period with the provision to extend for another 6 weeks until the permanent post is established)	£8,000
Recruits 1 FTE officer on a 12 month contract	£45,000
Translation costs (materials)	£2,000
Interpretation costs	£10,000
Central hub x 12	£7,000
Outreach hub (in 5 locations)	£7,000
Community integration and cultural district events	£10,000
CVS voluntary sector community support work	£10,000
Recruit 0.6 .06 FTE officer on a 12 month contract	£19,000
Total	£727,000

17 OTHER OPTIONS CONSIDERED AND REJECTED

- 18 This is an urgent response to the war in Ukraine and the council needs to retain flexibility on how the funding is allocated to be able to respond to change in need.
- 19 Consideration has been given to commissioning of services / activities however, given the urgency and nature of the provision we feel that there isn't the timeframe to undertake this within the timescales.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

[BHP004, PREEVNTING HOMELESSNESS & ROUGH SLEEPING STRATEGY & ACTION PLAN 18 JUNE 2019](#)

[BHP019 HRA WELFARE FUND AND HOMELESSNESS PREVENTING GRANT SPENDING PLANS 22 June 2021.](#)

Other Background Documents:-

None

APPENDICES:

Appendix 1- Equality Impact Assessment

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Winchester City Council

Equality Impact Assessment

Section 1 - Data Checklist

When undertaking your Equality Impact Assessment for your policy or project, it is important that you take into consideration everything which is associated with the policy or project that is being assessed.

The checklist below is to help you sense check your policy or project before you move to Section 2.

		Yes/No	Please provide details
1	Have there been any complaints data related to the policy or project you are looking to implement?	No	We haven't received any complaints regarding how the council has spent the grant previously
2	Have all officers who will be responsible for implementing the policy or project been consulted, and given the opportunity to raise concerns about the way the policy or function has or will be implemented?	Yes	Yes, officers were consulted at the housing options meeting. Elected members were consulted at the Business Housing and Policy committee Partners involved in delivering the interventions were consulted at the regular partner pathway meetings
3	Have previous consultations highlighted any concerns about the policy or project from an equality impact perspective?	No	No, this spending review is inclusive to anyone threatened with homelessness, homeless or a history of rough sleeping. The projects and outlined in the paper are more inclusive than previous years
4	Do you have any concerns regarding the implementation of this policy or project? <i>(ie. Have you completed a self assessment and action plan for the implementation of your policy or project?)</i>	No	Action Plan included in the paper
5	Does any accessible data regarding the area which your work will address identify any areas of concern or potential problems which may impact	No	It will support anyone who is homeless, threatened with homelessness or rough sleeping regardless of their protective characteristics

	on your policy or project?		
6	Do you have any past experience delivering similar policies or projects which may inform the implementation of your scheme from an equality impact point of view?	Yes	This is a yearly spending plan &review on how the local authority will spend of the annual Homeless Prevention Grant, which is allocated form the. The service has years of experience working with government grants. Housing Options Service are very experienced in managing grant allocations form central government and local government. Service Lead has experience at both district and county level.
7	Are there any other issues that you think will be relevant?	No	

Section 2 - Your Equality Impact Assessment form

Directorate:	Your Service Area:	Team:	Officer responsible for this assessment:	Date of assessment:
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	Question	Please provide details
1	What is the name of the policy or project that is being assessed?	Homeless Prevention Grant Spending Plan 2022/23
2	Is this a new or existing policy?	No, this is an annual spending plan
3	Briefly describe the aim and purpose of this work.	<p>The 2022/23 Homelessness Prevention Grant (HPG) of £308,247 as awarded by the Department of Levelling Up, Housing and Communities (DLUHC) is to enable local authorities to have control and flexibility in managing homelessness pressures and to support those who are at risk of homelessness.</p> <p>It is recognised that the council cannot prevent or solve homelessness alone. As such the homelessness prevention spending plans sets out areas of spend that best support partnership working opportunities whilst underpinning the council's statutory housing responsibilities to ensure preventative initiatives are central to service delivery.</p> <p>The HPG is the primary central government funding stream to assist the council and wider community in delivering their</p>

		homeless services. The grant is ring fenced to ensure local authorities are fully resourced to take action to prevent homelessness and to continue to embed the changes required through implementation of the Homelessness
4	What are the associated objectives of this work?	<p>Support the council to continue to meet its legislative duties under the Homelessness Reduction Act 2017.</p> <p>To prevent and end rough sleeping by increasing activities to prevent single household homelessness.</p> <p>Reduce the number of families living in temporary accommodation by maximising family homeless prevention opportunities.</p> <p>To reduce the use of bed and breakfast and emergency accommodation for families providing more stable interim housing opportunities.</p>
5	Who is intended to benefit from this work and in what way?	All residents of the Winchester District who are threatened with homelessness, homeless, history of or are rough sleeping or seeking general housing advice.
6	What are the outcomes sought from this work?	To prevent homelessness reduce the risk of homelessness and eradicate rough sleeping for residents of Winchester.
7	What factors/forces could contribute or detract from the outcomes?	External factors outside the control of the council could affect the outcome and delivery of the plan due to having to respond to factor such as the cost of living, consequences of the lifting of evictions after the pandemic, the war in Ukraine or the possibility of the closure of one of the partnering organisations that are delivering an intervention.
8	Who are the key individuals and organisations responsible for the implementation of this work?	Strategic Housing Service, Hampshire County Council, NHS England, Mental Health Services, Registered providers,

		Private Landlords, The Beacon, Trinity and other organisations in the voluntary sector.
9	Who implements the policy or project and who or what is responsible for it?	Strategic Housing Service, Winchester City Council.

		Please select your answer in bold . Please provide detail here.		
10a	Could the policy or project have the potential to affect individuals or communities on the basis of race differently in a negative way?	Y	N	No-each intervention is available of any resident of WCC who is threatened with or homeless, accessible at free of point of delivery.
10b	What existing evidence (either presumed or otherwise) do you have for this?	<p>WCC Census (2011) 91.8% residents are White British, in 2021, 90% of Housing options customers were White British so other race groups would have been higher represented ensuring these ethnic groups are not negatively affected by the service.</p> <p>The council has participated in the Afghanistan and Ukrainian resettlement scheme, delivering a bespoke service in additional to our statutory and prevention services provided to all residents</p>		
11a	Could the policy or project have the potential to affect individuals or communities on the basis of sex differently in a negative way?	Y	N	No-each intervention is available of any resident of WCC who is threatened with or homeless, accessible at free of point of delivery
11b	What existing evidence (either presumed or otherwise) do you have for this?	<p>The latest data from our Homeless system show;</p> <p>32% male (single or with children)</p> <p>36% female (single or with children)</p> <p>32% couples with children</p> <p>Even balance between single person or headed household</p>		

		and those in a couple (not necessarily married), no data to compare this to however, no disparity and services available to all these groups.		
12a	<p>Could the policy or project have the potential to affect individuals or communities on the basis of disability differently in a negative way?</p> <p><i>(you may wish to consider:</i></p> <ul style="list-style-type: none"> • <i>Physical access</i> • <i>Format of information</i> • <i>Time of interview or consultation event</i> • <i>Personal assistance</i> • <i>Interpreter</i> • <i>Induction loop system</i> • <i>Independent living equipment</i> • <i>Content of interview)</i> 	Y	N	<p>Trinity/Beacon/Westview have disabled access to accommodation, they are key partners in delivering the interventions outlined in the spending plan.</p> <p>Our partnering agencies have their own equality polices</p> <p>All staff have access to translation services, such as Big Word/Language Line</p> <p>Induction loop System is available</p> <p>Literature can be translated into different languages, larger type, Brail</p> <p>One of the interventions provides a service at the weekends to enable those who work to access it outside of standard open hours</p> <p>The City Council's provide a homeless out of hours service available 24/7, 365 days of the year</p>
12b	What existing evidence (either presumed or otherwise) do you have for this?	<p>2011 Census – 15.5% registered with a disability.</p> <p>Housing Options data 22% registered with a physical disability (not including other disabilities). Those with disabilities therefore are likely to have greater access to interventions through this budget.</p>		
13a	Could the policy or project have the potential to affect individuals or communities on the basis of sexual orientation differently in a negative way?	Y	N	<p>No-each intervention is available of any resident of WCC who is threatened with or homeless, accessible at free of point of delivery.</p>

13b	What existing evidence (either presumed or otherwise) do you have for this?	FOI-LGBTQ 83% Heterosexual 4% Homosexual 2% Other 11% Prefer not to say No comparator		
14a	Could the policy or project have the potential to affect individuals on the basis of age differently in a negative way?	Y	N	NO, the service will support anyone of any age. WCC and HCC have a joint working protocol for 16-17 year olds who are at risk homelessness or who are homeless. This plan supports an intervention that funds 2 young person beds in partnership with the County and A2 Dominion.
14b	What existing evidence (either presumed or otherwise) do you have for this?	Funding two young person beds		
15a	Could the policy or project have the potential to affect individuals or communities on the basis of religious belief differently in a negative way?	Y	N	No-each intervention is available of any resident of WCC who is threatened with or homeless, accessible at free of point of delivery.
15b	What existing evidence (either presumed or otherwise) do you have for this?	Census 2011 63% Christian, 10% Other Not recorded on HCLIC		
16a	Could this policy or project have the potential to affect individuals on the basis of gender reassignment differently in a negative way?	Y	N	No
16b	What existing evidence (either presumed or otherwise) do you have for this?	Not currently recorded.		

17a	Could this policy or project have the potential to affect individuals on the basis of marriage and civil partnership differently in a negative way?	Y	N	Interventions are in accordance with legislation, statute, the Council's Housing Strategy, Council's rough sleepers and homeless prevention strategy. The council also works within other legislation such as the Matrimonial Act 1973, 1996 Family Law Act
17b	What existing evidence (either presumed or otherwise) do you have for this?	No data on marriage		
18a	Could this policy or project have the potential to affect individuals on the basis of pregnancy and maternity differently in a negative way?	Y	N	Intervention available to all Extra protection in homeless legislation for pregnancy if facing homelessness or threatened with homelessness.
18b	What existing evidence (either presumed or otherwise) do you have for this?			
19	Could any negative impacts that you identified in questions 10a to 15b create the potential for the policy to discriminate against certain groups on the basis of protected characteristics?	Y	N	No
20	Can this negative impact be justified on the grounds of promoting equality of opportunity for certain groups on the basis of protected characteristics? Please provide your answer opposite against the relevant protected characteristic.	Y	N	Race: Sex: Disability: Sexual orientation: Age: Gender reassignment: Pregnancy and maternity: Marriage and civil partnership: Religious belief:
21	How will you mitigate any potential discrimination that may be brought about by your policy or project that you have identified above?	Not applicable		

22	Do any negative impacts that you have identified above impact on your service plan?	Y	N	No
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Signed by completing officer	Charlotte Quinn, Housing Options Manager
Signed by lead officer	Karen Thorburn, Service lead Strategic Housing

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CAB3348
CABINET

REPORT TITLE: WINCHESTER BUSINESS IMPROVEMENT DISTRICT BALLOT 2022

22 JUNE 2022

REPORT OF CABINET MEMBER: Councillor Thompson, Cabinet Member for Business & Culture

Contact Officer: Susan Robbins Tel No: 01962 848 461 Email srobbins@winchester.gov.uk

WARD(S): ST BARTHOLOMEW, ST PAUL AND ST MICHAEL

PURPOSE

This report notifies the council of the official request from Winchester City Centre Partnership to ballot for a fourth term of the Winchester Business Improvement District. The official letter was sent to the Secretary of State on 16 May 2022 giving the required "84 days notification required of the intention to request the billing authority to put the BID proposal to ballot". The BID ballot day is 3 November 2022.

This request places obligations on the city council to run the ballot and collect the BID levy if the vote is successful in securing an additional term. The council will also be liable to pay the BID levy on its property within the BID area. As a property owner the council has the right to vote on the proposals in the ballot, the detail of which is given in this report.

The Winchester BID has been managed and operated effectively for the past three terms and is well regarded within the network of BIDs across England. Through the funds raised by the levy it generates additional capacity and resources to those of the council to ensure Winchester city centre is well maintained and safe, businesses are supported and informed and the place is promoted to residents and visitors. The BID works closely with the city council on these mutual areas of interest and over the years this has developed into a constructive partnership relationship.

RECOMMENDATIONS:

Cabinet are asked to:

1. Support the principle of a Winchester BID Ballot on 3 November 2022 to determine whether there will be a fourth Winchester BID for the area covered in the BID Area Map (Appendix 1);
2. Delegate authority to a Strategic Director to exercise the ballot votes in support of the BID in respect of city council properties in the BID area;
3. Note the financial implication associated with the Winchester BID in respect of running the ballot; ongoing levy collection and paying the BID levy as set out in section 2.
4. Delegate authority to the Corporate Head of Economy & Community, in consultation with the Cabinet Member for Business and Culture, to provide comment on the Winchester BID Draft Business Plan (Appendix 2), noting those made by the Winchester Town Forum at its 16th June 2022 meeting and subject to any comment from Cabinet;
5. Inform Winchester BID that the services set out in the Winchester BID Baseline Statements 2023-2028 (Appendix 3) may be subject to review through the annual council budget setting process and the BID will be consulted on any change arising throughout the life of the BID term 1 April 2023 to 31 March 2028.

IMPLICATIONS:**1 COUNCIL PLAN OUTCOME**

- 1.1 Tackling the Climate Emergency and Creating a Greener District
- 1.2 Winchester BID supports and is a member of the Sustainable Business Network. In the Draft Business Plan for the new term a new priority theme of “Clean, Attractive and Sustainable City” has been included to reflect the importance of these issues to the BID and its members.
- 1.3 Vibrant Local Economy
- 1.4 Through, amongst other things, the BID Independent’s working group, sponsoring Business Excellence Awards; offering the Savings and Advisory Service and Winchester Business Centre; and putting on training, networking and business events, the BID contributes to:
- a) Working in partnership to strengthen the appeal of the Winchester district by promoting and developing our unique cultural, heritage and natural environment assets
 - b) Promoting our independent businesses and supporting start-ups
- 1.5 Living Well
- 1.6 The BID contributes to “A wide range of physical and cultural activities for all ages and abilities” through its marketing and promotion and events activities such as the family focused Bunny Hop trail and Christmas Lights Switch-on; the Winchester Guided Tours;

2 FINANCIAL IMPLICATIONS

- 2.1 The financial implications to the council cover three aspects; the cost to run the BID ballot; the ongoing collection of the BID levy; and the cost of the levy with regard to council property within the BID area.

Item	Cost	Expenditure	Budget
Running the ballot	£3,000	Mainly to postage and printing. Council as billing authority cannot pass on or otherwise recover these costs.	Elections
Levy collection	£8,600	Billing administration and annual licence costs for dedicated software	Revenue & Benefits
BID Levy on council property	£35,200	Business premises, public toilets and car parks within the City Centre	Estates

- 2.2 The costs associated with the ballot have to be met by the council as billing authority. The cost of annual billing and collection of the levy is met from with the Revenues and Benefits core budget.
- 2.3 In addition there is a £15,400 annual collaboration agreement between WCCP and the city council (met from the Economy Team budget) that facilitates partnership working on a number of areas of mutual benefit. This includes activity under the following outcomes:
- a) Festivals and promotions
 - b) Christmas in Winchester
 - c) High Street Priority Plan and longer term vision
 - d) Climate emergency and Carbon Neutrality Action Plan
 - e) Winchester District Green Economic Development Strategy
 - f) Representation and business voice

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 The ballot and collection process is governed by The Business Improvement District (England) regulations 2004 as amended. The Ballot will be managed by the Elections Team in accordance with this regulation.

4 WORKFORCE IMPLICATIONS

- 4.1 The BID Ballot, the collection of the Winchester BID levy and ongoing relationships with the BID is resourced within existing officers' roles, including Revenues, Legal, Elections and Economy teams. These roles are incorporated into officer workloads as the council moves into its 15th year of working with the BID.

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 The council is currently responsible for the rates on 50 properties in the area covered by the BID. If the BID Ballot is successful and the BID can run for another five-year term the council will be liable for the BID levy in addition to the business rates for these properties.
- 5.2 Within the Baseline Statement details of the services provided in relation to property and assets are included in the sections for Contract Management, Engineering & Transport, Estates, Parking and Special Maintenance.

6 CONSULTATION AND COMMUNICATION

- 6.1 The BID is responsible for consulting on its business plan for the next term 2023 to 2028. Independent research, in the form of a detailed survey of BID members in autumn 2021 helped the BID to focus its proposals in the draft Business Plan. Each year the BID produces an Annual Review which is circulated with the levy notices, and includes a summary of work and activity during the past year, future plans, a financial report, FAQs. The draft proposals for the BID's fourth term were launched at the BID Forum in

February and the Annual General Meeting held 27th April 2022, and which is open to all, included a summary of the draft proposals.

- 6.2 The Winchester Town Forum at its 16th June 2022 meeting received a presentation from Winchester BID on the business plan and ballot proposals and the comments will be reported verbally at the Cabinet meeting. A members briefing will also be organised to consider the Draft Business Plan.
- 6.3 The BID Executive Director, Paul Spencer and Company Secretary and Business Development Director, Christopher Turner, has met with the officers including Corporate Head of Economy & Community, Service Lead - Revenues & Benefits and Governance Manager to discuss and agree the ballot arrangements. In addition, Corporate Heads of Service and Service Leads from a number of council services have been consulted on the Baseline Statements (Appendix 3), so that this up-to date and holds the correct information at this time.

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 The running of the BID Ballot does require the printing of voting papers and the BID proposal and draft business plan. These will be printed on recycled paper and use environmentally friendly inks.

8 PUBLIC SECTOR EQUALITY DUTY

- 8.1 The Public Sector Equality Duty (PSED), at section 149 of the Equality Act 2010, requires public bodies, including the council to have due regard to the aims of the general equality duty when making decisions and when setting policies.
- 8.2 Having due regard to the need to advance equality of opportunity involves considering the need to remove or minimise disadvantages suffered by people due to their protected characteristics.
- 8.3 To minimise disadvantage for anyone participating in the Ballot:
- a) Voting papers can be provided in large print or alternative formats for anyone who requires it;
 - b) Voting is postal, minimising the need to travel;
 - c) Voting is secret.

9 DATA PROTECTION IMPACT ASSESSMENT

- 9.1 None. The data used to generate the voting papers for the Ballot comes from the council's rating list, as allowed under regulation 11 of The Business Improvement Districts (England) Regulations 2004 (as amended), and is held

and managed in accordance with council policy by the Revenues and Benefits Team.

10 RISK MANAGEMENT

- 10.1 With regard to the council's vibrant local economy priority of the current risk appetite is moderate. This means tending towards exposure to modest levels of risk in order to achieve satisfactory outcomes. The following assessment does not identify any risk that are incompatible with this moderate risk appetite.

Risk	Mitigation	Opportunities
<p>Financial Exposure</p> <p>Cost of BID levy on council property.</p> <p>Cost of services in the city centre.</p> <p>Additional cost of service and project delivery should the BID ballot be unsuccessful.</p>	<p>The levy is fixed on each property for the BID term and no inflation will be added. Therefore the cost to the council will remain known provided no new properties are created by the council within the BID area or property owned by the council which is currently occupied by a tenant is not left vacant, as both would create additional liability for the levy.</p> <p>A BID Baseline Statement 2023-2028 has been created in consultation with council officers.</p> <p>The BID levy raises est. £580K p.a. this level of funding cannot be replaced by the council.</p>	
<p>Exposure to challenge</p> <p>Challenge to the Ballot process.</p>	<p>The Revenue and Benefits and Elections Teams are experienced in running ballots and ensuring full compliance with the regulations.</p>	

Risk	Mitigation	Opportunities
<p>Innovation</p> <p>None – this process is governed by The Business Improvement District (England) regulations 2004 as amended.</p>	<p>N/A</p>	
<p>Reputation</p> <p>Failure to secure a fourth BID term impacts on the reputation of the city as a place that supports and invests in its high street businesses and environment.</p>	<p>The council will run the Ballot in accordance with the regulations.</p> <p>Subject to Cabinet approval the council will support the BID proposals when exercising its right to vote in the Ballot.</p>	
<p>Achievement of outcome</p> <p>The BID Ballot does not proceed.</p>	<p>The Revenue and Benefits and Elections Teams are experienced in running ballots and ensuring full compliance with the regulations</p> <p>A timetable to monitor timescales and key dates has been created.</p>	
<p>Property</p> <p>None other than financial – see section above.</p>	<p>N/A</p>	
<p>Community Support</p> <p>The BID Ballot is not supported by the businesses.</p>	<p>The BID has successfully run three terms and has built its reputation of delivery and benefit to the businesses in the BID area. Consultation and feedback has helped direct the priorities in the Business Plan to reflect the needs of these levy payers.</p>	

Risk	Mitigation	Opportunities
<p>Timescales</p> <p>There are fixed timescales detailed in the regulations for the issue of notices etc.</p>	<p>The BID in agreement with the city council has created a timetable to monitor these timescales to ensure dates are met.</p>	
<p>Project capacity</p> <p>Lack of staff or resources to run and complete the BID Ballot.</p>	<p>The Revenue and Benefits and Elections Teams are experienced in running ballots and will ensure there is capacity to hold the Ballot.</p>	

11 SUPPORTING INFORMATION:

11.1 **BID Ballot and Levy**

11.2 BIDs are operated by not-for-profit partnership organisations, and can only be established through a referendum (BID Ballot) of businesses in the defined BID area in which there is a majority in terms of both votes cast and the rateable value of votes cast.

11.3 Voting in the BID Ballot is open to each business property in the defined BID area. A successful BID Ballot entitles the local authority to levy a small additional percentage on top of the standard National Non Domestic Rates or Business Rates. Payment of this levy is mandatory, and all levy monies are passed back to the BID body. Details of this are set out in Winchester Business Improvement District (BID) Operating Agreement 2023 – 2028 (Appendix 5). The Winchester BID is operated by Winchester City Centre Partnership Limited the Memorandum and Articles of Association for which are provide in Appendix 6.

11.4 The BID has completed three five-year terms. The last ballot was in November 2017 and had the following results:

Total votes cast (minus those rejected)	352
Total votes in favour	272 (77% of the votes cast)
Total rateable value of premises represented in the ballot	£42,438,794
Total rateable value of premises represented by 'yes' vote	£17,676,714
Total rateable value of premises represented by	£2,698,975

'no' vote	
Turnout	40.45%

11.5 The BID ballot takes the form of a 28-day postal ballot, that will commence 7th October 2022 and close 5pm on 3rd November 2022. Results will be announced on Friday 4th November.

11.6 Winchester BID proposals

11.7 The area covered by the BID for the next term remains the same as the current one and is shown on the Winchester BID Area Map (Appendix 1). This currently encompasses 931 properties both retail and commercial.

11.8 Winchester BID Draft Business Plan (Appendix 2) sets out who the BID is, how it is managed and what it will deliver over the next five-year term. The projects and activities in the new term build on the previous business plan and fall into four priority themes:

- a) A Better Promoted City
 - (i) Marketing
 - (ii) Supporting Independent Businesses
 - (iii) City Centre Events
 - (iv) Festivals in Winchester
 - (v) Seasonal Promotions
 - (vi) Winchester Guided Tours

- b) A Safe and Secure City
 - (i) Business Crime Reduction Partnership
 - (ii) Shopwatch and Pubwatch
 - (iii) Best Bar None Awards
 - (iv) BID Rangers
 - (v) Street Pastors
 - (vi) Spare Change for Lasting Change

- c) A Clean, Attractive and Sustainable City
 - (i) Floral Displays
 - (ii) Christmas Lights
 - (iii) Additional Public Realm Enhancements
 - (iv) Sustainable Business Network

- d) A Thriving Business Community
 - (i) Winchester Business Excellence Awards
 - (ii) Savings and Advisory Service
 - (iii) Training, Networking and Business Events
 - (iv) Winchester Business Centre
 - (v) Health and Wellbeing

- (vi) Equality and Diversity:
- (vii) Business Continuity
- (viii) Influencing the Agenda
- (ix) Footfall and car parks data
- (x) Parking and Access Management
- (xi) City Centre Audits
- (xii) Business Barometer

11.9 It is proposed that the levy will remain as the current term and as set out in Winchester Business Improvement District (BID) Levy Rules 2023 – 2028 (Appendix 4). The annual BID Levy will be calculated as Rateable Value x BID Multiplier. The multiplier, in summary, will be:

- a) Nil where the hereditament is occupied by a charity and is in receipt of Mandatory Rate Relief or has a rateable value (RV) which is less than £1,250.
- b) 1.25% of the RV on Managed Shopping Centres. These are defined as hereditaments included in The Brooks Shopping Centre.
- c) 1.5% of the RV on all other hereditaments

11.10 Over the life of the BID term the multiplier cannot be increased without an Alteration Ballot.

11.11 **Conclusion**

11.12 Cabinet is asked to support the BID proposals when exercising its right to vote on the Ballot on 3 November 2022.

11.13 Winchester BID has built on its past years of performance to provide a high quality service to the businesses in the city centre, and support to the council through working collaboratively on a number of activities. The Draft Business Plan sets out these achievements and provides a sound financial plan for how the levy raised will be used over the next five years. The priority themes have been updated and projects and services run by the BID are regrouped to better reflect their outcomes. Cabinet is asked to support this business plan and agree that the formal approval of the final document to be provided by the Corporate Head of Economy & Community in consultation with the Cabinet Member for Business & Culture.

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 The option not to support the BID proposal, and exercise those votes against the proposal was rejected. Should the BID Ballot be unsuccessful the BID would cease trading as of 31 March 2023. This will mean the projects and initiatives that would have been delivered in the next term could not happen.

BACKGROUND DOCUMENTS:-Previous Committee Reports:-

CAB2927	18 May 2017	Winchester and Segensworth BID 3 Business Plans
CAB2833	7 September 2016	Business Improvement Districts: Third BID Ballot and Renewal Arrangements
CAB2329	17 May 2012	Winchester BID Proposal Update
CAB2239	9 November 2011	Second Winchester Business Improvement District: Business Plan, Map and Baseline Statement
CAB2181	15 June 2011	Business Improvement Districts: Second BID Ballot and Renewal Arrangements
CAB1450	11 April 2007	Winchester BID Development Update

Other Background Documents:-

Government Guidance: Information and guidance on Business Improvement Districts

<https://www.gov.uk/guidance/business-improvement-districts>

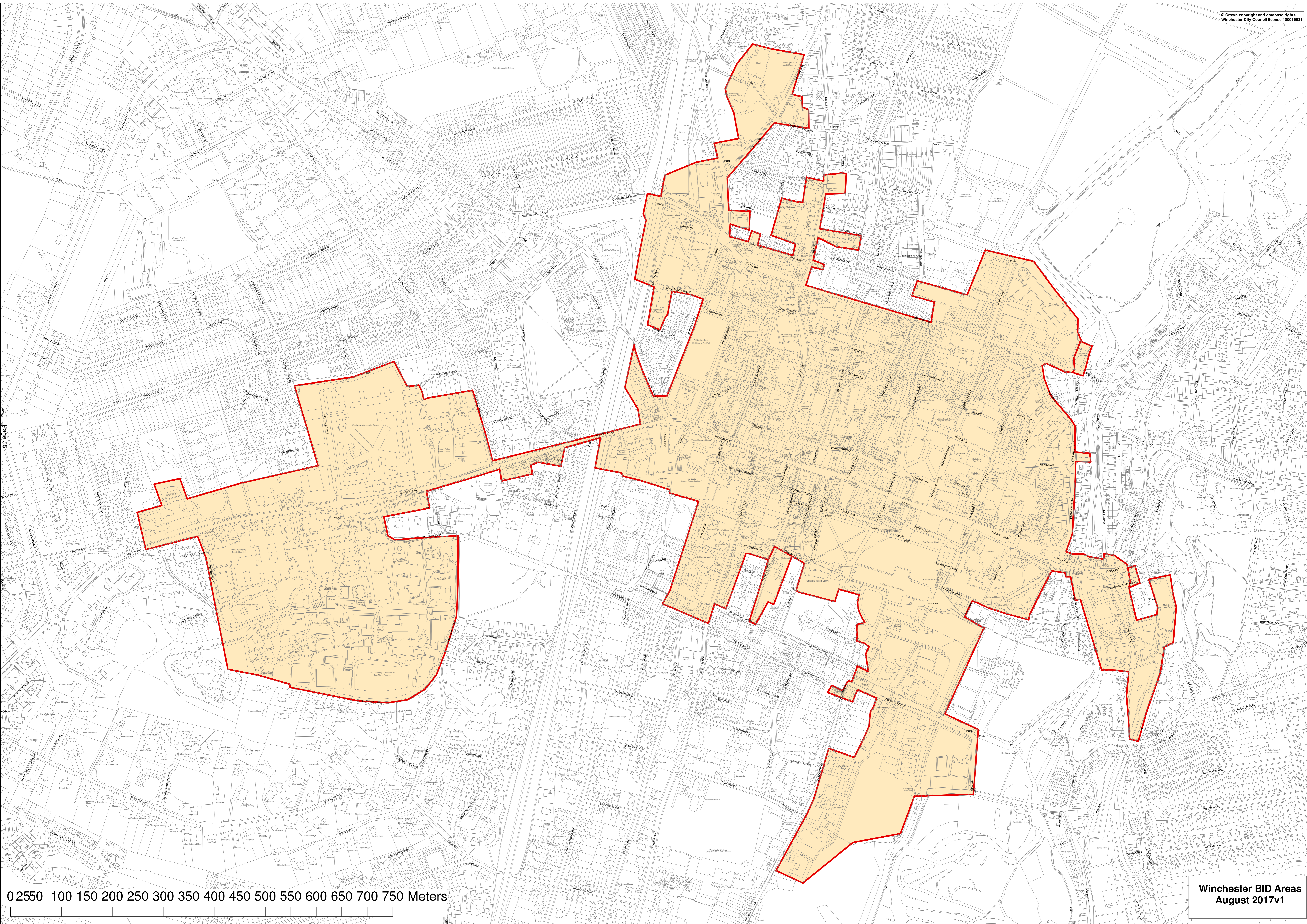
APPENDICES:

1. Winchester BID Area Map
2. Winchester BID Draft Business Plan 2023-2028
3. Winchester BID Baseline Statements 2023-2028
4. Winchester BID Levy Rules 2023-2028
5. Winchester Business Improvement District (BID) Operating Agreement 2023 – 2028
6. Memorandum and Articles of Association of Winchester City Centre Partnership Limited

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Winchester BID Areas
August 2017v1



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Draft Business Plan for a fourth term of the Winchester Business Improvement District (BID)

2023-2028

The Purpose of BIDs

Business Improvement Districts (BIDs) are business-led and business-funded organisations which are formed to improve the commercial wellbeing of a specified geographical area. The projects carried out by a BID must be beyond the statutory responsibilities of the local authorities and the police.

BIDs are legally established, having been voted for via a ballot by the majority of businesses within a defined area. BIDs operate on a five-year term basis and thus, after this cycle, a new vote is required.

Winchester was one of the first BIDs established in the South of England and has operated three consecutive terms. This business plan sets out the priorities to establish Winchester BID for its fourth term, to operate from 1 April 2023 to 31 March 2028.

Introduction

Welcome. Over the past 15 years Winchester BID has been hugely successful in concentrating the voice of Winchester businesses to create a more vibrant, more resilient city centre. Now it is time to renew that mandate to drive the interests of the city's business community forward over the next five years.

The BID has evolved since it was first established in 2008, as has our understanding of the importance of city centres to individuals and communities. By working together, we can help ensure Winchester continues to be a great place to do business, and ensure our city centre remains relevant, thriving, resilient and sustainable.

Over three consecutive terms of five years, the BID has enabled over £7 million to be invested in projects and services to improve the city as a business location, plus over £750,000 more in grants, sponsorship and project generated income.

Winchester is a fantastic city, topping many polls as one of the best places to live, work and visit in the UK, but it has its challenges. The BID is recognised by local and national government as a major stakeholder representing the business community. By collaborating and raising the voice of local businesses we can influence the agenda and how Winchester responds to key issues such as regeneration, transport and movement, climate emergency, and post-pandemic economic recovery.

The past few years have been difficult for all businesses, but the BID's activities and your determination has proved the resilience of our city, and there are exciting times ahead. In the UK and Ireland there are now more than 330 BIDs representing local business communities working together, some of which have come to the Winchester BID team for advice and guidance, proof that other locations aspire to be as successful as Winchester.

Let's continue working together to achieve more and vote yes in the Winchester BID ballot.

Huw Miles

LLP Managing Partner, Paris Smith Solicitors and Chair, Winchester BID

Meet the Team

The professional and passionate team have a wealth of expertise to develop and deliver the projects and services that you, our BID members, want to see implemented to help make Winchester a better place to do business. The team are responsible for the day-to-day management and delivery of the BID.

- Paul Spencer, Executive Director
- Chris Turner, Business Development Director and Company Secretary
- Sarah Davis, Business Improvement District Manager
- Jane Bastock, Business Crime Reduction Manager
- Thania Miah, Marketing and Communications Coordinator

Our Vision and Values

Our Vision: **To Secure a Stronger Future for Winchester**

Our Values:

- **Collaborative**, responsive to your ideas and needs
- **Knowledgeable**, being connected to make informed decisions
- **Change making**, building partnerships to bring about positive and sustainable change
- **Transparent**, inclusive, open and honest

Meet the Board

An independent Board of up to 16 Directors oversee the delivery of the city centre strategy and the funds allocated. The Board provide a range of skills and represent a variety of sectors, including property, legal, retail, hospitality and leisure.

There is a rotation policy to enable new BID members to stand for election to join the Board at the Annual General Meeting.

This is your Board, your colleagues, your peers. Above all, they are people who love Winchester and want its business community to thrive just as much as you do. It is a cliché, but that does not make it less true – we are all in this together.

- Naomi Beamish, Forte Kitchen and The Hatch
- Chris Bickle, Savills
- Cat Brandwood, Toscanaccio
- Martin Broad, University of Winchester
- Salar Brock, Rick Stein
- Harriet France, Jeremy France Jewellers
- Phillip Holroyd-Smith, Winchester College
- Huw Miles (Chair), Paris Smith Solicitors
- Elliot Nichols, Hampshire Hospitals NHS Foundation Trust

- Debbie Pinder, Winchester School of Art
- Gary Sayles, Winchester Cathedral
- Paul Spencer, Winchester BID
- Cllr Lucille Thompson, Winchester City Council
- Zulfiya Truscott, Hampshire Chamber of Commerce
- Jon Turton, Hampshire Constabulary
- Cllr Jan Warwick, Hampshire County Council

Achievements Over the Past 15 Years

The first, second and third business plans for Winchester BID have driven our agenda since 2008. BID members were consulted on, and voted for, the delivery of a number of projects and services. Here are a few highlights.

• **POSITIONING AND PROMOTING WINCHESTER**

- City centre trails continue to be popular and are a great way of moving footfall around Winchester. The Bunny Hop Easter Trail 2022 had 260 participating BID members and 549 small groups and families taking part.
- 59 businesses were involved in the Winchester Fashion Week 2022 programme with 43 events over 6 days including masterclasses, showcases, exhibitions, workshops, shopping events and the Grand Finale Catwalk Show.
- The Winchester Christmas Lights Switch On 2021 event attracted 10,000 people to the city centre.
- The BID chairs the Festivals in Winchester Group and in 2022 there were over 40 festivals taking place in the city.
- The BID has utilised print, radio, outdoor, social media and digital platforms to advertise Winchester and promote BID members. Across its social media platforms, the BID has 17,559 followers and we share content from BID members daily with our audiences.
- To help promote Winchester as a visitor destination the BID works closely with Visit Winchester and the Discover Winchester consortium.
- The Winchester Business Excellence Awards provide an opportunity for businesses to promote major achievements and celebrate success, and 2022 marked the 20th anniversary year of the awards.
- In 2022 the BID distributed 50,000 copies of the Winchester Independents Pocket Map, which is also available online, promoting independent businesses in the city centre.

• **MANAGING AND ENHANCING THE CITYSCAPE**

- The Winchester Business Crime Reduction Partnership brings together businesses, the police and the Winchester Community Safety Partnership, and has a National Standards accreditation which recognises good practice and professionalism.
- 193 BID members have joined Shopwatch and Pubwatch.

- The BID Rangers scheme was launched in 2018 to help reduce business crime and provide additional security in the city centre. Since then, the BID Rangers have helped to recover over £50,060 worth of goods from offenders stealing from local businesses.
 - In 2021 the Winchester Street Pastors celebrated their 10th anniversary year working with the BID, the local authority and the police to help make the city safer at night.
 - The Spare Change for Lasting Change giving scheme has raised £36,570.38 for homelessness charities The Winchester Beacon and Trinity Winchester.
 - In 2022 as part of the BID's additional street cleaning programme 10,000m² of pavements in the BID area were cleared of grime and chewing gum, and over 800 graffiti tags were removed.
 - 2,551 floral hanging baskets and boxes have been provided to BID members over the past 5 years.
 - The BID is part of the Sustainable Business Network steering committee and has helped to deliver 25 events over the past 5 years on a range of topics to help businesses reduce their carbon footprint.
- **SUPPORTING BUSINESS GROWTH**
 - In 2018 the BID launched a new and expanded Savings and Advisory Service to help BID members to save money in their business.
 - Since Winchester Business Centre opened in 2013 more than 100 start-ups and small businesses have used the facility as a base to grow their business, the workspace has hosted networking sessions and events, and the meeting room is frequently utilised by BID members.
 - We offer free courses and workshops for BID members and their staff based on local demand. Recent examples include conflict management, financial management, first aid at work, marketing and selling, and people management.
 - In 2020 we launched a health and wellbeing section in our popular e-newsletter to raise awareness of the importance of wellbeing at work. We help connect people who work in Winchester with BID members which offer health-related services to enhance their fitness and wellbeing.
 - The BID has provided support for businesses in times of need, including offering snow clearing in winter, flood support, assistance during power loss and road works disruption, and a business support service during the COVID-19 pandemic.
- **INFLUENCING AND INSPIRING CHANGE**
 - We have published 43 quarterly Business Barometer reports since 2011 assessing business confidence, sales performance, footfall, vacancy rates and how particular events impact businesses in Winchester. The reports are utilised by the BID as well as central and local governments, Hampshire Chamber of Commerce, and the Bank of England.
 - The BID has represented and responded to business views on major topics including the Central Winchester and Station Approach developments, Winchester Movement Strategy, Local Plan, Green Economic Development

Strategy, local and central government COVID-19 business support, and HM Treasury Business Rates Review.

- The BID has also provided regular comment on Winchester Parking and Access Strategy and supported new initiatives to help make travelling into the city centre easier. There have been 7,730 downloads of the BID's Park Winchester app, helping to direct your staff, customers and clients traveling by car to available parking spaces in the city.

Capturing Business Insight

This business plan has been created keeping in mind the continuous dialogue between the BID Board, the BID team and BID members, who have together been instrumental in enabling Winchester to evolve over the past 15 years to respond to the changing needs of the local business community and the place management agenda.

Independent research undertaken with BID members in autumn 2021 has helped the BID to focus its proposals for the fourth term.

BID members at the local and national level have had the opportunity to engage and feedback into the process of creating this business plan.

We appreciate communication preferences differ and so we have used a variety of methods to capture insight.

- **Surveys:** A detailed survey of BID member priorities was undertaken in autumn 2021 and 147 responses were received. Business Barometer surveys are undertaken quarterly and usually receive between 40 and 80 responses each time.
- **E-Communications:** Our surveys show that the BID's fortnightly e-news remains your most popular method of communication to keep you updated on our projects and services.
- **Meet and Greet:** Attending meetings is not always easy, especially if you have limited time and resources. Our meet and greet service enables you to arrange for a member of the team to visit your premises at a time convenient for you.
- **Social Media:** The BID connects with businesses, consumers and our wider audiences on Facebook, Instagram, LinkedIn, Twitter and YouTube.
- **Annual Reviews:** Each year the BID produces an Annual Review which is circulated with the levy notices, including a summary of our work during the past year, future plans, a financial report, FAQs and how to contact us.
- **Annual General Meeting:** We hold an Annual General Meeting in April, open to all, which this year included a summary of the draft proposals for the BID's fourth term.
- **Business Forums:** Quarterly BID Forums provide businesses with regular opportunities to find out more about the work of the BID, ask questions, give feedback, and engage in discussion on topics which affect businesses in Winchester. The draft proposals for the BID's fourth term were launched at the BID Forum in February.
- **Meetings and Networking Groups:** The team attend various meetings and networking events to gain feedback from BID members and other organisations with a special

interest in the city. Examples include Hampshire Chamber of Commerce events, Shopwatch and Pubwatch meetings, the Sustainable Business Network, Winchester Independent Business Group and many more.

- **Online:** Our website winchesterbid.co.uk includes sections on how the BID was first established, our four key themes and a full list of projects and services, the team and the Board, the BID area map, the BID's governance and finances, and our latest news.

Highlights: Projects and services highlighted by BID members as their top priorities for the BID to deliver in a fourth term include – marketing and events, Business Crime Reduction Partnership and BID Rangers, supporting independent businesses, promoting sustainability and environmental awareness, promoting equality and diversity, additional public realm enhancements, Christmas lights, lobbying and influencing local and central government.

Proposed Themes and Projects for the New Term

Taking this insight into account, for the fourth term Winchester BID commits to deliver a programme of projects and services to help ensure that Winchester is marketed and promoted successfully, that our city centre is safe and secure, and that it is clean, attractive and more sustainable, and is a place where businesses thrive.

- **A BETTER PROMOTED CITY**

- **Marketing:** The BID will continue to work with Visit Winchester and Visit Hampshire to market the city and promote culture, tourism and festivals. The BID will also maintain its membership of the Discover Winchester consortium of businesses and public agencies working together to develop and promote tourism in Winchester. The consortium funds the services of a media relations consultant to raise the national profile of the city and hosts press visits, meetings and other events. The BID will continue to invest in campaigns which celebrate Winchester as a thriving location for commercial investment and one of the best places to live, work and visit in the UK.
- **Supporting Independent Businesses:** A specific budget line was introduced in 2018 to develop a new programme of campaigns and projects for independent businesses. Key themes have included events, marketing and PR, training and digital projects, among others. The BID will continue to work closely with the independent business community on new initiatives, and continue successful campaigns, such as our annual celebrations for Independent Business Month and publishing the Winchester Independents Map.
- **City Centre Events:** The BID has significantly grown Winchester Fashion Week since taking on coordination in 2013, and we are pleased to have organised the annual Christmas Lights Switch On event, which marks the start of the festive season. In the future the BID will continue to deliver these popular events as well as diversify our events programme to create new opportunities for more BID members and different sectors of the local economy.
- **Festivals in Winchester:** As well as delivering our own events, the BID works in partnership with Visit Winchester to chair the Festivals in Winchester Group,

supporting and helping to grow a diverse festivals offer. The BID will continue to chair the group and sponsor a number of different festivals each year to help generate additional footfall and commercial opportunities across the city.

- **Seasonal Promotions:** The BID will continue to take a leading role in delivering a high-profile campaign for Christmas with key partners, as well as deliver other seasonal promotions throughout the year. Some of our other popular seasonal campaigns include the Bunny Hop Easter Trail in the spring and the Halloween Spooky Winch Word Hunt in the autumn.
- **Winchester Guided Tours:** We are proud supporters of the Winchester Tourist Guides and will continue to provide financial support towards their activities in the future. Guided walking tours are great fun for tourists and visitors, but also an opportunity for people who live and work in Winchester to find out more about our fascinating past from guides who are knowledgeable and passionate about the city and its heritage.
- **A SAFE AND SECURE CITY**
 - **Business Crime Reduction Partnership:** The BID has delivered this accredited partnership for 11 years, bringing together Shopwatch and Pubwatch radio networks, the police and the Winchester Community Safety Partnership to share information, ensuring strong links are prevalent into the regional and national networks. The intelligence website and mobile app (DISC) was introduced to BID members in 2015. The BID will continue to build on the success of the partnership.
 - **Shopwatch and Pubwatch:** The BID has facilitated these schemes for the past 15 years, which includes organising regular meetings to discuss current crime trends, agreement on banning offenders, and offering radios which connect retailers and licensed venues directly with CCTV control, the police, Winchester City Council's Community Safety and Neighbourhood Services team, and more recently the BID Rangers. We will continue to grow and strengthen the schemes.
 - **Best Bar None Awards:** This national accreditation scheme supported by the Home Office and the drinks industry promotes safety, responsible management and operation of licensed venues. The scheme aims to reduce alcohol-related crime and disorder, build positive relationships between licensed trade, police and local authorities, and promotes our licensed venues and our city centre as a safe and enjoyable place to go out and socialise. The BID will continue to provide an annual audit and awards scheme in Winchester.
 - **BID Rangers:** Working closely with the police and other agencies, we introduced security trained and accredited BID Rangers in 2018 to help reduce business crime and provide additional security in the city centre. The Rangers also play an important ambassadorial role and help tourists and visitors with directions, information and assistance. In the future we plan to extend the scheme as part of our commitment to providing a safer environment and to help reduce low level crime and antisocial behaviour.

- **Street Pastors:** The BID has provided financial support to the Winchester Street Pastors during their 11 years of operation and will continue to support this initiative in the future. The Street Pastors work closely with the BID, local authority and the police to help make the city safer by providing reassurance and support to all people working in or enjoying Winchester’s night time economy on Friday and Saturday nights.
 - **Spare Change for Lasting Change:** The BID facilitates one of the longest established diverted giving schemes in the UK, aimed at reducing street begging. We will continue to raise the campaign’s profile by educating the public about its good work and encouraging managed giving to those most in need by diverting funds from the streets to local homelessness charities Trinity Winchester and The Winchester Beacon.
- **A CLEAN, ATTRACTIVE AND SUSTAINABLE CITY**
 - **Floral Displays:** We provide over 600 floral hanging baskets and boxes to BID members each year to enhance the appearance of the city centre. Any BID member can request this service for their premises and the floral displays will be installed in June and then watered and maintained over the summer before being removed in October.
 - **Christmas Lights:** Each year the BID has upgraded and expanded the Christmas lights scheme in Winchester to illuminate new areas and landmark buildings in the city centre. We will continue this work and cover all installation and maintenance costs for the new term.
 - **Additional Public Realm Enhancements:** The BID has managed additional regular street cleaning, above and beyond the statutory duties of the local authorities. This includes deep cleaning of pavements in the BID area and removing chewing gum as well as graffiti removal from business premises. We have also supported new public art installations and other public realm enhancements. The BID will continue to provide this service and will assist the local authorities in managing effective street cleaning, improved signage and better access to commercial areas.
 - **Sustainable Business Network:** We will maintain our membership of the Sustainable Business Network steering committee and deliver a programme of events to help businesses learn about how to reduce their carbon footprint. We will also continue to support Winchester’s Air Quality Steering Group, Carbon Neutrality Steering Group, and the City Centre Partnership Climate Coalition.
- **A THRIVING BUSINESS COMMUNITY**
 - **Winchester Business Excellence Awards:** The BID has been a lead partner and sponsor of the awards for the past 12 years. We will continue to deliver the annual awards with our partners Hampshire Chronicle and Hampshire Chamber of Commerce to recognise the achievements of local businesses and reward them for their commitment to excellence.
 - **Savings and Advisory Service:** This service helps BID members to save money in their business and offers advice across a range of cost and business areas. The

offer was expanded in 2018 across a whole range of business supplies and services, gas and electricity, merchant card services, waste management, ICT, fleet procurement, HR, fuel cards, print and more.

- **Training, Networking and Business Events:** The BID will continue to respond to the training needs of BID members by offering free courses and workshops for business owners and their staff based on local demand. The BID also works closely with Hampshire Chamber of Commerce to deliver a range of events, including a Business Breakfast with the MP for Winchester. We offer regular networking sessions with guest speakers as well as more formal events, including our Annual General Meeting and quarterly BID Forums to keep you updated on our activities and provide opportunities to discuss key issues in the city.
- **Winchester Business Centre:** In 2013 we opened up our workspace and launched hot-desking and virtual office packages to support the growth of start-up businesses in the city. Winchester Business Centre provides affordable workspace for new businesses and additional income for the BID, which is reinvested into projects and services to improve the city. There is also a 12 seat meeting room which is available for BID members to use free-of-charge. In the new term we will invest in improvements to the Business Centre to provide better facilities for BID members and local businesses.
- **Health and Wellbeing:** In 2020 we launched a scheme to raise awareness of the importance of wellbeing at work. The BID will continue to help connect people who work in Winchester with local organisations which offer health-related services to enhance their fitness and wellbeing.
- **Equality and Diversity:** In the new term we will introduce a city-wide campaign in Winchester for National Inclusion Week, a week dedicated to promoting equality and diversity, celebrating inclusion and taking action to create more inclusive workplaces.
- **Business Continuity:** We will continue to help enable business continuity for BID members in times of need. Examples from the past five years include offering snow clearing in winter, flood support, assistance during power loss and road works disruption, and a COVID-19 business support service.
- **Influencing the Agenda:** The BID regularly responds to consultations and provides comment on key issues which affect Winchester businesses. Recently, the BID has responded to consultations on the Winchester District Local Plan, Green Economic Development Strategy, Central Winchester Regeneration and the Winchester Movement Strategy. We will continue to listen to your feedback and always aim to provide a balanced view of business needs and requirements.
- **Footfall and car parks data:** The BID has recently upgraded its footfall and car park sensors and will continue to produce regular reports which we will publish via our website and our fortnightly e-news. These reports provide intelligence on how people move around Winchester and how busy it is to help inform city centre management and inward investment decisions.
- **Parking and Access Management:** In 2016 the BID launched the Park Winchester app to help people travelling to the city by car to easily find an available parking

space. We will continue to explore new initiatives that allow city centre users to make better-informed decisions on parking and access to the city centre, including public transport and active travel. The BID is also a major stakeholder providing input into the Winchester Movement Strategy.

- **City Centre Audits:** The BID will organise city centre audits to evaluate how well the city centre is managed. This includes cleaning, parking and access, walking routes and safety. The data will be shared with relevant parties, such as the local authorities and the police to influence improvements in operations.
- **Business Barometer:** The BID will continue to undertake quarterly Business Barometer surveys and produce reports which provide intelligence on current and future trading outlooks and help us to better understand trends, comparing our progress with similar destinations and understanding how particular events impact Winchester businesses.

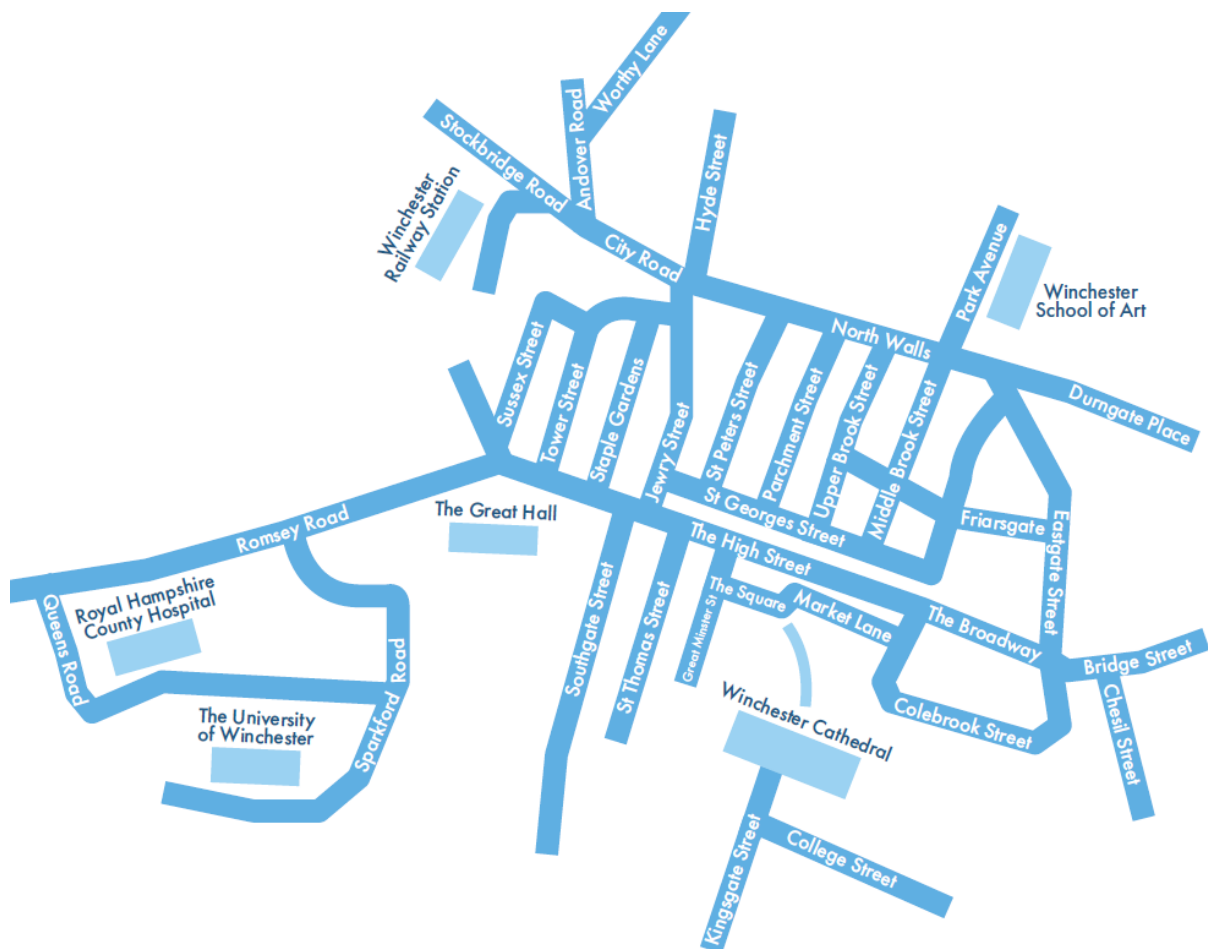
The BID Area

The BID area is the heart of the city centre and covers all major access routes. The area encompasses the commercial core of Winchester and includes transport hubs, the University of Winchester, Winchester School of Art, Royal Hampshire County Hospital, Hampshire Police Operational Headquarters, and the Central Winchester and Station Approach development sites.

No changes to the current BID area are being proposed for the fourth term. The following streets are included, either in whole or part.

Abbey Passage	Cross Keys Passage	Jewry Street
Albion Place	Cross Street	Kings Head Yard
Andover Road	Crowder Terrace	Kings Walk
Archery Lane	Durngate Place	Kingsgate Street
Barfield Close	Eastgate Street	Lawn Street
Bridge Street	Friarsgate	Little Minster Street
Castle Avenue	Gar Street	Lower Brook Street
Castle Hill	Gladstone Street	Market Lane
Chesil Street	Gordon Road	Market Street
City Road	Great Minster Street	Middle Brook Street
Cathedral Close	High Street	Minster Lane
Colebrook Street	Hyde Church Lane	Mons Court
College Street	Hyde Street	Newburgh Street
Cossack Lane	Inner Close	North Walls

Old Station Approach	St James Lane	The Square
Parchment Street	St Peter Street	Tower Road
Park Avenue	St Thomas Passage	Tower Street
Patenoster Row	St Thomas Street	Trafalgar Street
Peninsula Square	Staple Gardens	Trinity Gardens
Priory Gardens	Station Hill	Union Street
Queens Road	Station Road	Upper Brook Street
Romsey Road	Stockbridge Road	Upper High Street
Royal Oak Passage	Sussex Street	Victoria Road
Silver Hill	Sutton Gardens	Walcote Place
Southgate Street	Swan Lane	Water Lane
Sparkford Road	Tanner Street	West End Terrace
St Clement Street	The Broadway	Worthy Lane



A detailed boundary map can be found on the BID website: winchesterbid.co.uk/bid-area

Accountability and Transparency

Governance

1. Winchester City Centre Partnership Ltd is a not-for-profit company limited by guarantee and will be responsible for overseeing the delivery of the City Centre strategy and action plan; the BID is a delivery vehicle for aspects of the overall strategy. Together they form a limited company, registered with Companies House with its own legal identity and control. Details of the Winchester City Centre Partnership Ltd and the Memorandum and Articles of Association are available to view online: winchesterbid.co.uk/governance
2. An operating agreement has been formed with Winchester City Council to administer the BID's fourth term Revenue Account. Baseline Statements have also been formed with Winchester City Council, Hampshire County Council and Hampshire Constabulary.
3. Winchester BID will continue to recognise the importance of accountability and transparency within its Governance Arrangements. It is certified with British BIDs Accreditation, The BID Foundation Industry Standards Accreditation, and the Business Crime Reduction Partnerships National Standards Accreditation.
4. The current Board Director membership stands at 16; made up of 8 BID members, 1 Hampshire Chamber of Commerce member, 1 Winchester City Council member, 1 Hampshire County Council member, 1 University of Winchester member, the BID Executive Director and 3 additional members (all BID Members). All Directors have voting rights. The Board appoints a Chair from the Directorship.
5. The BID will regularly evaluate and report its achievements to levy payers throughout the term. A number of indicators will be used to evaluate the city's performance and the BID's return on investment to levy payers. This shall include; the Business Barometer, footfall statistics, city centre audits, event ticket sales, the extent of cost savings in the Savings and Advisory Service, satisfaction surveys and monthly crime statistics to WBCRP members. A mid-term review of the BID shall be carried out by an independent third party.
6. The Board of Directors will receive a monthly income statement from the Executive Director. There will be quarterly meetings with the Winchester City Council Revenues and Benefits department to monitor levy collection rates and financial spend. An independent accountant will prepare audited accounts each year, for submission to Companies House. These will be published on the BID website and available to view and comment on at the Annual General Meeting.
7. Provided that the BID is meeting the objectives set in this business plan, and subject to full consultation with the BID Board, it shall have the ability to vary service delivery and expenditure allocation according to the changing needs of levy payers. However, any change to the BID area or the levy rate would require an alteration ballot.
8. Levy paying businesses will be eligible to become Members of the BID Company on the announcement of the Annual General Meeting.

Levy

1. From April 2023, the BID levy rate to be paid by each property or hereditament will remain as 1.5% of its rateable value as at 1 April annually. This represents no change to

the levy being paid in the third term of the BID. The current rating list at the time of billing will be used to determine the liable party.

2. All non-domestic properties or hereditaments with a rateable value of £1,250 or more will be required to pay the levy. This represents no change to the threshold.
3. The number of properties or hereditaments liable for the levy is 931 (at the time of writing, May 2022).
4. If a new property or hereditament enters the rating list, no charge will apply until the following year's levy becomes due.
5. If a property or hereditament has an increase or decrease in rateable value during the year, the levy will not be amended to reflect the change until the following year.
6. The BID levy will be exempt to those occupied as a recognised charity, except where the property is occupied as a charity shop and thus the levy will be applied.
7. Those hereditaments within The Brooks Shopping Centre (where there is already an additional service charge for marketing, security and cleaning services) will receive a discount and thus the levy contribution will be fixed at 1.25% as per previous BID terms.
8. The BID levy will be collected annually in advance and the charging period will be 1 April to 31 March, starting April 2023. No refunds will be made.
9. The liability of the BID levy will be the responsibility of the hereditament listed on 1 April in the year of collection.
10. If the property or hereditament is untenanted, the liability of the levy falls to the owner of the property listed on 1 April in the year of collection.
11. The BID levy will not be affected by small business rates relief or any other discretionary relief grant.
12. The levy will be payable in one instalment collected by Winchester City Council and is payable within 14 days. Collection and enforcement of the BID levy will be similar to those applied to business rates.
13. Winchester City Council will be responsible for collection of the BID levy and will make no charge for doing so. Full BID levy rules can be found here: winchesterbid.co.uk/about

Ballot

1. Winchester City Council will send those responsible for properties or hereditaments to be subject to the new BID, a ballot paper from 4 October 2022.
2. Each property or hereditament subject to the BID will be entitled to one vote in respect of the proposal in a 28-day postal ballot, which will commence 7 October 2022 and close 5pm on 3 November 2022. Ballot papers received after 5pm on 3 November 2022 will not be counted.
3. In order for the proposal to be successful at ballot the result will need to meet, as a minimum, two independent criteria: (a) of those ballots returned by the close, those voting in favour must exceed those voting against, and (b) of those ballot papers returned by the close, the total rateable value of those properties or hereditaments which vote in favour must exceed the total of those voting against.
4. The results of the ballot will be announced on Friday 4 November 2022.
5. If successful at ballot, the fourth term of the BID will commence on 1 April 2023 and will continue for a period of five years to 31 March 2028.

6. The Secretary of State was notified of the ballot on 16 May 2022.

Finances

1. A cautious approach has been adopted to budgeting for the fourth BID term.
2. A levy collection rate of 97% has been assumed for the fourth term based on historic trends from the past three terms.
3. Operating costs are estimated at 15% of the total annual expenditure, which is below the industry average for BIDs.
4. No inflation will be charged during the lifetime of the BID's fourth term.
5. A contingency provision on expenditure each year provides the BID with the opportunity to consider projects or opportunities suggested by levy payers outside of the proposals.
6. At the end of April 2022 Winchester City Centre Partnership held reserves of £237,650. During the fourth term additional investments will be made using reserve funds, including improvements to Winchester Business Centre for income generating purposes, refurbishments for Winchester's Christmas lighting scheme, city centre events and business crime reduction initiatives. A figure representing 20% of annual levy income will be retained as reserves, which is the industry average for BIDs, to protect the organisation against drops in income or increases in costs, or to take advantage of new opportunities.
7. There are no costs relating to the development of the new BID that will need to be repaid during the term.
8. During the past three terms, the BID has had considerable success in generating additional revenue, amounting to over £750,000 over the past 15 years. External income targets for the fourth term have been set between 9% and 13% of total annual levy.
9. All contracts of £10,000 or more will be tendered, with local suppliers (within the BID area) given preference. Periodically, throughout the term the Board will test the performance, cost and competitiveness of contracts which exceed £10,000 annually.

Income	Year 1	Year 2	Year 3	Year 4	Year 5	Total 5 years
BID Levy	£584,070	£584,070	£584,070	£584,070	£584,070	£2,920,350
External Income	£54,150	£70,950	£61,306	£73,078	£63,145	£322,629
Total Income	£638,220	£655,020	£645,376	£657,148	£647,215	£3,242,979
Expenditure	Year 1	Year 2	Year 3	Year 4	Year 5	Total 5 years
A Better Promoted City	£150,341	£167,596	£147,521	£157,174	£149,734	£772,366
A Safe and Secure City	£147,589	£149,803	£152,050	£154,331	£156,646	£760,419
A Clean, Attractive and More Sustainable City	£137,900	£139,968	£142,067	£144,198	£146,361	£710,494
A Thriving Business Community	£93,740	£90,335	£96,552	£93,045	£86,597	£460,269
Central and Fixed Costs	£91,868	£93,246	£94,645	£96,065	£97,506	£473,330
Total Expenditure	£621,438	£640,948	£632,835	£644,813	£636,844	£3,176,878
Surplus/Contingency	£16,782	£14,072	£12,541	£12,335	£10,371	

Three Steps to Five More Years

1. Ballot papers will arrive by post from 7 October 2022, asking you to vote on the BID.

2. Voting yes will retain the BID for a further five years through to 31 March 2028.
3. Ballot papers must be returned by 5pm on Thursday 3 November 2022.

If the majority are in favour, services will continue, and the fourth term of Winchester BID will commence on 1 April 2023.

Contact us

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Baseline Statements for the Winchester Business Improvement District (BID) 2023 – 2028

Statutory services clearly have to continue to be provided by the relevant authorities; however, both statutory and discretionary service levels are always subject to resource constraints and the BID will work with the providers to minimise the impact of such pressures.

Details of the baseline services from Winchester City Council, Hampshire County Council and Hampshire Police Authority for services delivered in the BID area are detailed below:

Winchester City Council

This baseline statement covers the following service areas:

- [Community and Wellbeing](#)
- [Community Safety and Neighbourhood Services](#)
- [Contracts Management](#)
- [Economy](#)
- [Engineering and Transport](#)
- [Environmental Health and Licensing](#)
- [Estates](#)
- [Parking](#)
- [Special Maintenance](#)
- [Tourism and Arts](#)

Community and WellbeingSteve Lincoln T: 01962 848110 E: slincoln@winchester.gov.uk

Baseline Activity	Health, Sport and Physical Activity
Notes of Service	<ul style="list-style-type: none"> • Leads the Council's contribution to improving health and wellbeing outcomes in the District, by working with key health partners. • Management of the leisure centre contract for operation of Winchester Sport and Leisure Park. • Sports Development - schools, sports clubs, disability sport, community outreach. • Sports Facility Development. • Health walks.
Statutory or Discretionary?	Discretionary.
Timing of activity	Ongoing.
Staffing and equipment levels	Health Improvement Manager 1 FTE. Contract Manager 1 FTE.
Key Performance Indicators	<ul style="list-style-type: none"> • Increasing participation in sport and physical activity. • Improving access to high quality sports facilities (as set out in leisure centre operator contract).
Boundary area	District wide.

Baseline Activity	Sustainability and Climate Emergency
Notes of Service	<ul style="list-style-type: none"> • Co-ordination of the Council's carbon reduction programme and delivery against the carbon neutrality action plan. • Delivery of projects and interventions to reduce carbon emissions and increase renewable energy generation. • Advice on planning policy development and consultee on planning applications relating to renewable energy generation and other sustainability issues. • Programme of carbon education and awareness raising to increase

	<p>understanding of climate change and drive behaviour change amongst staff, partners, residents and businesses.</p> <ul style="list-style-type: none"> • Climate Open Forum.
Statutory or Discretionary?	Discretionary.
Timing of activity	Ongoing.
Staffing and equipment levels	<p>Sustainability Officer 1 FTE.</p> <p>Programme Manager 1 FTE.</p>
Key Performance Indicators	<ul style="list-style-type: none"> • Council carbon emissions. • District carbon emissions.
Boundary area	District wide.

Baseline Activity	Community Engagement and Development
Notes of Service	<ul style="list-style-type: none"> • Community and voluntary sector grants, including Strategic Partners and Priority Outcome Funds, Small Grants, Crowd Funder. • Support, advice and networking opportunities to wider voluntary sector and community buildings. • Assets of Community Value. • Community plans, community profiles, data and intelligence. • Market town partnership meetings and parish liaison.
Statutory or Discretionary?	Discretionary.
Timing of activity	Ongoing.
Staffing and equipment levels	<p>Community & Town Centre Manager 0.8 FTE.</p> <p>Community Officer 1 FTE.</p> <p>Funding and Development Officer 0.8 FTE.</p>
Key Performance Indicators	<ul style="list-style-type: none"> • Core grant outcomes achieved.
Boundary area	District wide.

Community Safety and Neighbourhood ServicesSandra Tuddenham T: 01962 848132 E: studdenham@winchester.gov.uk

Baseline Activity	Community Safety and Neighbourhood Services
Notes of Service	<ul style="list-style-type: none"> • Community Safety Partnership (CS) includes support for 'Shopwatch' and 'Pubwatch' projects. • Neighbourhood Service Officers support local community projects, residents surgeries etc. in addition to responsive patrols and housing estate activity. • The current CCTV network has 130 cameras monitored from the Control Room in Winnall. • A specialist officer within the Neighbourhood Services Team takes responsibility for leading anti-social behaviour (ASB) co-ordination. • Alcohol Control Zone (PSPO) in Winchester city centre.
Statutory or Discretionary?	Community Safety Partnership is statutory. All else discretionary.
Timing of activity	<p>Community Safety Partnership meets twice a year as a strategic group and reports on an annual basis to WCC internal scrutiny process.</p> <p>Neighbourhood Service Officers work flexible hours (predominately 8am to 5pm). Neighbourhood Service Officers work between 8am and 5pm Monday to Friday, and attend evening meetings and weekend community events and support partnership operations as appropriate up to 9pm.</p> <p>CCTV monitored 24 hours a day, 365 days a year.</p> <p>Multi-agency ASB panel meets monthly.</p>
Staffing and equipment levels	Neighbourhood Services and Community Safety Manager, 1 part-time Project Officer, 1 ASB Officer and 8.5 Neighbourhood Service Officers (housing estate related).
Key Performance Indicators	<ul style="list-style-type: none"> • Annual Community Safety Strategy and Delivery Plan. • Police and Crime Commissioner's Policing Plan.
Boundary area	<p>Neighbourhood Service Officers patrol activity predominately covers the priority areas within the Town Forum, Stanmore, Winnall and Highcliffe.</p> <p>Other specialist work around housing estates and ASB is District wide.</p>

Contracts ManagementMartin Taylor T: 01962 848540 E: mtaylor@winchester.gov.uk

Baseline Activity	Pavement Litter and Litter Bins
Notes of Service	Contract with IDVerde for litter collection, street sweeping, bin emptying.
Statutory or Discretionary?	Statutory.
Timing of activity	7 days a week.
Staffing and equipment levels	Early morning city centre cleanse followed by full-time service from 10am to 6pm, 7 days per week including Bank Holidays. Bins emptied in accordance with schedule.
Key Performance Indicators	As per IDVerde contract.
Boundary area	District wide. Standard of cleanliness dependant on area (higher in city centre).

Baseline Activity	Grounds Maintenance
Notes of Service	<ul style="list-style-type: none"> • Grass cutting 9 times a year for highway verge and general spaces. Sports pitches and formal gardens, including Abbey Gardens in Winchester city centre are cut more regularly. • Shrub maintenance. • Hedge maintenance. • Watering of hanging baskets.
Statutory or Discretionary?	Statutory and discretionary.
Timing of activity	5 days a week.
Staffing and equipment levels	As per IDVerde contract.
Key Performance Indicators	Performance standards set out in contract. As per IDVerde contract.
Boundary area	District wide.

Baseline Activity	Dog Fouling and Dog Waste Bins
Notes of Service	Cleared with street sweeping function. Education as a preventative measure via neighbourhood wardens. Dog waste bins emptying.
Statutory or Discretionary?	Statutory and discretionary.
Timing of activity	In accordance with schedules or ad hoc for the city centre. Dog waste bins emptied twice a week or as per demand.
Staffing and equipment levels	As per IDVerde contract.
Key Performance Indicators	Bins emptied in accordance with collection schedule.
Boundary area	District wide. Not a major problem in Winchester city centre.

Baseline Activity	Street Sweeping
Notes of Service	IDVerde carries out sweeping by hand and mechanical means.
Statutory or Discretionary?	Statutory.
Timing of activity	In accordance with the appropriate schedule.
Staffing and equipment levels	The contractor resources based on frequency specification.
Key Performance Indicators	As per IDVerde contract.
Boundary area	District wide, focussed on town areas across the District.

Baseline Activity	Fly Tipping
Notes of Service	Contract with IDVerde for fly tip clearance (specialist contractor used for hazardous waste, e.g. asbestos).
Statutory or Discretionary?	Statutory.
Timing of activity	5 days a week. Smaller fly tips cleared within 48 hours. Larger fly tips cleared within 10 days. If specialist contractor or equipment is required this

	may impact on clearance time.
Staffing and equipment levels	2 staff with additional support if required. Caged vehicles, tractor, trailer.
Key Performance Indicators	As per IDVerde contract.
Boundary area	District wide. Standard of cleanliness dependant on area (higher in city centre).

Baseline Activity	Environmental Crime
Notes of Service	<p>Council officers work across the District to tackle fly tipping, littering, fly posters. They are accredited via the Chief Constable and have been given powers to issue Fixed Penalty Notices using appropriate environmental crime legislation.</p> <p>They work in partnership with a variety of agencies and organisations.</p> <p>Contract with IDVerde as the City Council's grounds maintenance and street cleansing contractors to remove fly tipping on demand. Not a major problem in Winchester city centre.</p> <p>Work closely with neighbourhood wardens in particular areas.</p>
Statutory or Discretionary?	They carry statutory powers.
Timing of activity	5 days a week.
Staffing and equipment levels	<p>Dedicated fly tipping lead in contract monitoring team.</p> <p>'Hit squad' with scheduled work 5 days a week with IDVerde.</p>
Key Performance Indicators	<ul style="list-style-type: none"> • Number of complaints. • Number of incidents. • Fly capture data from Environment Agency measures response times. • Number of complaints. • Number of incidents.
Boundary area	District wide.

EconomyAlison Woods T: 01962 848347 E: awoods@winchester.gov.uk

Baseline Activity	Economic Development
Notes of Service	<p>Working to implement the priorities of the Council Plan 2020 to 2025 and in particular the Ten-Year Green Economic Development Strategy and the High Streets Plan including:</p> <ul style="list-style-type: none"> • Financial contribution to Winchester City Centre Partnership against delivery of agreed Service Level Agreement. • Business engagement, support and development including the Business Bulletin. • Economic data and intelligence. • Inward investment, sector development and rural economy. • Employment and skills. • Low carbon business support service. • Sponsorship of Winchester Business Excellence Awards. • Input to strategic direction of Winchester’s economy. • Providing help and information to new businesses, and those looking to invest in the District. • Provide accountable body services to the Fieldfare Local Action Group’s LEADER programme.
Statutory or Discretionary?	Discretionary.
Timing of activity	5 days a week.
Staffing and equipment levels	<p>Business Engagement Manager 1 FTE.</p> <p>Business Growth Officer 1 FTE (currently vacant).</p> <p>Sector Project Officer 1 FTE.</p> <p>Project Support Officer 1 FTE (shared with tourism team).</p>
Key Performance Indicators	<ul style="list-style-type: none"> • Unemployment claimant % Winchester District. • Number of vacant premises.

Boundary area	District wide for most activities. Some city centre based activities as described above.
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Engineering and TransportAndy Hickman T: 01962 848105 E: ahickman@winchester.gov.uk

Baseline Activity	Traffic
Notes of Service	Management of traffic within the city including: <ul style="list-style-type: none"> • Traffic regulations. • Parking restrictions. • Temporary road closures. • Directional signage.
Statutory or Discretionary?	Statutory as relates to Safety and Traffic Management Act. Level of activity is discretionary.
Timing of activity	Ongoing.
Staffing and equipment levels	Hampshire County Council pay for one Full Time Equivalent post who works for Winchester City Council. Winchester City Council will make up the difference to two members of staff. Also working on pedestrian transport, related cycling and walking schemes/projects. NB this arrangement will revert to HCC at end of March 2023.
Key Performance Indicators	Number of traffic orders progressed. Number of temporary road closures accommodated.
Boundary area	District wide.

Baseline Activity	Transport – Pedestrians
Notes of Service	Provision of better facilities and improving conditions for pedestrians including: <ul style="list-style-type: none"> • Shopmobility scheme. • New pedestrian signs. • Bus shelters in Winchester city. • Pavement parking enforcement where parking restrictions allow. • Closure of The Square to through traffic and weekend pedestrianisation (summer 2020).

	<ul style="list-style-type: none"> Winchester Movement Strategy jointly with Hampshire County Council.
Statutory or Discretionary?	Statutory as relates to safety. Discretionary otherwise.
Timing of activity	Ongoing.
Staffing and equipment levels	Partial work of 2 part-time staff members (total 1.3 FTE posts) covering all transport issues for the whole District.
Key Performance Indicators	None.
Boundary area	District wide.

Baseline Activity	Passenger Transport – Buses
Notes of Service	<p>Support for bus services and community transport to assist people in accessing services such as health, education, shopping and employment including:</p> <ul style="list-style-type: none"> Park and Ride. Part funding of Dial a Ride service. Grants for community transport. Bus shelters in Winchester city.
Statutory or Discretionary?	Discretionary.
Timing of activity	<p>Grants for community rural transport agreed annually in first quarter.</p> <p>Other work ongoing.</p> <p>Park and Ride operates between 6:25am and 7.30pm Monday to Friday and 7:00am to 6:30pm on Saturdays.</p>
Staffing and equipment levels	Partial work of 2 part-time staff members (total 1.3 FTE posts) covering all transport issues for the whole District.
Key Performance Indicators	None.
Boundary area	District wide.

Baseline Activity	Transport – Cyclists
Notes of Service	Provision of better facilities and improving conditions for cyclists including: <ul style="list-style-type: none"> • Route maps. • Cycle parking/stands. • Joint work with Hampshire County Council to deliver cycling improvement schemes and development through local cycling and walking improvement plans (LCWIP).
Statutory or Discretionary?	Statutory as relates to safety. Discretionary otherwise.
Timing of activity	Winchester Movement Strategy ongoing, LCWIP ongoing.
Staffing and equipment levels	Partial work of 2 part-time staff members (total 1.3 FTE posts) covering all transport issues for the whole District.
Key Performance Indicators	None.
Boundary area	District wide.

Environmental Health and LicensingDavid Ingram T: 01962 848479 E: dingram@winchester.gov.uk

Baseline Activity	Licensing
Notes of Service	<ul style="list-style-type: none">• Alcohol and entertainment licensing.• Gambling licensing.• Taxis and private hire vehicles.• Street trading permits.• Street and house to house collection permits.• Catering furniture on the highway permits.• Lotteries.• Enforcement of licences and permits.• Permission for Direct Debit collectors.• Public health burials.
Statutory or Discretionary?	Statutory.
Timing of activity	5 days a week. Enforcement work also carried on out of office hours.
Staffing and equipment levels	4 full-time employees.
Key Performance Indicators	Delivery of premises and taxi licence applications within pre-determined timeframe.
Boundary area	District wide.

Baseline Activity	Animal Welfare Service
Notes of Service	<ul style="list-style-type: none">• All initial complaints relating to dog welfare and behaviour.• Stray and lost dogs.• Re-homing dogs to rescue centres if they are not reclaimed.• Patrolling the district for dog fouling.

	<ul style="list-style-type: none"> • Visiting people in their own homes to offer advice on dog behavioural problems and suitable training. • Animal and zoo premises licensing.
Statutory or Discretionary?	The provision of stray dog and animal licensing functions is statutory. Other activities discretionary.
Timing of activity	The service is available 5 days a week from 8.30am to 5pm Monday to Thursday and 8.30am to 4.30pm on Friday apart from public holidays.
Staffing and equipment levels	2 full-time Animal Welfare Officers.
Key Performance Indicators	None.
Boundary area	District wide.

Baseline Activity	Environmental Protection Service
Notes of Service	<ul style="list-style-type: none"> • Nuisance (including noise and odour) complaints from both residential and commercial premises. • Consultee to planning process on matters of environmental impact, including those from existing or proposed commercial premises on existing or proposed development. • Operates Safety Advisory Group a multi-regulatory body to advise festivals and event organisers. • Delivers on Winchester City Council's duties in respect of air quality.
Statutory or Discretionary?	Both statutory and discretionary.
Timing of activity	5 days a week during normal office hours and on a pre-arranged basis outside of standard hours in accordance with need.
Staffing and equipment levels	5 full-time staff and 2 part-time staff.
Key Performance Indicators	Various.
Boundary area	District wide.

Baseline Activity	Food Safety Service
Notes of Service	<ul style="list-style-type: none"> • Inspection of food premises as per inspection regime. • Investigation of complaints. • Investigation of communicable disease outbreaks.
Statutory or Discretionary?	Statutory.
Timing of activity	<p>The service is available 5 days a week from 8.30am to 5pm Monday to Thursday and 8.30am to 4.30pm on Friday apart from public holidays.</p> <p>Conducting of premises inspections and the investigation of communicable disease outbreaks as and when required.</p>
Staffing and equipment levels	2 full-time officers and 4 part-time officers.
Key Performance Indicators	Inspection returns in accordance with Food Safety Authority requirements.
Boundary area	District wide.

Baseline Activity	Health and Safety Service
Notes of Service	<ul style="list-style-type: none"> • Inspection of relevant business premises. • Investigation of complaints.
Statutory or Discretionary?	Statutory.
Timing of activity	<p>The service is available 5 days a week from 8.30am to 5pm Monday to Thursday and 8.30am to 4.30pm on Friday apart from public holidays.</p> <p>Investigation of accidents as and when required.</p>
Staffing and equipment levels	1 full-time officer.
Key Performance Indicators	None.
Boundary area	District wide.

EstatesRichard Wadman T: 01962 848397 E: rwadman@winchester.gov.uk

Baseline Activity	Guildhall Winchester
Notes of Service	<p>Guildhall Winchester provides 10 rooms of various sizes for hire for business, social, community, public and private events, small meetings to large conferences, private and corporate dinners, weddings and other celebratory events, dinner dances and balls, sales, trade fairs, dance classes and concerts. The venue is extensively used for Winchester City council meetings, civic events and Mayoral events.</p> <p>The Guildhall does not provide in-house catering services but Shoal, the new occupier of the former Eighteen71 café premises on the ground floor, is able to offer catering for events in the Guildhall. Groups hiring a room in the Guildhall can request a catering quote from Shoal or alternatively arrange external caterers to provide what they require.</p> <p>The building also houses other facilities open to the general public: Winchester Visitor Information Centre and Historic Environment Centre.</p>
Statutory or Discretionary?	Discretionary.
Timing of activity	The Guildhall had temporarily been let to the Court Service as an additional court building but as from April 2022 reverted back to its former use as a major events facility in the heart of Winchester.
Staffing and equipment levels	Currently 2 full-time staff, plus cleaning contractors. WCC is working on encouraging those groups that hired the Guildhall pre-COVID back.
Key Performance Indicators	<p>Guildhall turnover (total room hire plus catering).</p> <p>Customer feedback.</p>
Boundary area	Guildhall Winchester.

Baseline Activity	Street Markets
Notes of Service	<p>Market stall holders pay a pitch fee to WCC to contribute towards costs of holding street markets, including:</p> <ul style="list-style-type: none"> • Storage and set up of stalls. • Disposal of rubbish.

	<ul style="list-style-type: none"> • Supply and maintenance of stalls. • Advertisement in Market Trader annually and in Visit Winchester and Heart of Hampshire visitor guides. • Supply of electricity for those stalls that require it. • Some stalls are run by 1 person, but some need more and if you include the market management team then the market supports the employment of 40 to 60 people, and this can increase at certain times of year.
Statutory or Discretionary?	Discretionary.
Timing of activity	Currently 3 days per week, Thursdays, Fridays and Saturdays, plus speciality markets on Sundays, art and design market 1 Sunday a month, antiques and collectables 1 Sunday a month plus the very successful Hampshire Farmers Market 2 Sundays a month.
Staffing and equipment levels	Management undertaken by a contractor on WCC's behalf. Winchester is the only market in Hampshire that provides gazebos for stall holders.
Key Performance Indicators	None.
Boundary area	Middle Brook Street and High Street with the Sunday markets utilising The Broadway in front of Guildhall Winchester.

ParkingIan Way T: 01962 848066 E: iway@winchester.gov.uk

Baseline Activity	Car Parking
Notes of Service	<p>Improvements to car parks and facilities to improve local environment and personal safety including:</p> <ul style="list-style-type: none"> • Parking enforcement. • Resident on street parking until the last quarter of 2023 when this returns to Hampshire County Council as Agency Agreement ceases. • Management of off-street parking including 5 Park and Ride car parks, 17 city centre car parks (number of car parks, spaces and pricing may vary). 36 car parks across the District in total. • Park and Ride operates between 6.25am and 7.30pm Monday to Friday and between 7am and 6.30pm Saturday (timetable varies).
Statutory or Discretionary?	There is a statutory duty to provide off-street car parking. The level of provision is at the discretion of the local authority.
Timing of activity	<p>Monthly inspections and annual capital improvement programme.</p> <p>Car park charges currently apply Monday to Sunday 8am to 7pm (depending on location).</p>
Staffing and equipment levels	Admin team and 15 Civil Enforcement Officers. CCTV monitoring is provided by a private contractor.
Key Performance Indicators	<ul style="list-style-type: none"> • Parking income. • Park and Ride usage. • Genuine machine faults recorded. • Genuine customer complaints recorded.
Boundary area	CCTV city centre based. Car parks provided District wide.

Special MaintenanceDarren Lewis T: 01962 848582 E: dlewis@winchester.gov.uk

Baseline Activity	Various reactive/planned works
Notes of Service	Graffiti removal, jetting, gum removal, alleyway maintenance, installation/maintenance of cigarette disposal bins, weed spraying/removal, soft landscaping, painting, general maintenance works, Christmas tree erection/removal.
Statutory or Discretionary?	Discretionary as either not legislated for or done to a higher standard than required under statutory legislation.
Timing of activity	7 days a week including evening works depending on business need.
Staffing and equipment levels	11 staff.
Key Performance Indicators	Work safely completed within reasonable timescales and to required standard.
Boundary area	Central Winchester.

Tourism and ArtsRachel Gander T: 01962 848556 E: rgander@winchester.gov.uk

Baseline Activity	Tourism Marketing
Notes of Service	<p>Working to implement the priorities of the Council Plan 2020 to 2025 and in particular the 10-Year Green Economic Development Strategy which includes developing a Sustainable Tourism Strategy.</p> <p>What the service delivers</p> <p>Raising the profile of the Winchester District as a world-class destination and enhancing the quality of the visitor experience through product and information. Responsible for all aspects of domestic and inbound tourism in including:</p> <ul style="list-style-type: none"> • ‘Visit Winchester’ brand development. • Working directly with 150+ local businesses to create measurable outcomes for them in terms of profitability, PR exposure and events success. • Offering marketing and advertising packages as well as developing strategic partnerships with local businesses in order to deliver marketing campaigns and activities. • Development of long-term strategy for the destination. • Digital marketing via Visit Winchester’s online channels, e.g. visitwinchester.co.uk, festivalsinwinchester.co.uk, christmasinwinchester.co.uk and Visit Winchester social media channels (Facebook, Twitter, Instagram and YouTube). • Production of print and publicity materials (e.g. the annual visitor guide, visitor maps and 15 self-guided trails (trails also available digitally to follow)). • Public relations and media engagement through Discover Winchester group. • New product development and thematic campaigns (e.g. themed trails and guides, short break packages and special offers). • Visitor research. • Development of the image library. <p>Responsible for making the Visitor Information Centre (VIC), and the county-</p>

	<p>related information dealt with by the service, more accessible and relevant to residents in the local District and visitors. The VIC showcases an improved retail offer with a focus on local gifts, produce, arts and crafts.</p> <p>WCC continues to work effectively with Visit Britain, Visit England, Hampshire County Council, Tourism South East and other tourism services and destinations across the county and region.</p>
Statutory or Discretionary?	Discretionary.
Timing of activity	Visitor guide and visitor map updated annually. Other activities ongoing.
Staffing and equipment levels	<p>Tourism Marketing and Development Manager 0.8 FTE.</p> <p>Tourism Marketing and Development Officer 0.5 FTE.</p> <p>Digital Marketing Officer 0.5 FTE.</p> <p>Project Support Officer 1 FTE (shared with economy team).</p>
Key Performance Indicators	<p>Total tourism service customer enquiries (excluding web hits).</p> <p>Total visits to tourism website (Visit Winchester).</p> <p>Tourism South East Economic Impact Research – e.g. length of stay and spend.</p>
Boundary area	Core remit is District wide. Extended remit includes the Hampshire Area of the South Downs National Park.

Baseline Activity	Winchester Visitor Information Centre
Notes of Service	<ul style="list-style-type: none"> • Information Provision: Front of house delivery for Tourism Marketing campaigns/leaflets/trails. Information for visitors and local residents on events, things to do, walking/cycling, places to eat/drink. • Retail Offer: The only Winchester souvenir shop in the city, the centre provides visitors and local residents alike the opportunity to purchase local produce and crafts, Winchester themed souvenirs and a wide range of publications on the local area, including walking and cycling. • Guided Tours: Liaison with and development of Winchester Area Tourist Guides Association, ticket sales and publicity for guided tours and support for training when the need arises – upcoming Green and Blue Badge courses planned in the next 5 years. • Industry Communications: Key liaison with accommodation

	<p>providers regarding industry updates, best practice, advertising.</p> <ul style="list-style-type: none"> Responsible for the Meet in Winchester group consisting of event venues in the Winchester District and assisting event organisers with finding venues suitable for their requirements.
Statutory or Discretionary?	Discretionary.
Timing of activity	<p>Open Monday to Saturday 10am – 5pm.</p> <p>Additionally Sundays May – August (10am – 3pm).</p>
Staffing and equipment levels	1 part-time VIC Manager, 1 full-time Visitor Information Assistant, 5 part-time Visitor Information Assistants. Casual staff as and when required.
Key Performance Indicators	<p>Visitor Footfall.</p> <p>Visitor Phone Enquiries.</p> <p>Visitor Email Enquiries.</p>
Boundary area	District wide.

Baseline Activity	Arts Development
Notes of Service	<ul style="list-style-type: none"> Work across the arts and creative industries, venues, practitioners, relevant council services and other stakeholders offering practical support and advice in order to champion Winchester District's creative industries. Support arts events and festivals such as the annual Hat Fair and other activities on an ad hoc basis.
Statutory or Discretionary?	Discretionary.
Timing of activity	Ongoing.
Staffing and equipment levels	<p>Part of the Tourism team role.</p> <p>Culture and Creative Sector Development Officer 1 FTE (currently vacant).</p>
Key Performance Indicators	Total participants in supported activities (performances and/or workshops).
Boundary area	District wide.

Hampshire County Council

Highways

Peter Barty (Highways Maintenance) T: 0300 555 1388

Marc Samways (Safer Roads and Parking)

Julian Higgins (Lighting) T: 0845 603 5633 E: street.lighting@hants.gov.uk

Baseline Activity	Highway Maintenance, Regulation and Enforcement
Notes of Service	<p>Routine and Capital Maintenance of Roads</p> <p>Reactive and routine maintenance is an ongoing activity. Larger capital maintenance is planned, programmed and undertaken by the operation resilience team at Hampshire County Council HQ.</p> <p>Maintenance of Non-Illuminated Traffic Signs</p> <p>Non-illuminated traffic signs which may be regulatory, warning, direction signs or advice and information signs placed by the Highway Authority for highway purposes.</p> <p><u>Relevant Legislation</u></p> <p>Section 41 of the Highways Act 1980 imposes a duty on the Highway Authority (Hampshire County Council) to maintain those roads which are maintainable at public expense.</p>
Statutory or Discretionary?	Statutory.
Timing of activity	<p>Hampshire County Council is committed to continue with the routine maintenance works to the highway.</p> <p>Highways management ongoing for the life of the Business Improvement District (BID).</p>
Staffing and equipment levels	Information not available.
Key Performance Indicators	None.
Boundary area	The service operates across Hampshire. Winchester District is covered from the Bishop's Waltham office.

Baseline Activity	Safer Roads
<p>Notes of Service</p>	<p><u>Traffic Management</u></p> <p>Hampshire County Council is the Highway Authority for all roads in the County, with the exception of the M3 and M27 motorways and the A34, A303 and A31 trunk roads, which are the responsibility of National Highways. There are also a number of military roads and private roads which are managed separately.</p> <p>As Highway Authority, one of the statutory requirements placed upon Hampshire County Council is to manage the road network so as to ensure, as far as possible, the safe and convenient movement of not only traffic, but also pedestrians and other vulnerable road users.</p> <p>Winchester City Council currently look after on-street parking matters including dealing with requests for new waiting restrictions on behalf of the County Council. However, the County Council are expected to take back this function to deliver a county-wide parking service sometime within the next 12 months.</p> <p><u>Traffic Management Policy</u></p> <p>Hampshire County Council has developed a series of policy and guidance documents which complement national Government policy and advice. Current Hampshire County Council traffic management policy focusses resources on highway measures linked to casualty reduction.</p> <p><u>Casualty Reduction Team</u></p> <p>Work to identify and treat locations with a proven history of collisions that result in personal injury.</p> <p><u>Road Safety Education</u></p> <p>Development and delivery of road safety education to schools, colleges and other high-risk groups aimed at reducing the number of casualties on Hampshire roads.</p> <p><u>School Crossing Patrol Service</u></p> <p>Management of the county-wide School Crossing Patrol Service.</p>
<p>Statutory or Discretionary?</p>	<p>Statutory.</p>
<p>Timing of activity</p>	<p>Highways management ongoing for the life of the Business Improvement District (BID).</p>

Staffing and equipment levels	Information not available.
Key Performance Indicators	None, but casualty performance across the county is regularly monitored.
Boundary area	The service operates across Hampshire. Winchester District is covered, along with the rest of the county from the Castle Offices at Winchester.

Baseline Activity	Street Lighting
Notes of Service	<p><u>Maintenance of Street Lighting</u></p> <p>All Hampshire County Council maintained assets are fitted with remote monitoring equipment that checks the operation of each unit and automatically reports faults to the County Council's service provider. This equipment also enable lights to be dimmed to help save energy. The County Council aims to deal with faults promptly and within the following response times:</p> <ul style="list-style-type: none"> • Normal faults – attend site within 3 business days and repair or report more extensive repairs or supply cable faults. • Electricity Cable faults – In these cases repairs may take an additional 10-25 days to repair. • Emergencies – attend site and make safe within 2 hours. <p>Private Finance Initiative (PFI) Contract.</p> <p>As part of Hampshire County Council's PFI contract all lighting has been replaced or upgraded since April 2010.</p> <p>The County Council also complete the following operations to keep all street lights and illuminated traffic signs operational and electrically safe:</p> <ul style="list-style-type: none"> • Electrical inspections. • Structural inspections. • Lamp replacement programme. • Painting programme.
Statutory or Discretionary?	Statutory.
Timing of activity	See 'notes of service' above.

Staffing and equipment levels	None.
Key Performance Indicators	None.
Boundary area	The service operates across Hampshire.

Hampshire Constabulary

Police

Jon Turton (Chief Inspector) T: 101

Baseline Activity	City Centre Neighbourhood
Notes of Service	<p>Identifying and managing risk and vulnerability. Engaging with local communities, problem solving crime and disorder issues, and managing offenders. We aim to achieve this by:</p> <ul style="list-style-type: none"> • Response and Patrol Team (R&P) working within the National Intelligence Model and Tasking Co-ordinating Group processes to provide pro-active patrol presence and response to immediate calls for service. • Neighbourhood Policing Teams (NPT) working with partner agencies to work with the community to problem solve crime identified through the force control strategy and district priorities. Targeting community raised priorities, such as ASB, graffiti, drunkenness, vandalism etc. • Local tactical level vulnerability meetings addressing the needs of the community. • Active involvement with 'Shopwatch' to keep persistent offenders away from Winchester's retail premises. • Active involvement with 'Pubwatch' to prevent persistent offenders from frequenting licensed premises within Winchester. • Active involvement with Winchester City Centre Partnership to address the needs of the business community.
Statutory or Discretionary?	Statutory.
Timing of activity	24 hours per day, 365 days a year.
Staffing and equipment levels	<p>Winchester District is patrolled by:</p> <ul style="list-style-type: none"> • 5 Response and Patrol Teams with a total of 52 officers including one Sergeant per team. • 3 Neighbourhood Policing Teams of 15 police officers, managed by 3 sergeants with 12 Police Community Support

	<p>Officers (PCSO).</p> <p>The Winchester central neighbourhood is covered by:</p> <ul style="list-style-type: none"> • 1 Sergeant, • 6 PCs, • 4 PCSOs. <p>The High Harm (proactive) Team covers the entire district and is made up of:</p> <ul style="list-style-type: none"> • 1 Sergeant, • 6 PCs, • 3 PCSOs.
Key Performance Indicators	<p>Levels of recorded crime and ASB.</p> <p>Outcomes.</p> <p>Vulnerability management, including safeguarding of victims.</p> <p>Action against repeat offenders.</p> <p>Engagement Activity with local communities.</p>
Boundary area	District wide.

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Winchester Business Improvement District (BID)

Levy Rules 2023 – 2028

The following rules must be read in conjunction with the Business Improvement Districts (England) Regulations 2004 (as amended) and Part 4 of the Local Government Act 2003. Where the rules conflict with the Regulations, the Regulations prevail.

1. Hereditaments Subject to the BID Levy:

1.1 A Non-Domestic ratepayer will be subject to an annual BID Levy in respect of a hereditament if, on the 1st April in the year of the collection of the levy, the hereditament:

1.1.1 is in the defined Winchester City Centre BID area; and

1.1.2 is in the Rating List on that day for the Winchester Billing Authority.

2. The BID Levy:

2.1 The annual BID Levy will be calculated as $RV \times BID \text{ Multiplier}$ where:

2.1.1 the RV is the current RV of the hereditament on 1st April in the year of the collection of the levy

2.1.2 the BID Multiplier is either:

2.1.2.1 Nil where the hereditament is occupied by a Charity and is in receipt of Mandatory Rate relief (as prescribed by section 43 and 45 of the Local Government Finance Act 1988 (LGFA 88)) except where the property is used as a Charity Shop (see paragraph 2.1.2.2 below); or has a Rateable Value ("RV") which is less than £1,250.

2.1.2.2 1.25% of the RV on Managed Shopping Centres. These are defined as hereditaments included in The Brooks Shopping Centre. Any new developments will be charged in line with the BID multiplier stipulated at paragraph 2.1.2.3; or

2.1.2.3 1.5% of the RV on all other hereditaments except those listed above.

2.2 The calculation of the BID Levy cannot be altered in such a way that causes any person to be liable to pay the levy who was not previously liable to pay; or increase the Levy for any person, without an Alteration Ballot. Any other material change from the arrangements set out in the Proposal Document will be possible without an alteration ballot, subject to consultation with Winchester City Council.

3. Persons / Organisations Liable for the BID Levy

3.1 Liability for the BID Levy will be the responsibility of the ratepayer of the hereditament on 1st April in the year of the collection of the levy.

3.2 If a hereditament is empty, the liability for the BID Levy will fall on the owner as at 1st April in the year of the collection of the levy. For this purpose the owner is the person entitled to possession under section 65(1) of the LGFA 88.

3.3. The BID levy will be payable in advance upon service of a Demand Notice.

4. BID Levy Allowances:

4.1. The levy will be payable on all unoccupied property regardless of whether it is in receipt of an exemption or relief from Non-Domestic Rates in accordance with paragraph 2.1.

4.2 'Unoccupied' in relation to hereditaments shall have the same meaning as section 45 LGFA 88.

4.3. There will be no allowances applicable to the BID levy regardless of those allowances awarded against a ratepayer's Non-Domestic Rates, for example, reliefs such as Discretionary, Hardship, Section 44a (Partly Occupied), Small Business Rate, Charitable, Community Amateur Sports Club Association (CASC), Rural or Transition, and all others in relation to Non-Domestic Rates.

5. Collection of the BID Levy:

5.1 The BID levy is payable in one instalment within 14 days of the issue of the Demand Notice. This instalment date will be specified on the Demand Notice. The notice will be served as soon as practicable after the Council becomes aware of a BID levy liability. The Council may serve a Demand Notice before the commencement date of the BID in accordance with paragraph 5(2) of Schedule 4 of the Business Improvement Districts (England) Regulations 2004.

5.2 The levy is an annual sum and will not be apportioned during the year when a ratepayer vacates or occupies a property.

5.3 If a new property comes in to the Rating List mid-year no charge will apply until the following year's levy becomes due.

5.4 If a property undergoes a split or merger in the Rating List mid-year the levy will not be amended to reflect the change until the following year.

5.5 If a property's Rateable Value is decreased/increased mid-year the levy will not be amended to reflect the change until the following year.

5.6 If any of the changes referred to in paragraph 5.2, 5.3 and 5.4 occur and the effective date of the change is prior to 1st April then it will not take effect until the 1st of April following the receipt of the Valuation Office's Schedule of Alterations for those hereditaments. For example: On 1st April 2023 a hereditament has an RV of £15,000. The levy for 2023/24 will be based on 1.5% of the £15,000. However, if the VOA issues an alteration on that RV on 1st June 2023 amending the RV to £10,000 but with effect from 1st April 2023, the levy for 2023/24 will not be altered. However, the levy for 2024/25 will be based on the revised RV of £10,000.

Winchester Business Improvement District (BID)

Operating Agreement 2023 – 2028

1. The Parties

This operating agreement is between the following parties:

- 1.1 Winchester City Centre Partnership (“the BID”) registered as a company limited by guarantee in England with company number 3485365 whose registered office is Winchester Business Centre, 10 Parchment Street, Winchester, SO23 8AT; and
- 1.2 Winchester City Council (“the Council”) of City Offices, Colebrook Street, Winchester, Hampshire, SO23 9LJ.

2. Background

- 2.1 The Council is the billing authority for the purposes of the Local Government Act 2003 and is responsible for collecting the BID Levy and administering the BID’s fourth term Revenue Account which shall be used towards the operation of the BID within the proposed geographical boundary laid out in the BID fourth term proposals.
- 2.2 The BID company operated the BID during its first, second and third terms and, if following a successful renewal ballot of qualifying businesses, the BID will continue to operate for a fourth term, with effect from 1 April 2023.
- 2.3 The purpose of this agreement is to:
 - (i) confirm the basis upon which the Council will be responsible for collecting the BID Levy
 - (ii) set out the enforcement mechanism available for collection of the BID Levy
 - (iii) set out the procedures for accounting and transference of the BID Levy
 - (iv) provide for the monitoring and review of the collection of the BID Levy
 - (v) set out the financial reviews and spending of the BID Levy by the Company and its internal control arrangements

3. Collecting the BID Levy

- 3.1 The Council shall send a Demand Notice on each BID Levy Payer and shall continue to calculate the BID Levy and serve a Demand Notice in each financial year of the BID’s fourth term.
- 3.2 The Council shall maintain an accurate and up to date list, which identifies payment/and or non-payment of the BID Levy and shall make this available to the BID upon request.
- 3.3 The Council shall use all reasonable endeavours, which are consistent with its usual procedures for the collection of business rates to collect the BID Levy for each financial year of the BID’s fourth term in accordance with the procedures set out in the BID Levy Rules.

3.4 The Council shall pay the BID the first tranche of levy payment no later than 30 April of each financial year. A second payment shall be paid at the discretion of the BID and the Council in the autumn of each financial year.

4. Budget Preparation and Forecasting

4.1 The Council will submit a statement to the BID Company, by 30 November prior to the next financial year, which will include the following information:

- (i) new ratepayers since the 1st April
- (ii) an estimate of bad or doubtful debts for the current year

4.2 The BID Company will submit a statement to the Council, by 30 September, which will include the following information

- (i) a revised budget for income and expenditure for the current year
- (ii) a monthly profit and loss statement for the current year

5. Audited Accounts

The BID Company will submit to the Council:

- (i) a copy of its final audited accounts, within 15 working days of the Board meeting approving the accounts

6. Performance Monitoring

6.1 The Executive Director of the BID will meet at least twice a year with the Service Lead for Revenues and Benefits from the Council to monitor levy collection rates, financial spend, performance of the BID and information required for the production of annual bills.

7. Termination

7.1 Both parties will make reasonable endeavours to ensure that the BID is successful. Any issues, problems or concerns will be raised between the parties in order to seek resolution. If termination is necessary, this will be done in accordance with The Business Improvement Districts (England) Regulations 2004.

COMPANIES ACT 1985 and 1989

COMPANY LIMITED BY GUARANTEE

MEMORANDUM

AND

ARTICLES OF ASSOCIATION

OF

WINCHESTER CITY CENTRE PARTNERSHIP LIMITED

DATE OF INCORPORATION: 23rd December 1997

COMPANY NO.: 3485365

**THE COMPANIES ACT 1985 and 1989.
COMPANY LIMITED BY GUARANTEE**

**MEMORANDUM OF ASSOCIATION
OF
WINCHESTER CITY CENTRE PARTNERSHIP LIMITED**

1. * The name of the company (hereinafter called "the Company") is "WINCHESTER CITY CENTRE PARTNERSHIP LIMITED".
2. The registered office of the Company will be situated in England.
3. A) The objects for which the Company is established are to manage the City Centre of Winchester, including:-
 - i) to promote Winchester as a thriving regional and national business and commercial centre;
 - ii) to encourage, promote, operate, manage and own such facilities and services for the benefit of the users of Winchester City centre including commercial, industrial, customers and visitors to the City;
 - iii) to do all things required to introduce, implement and operate a Business Improvement District as detailed in the Local Government Act 2003 and the Business Improvement Districts (England) Regulations 2004 (SI2004/2443) for such area of Winchester City as is deemed appropriate;
 - iv) to introduce and organise forums, conferences, discussion groups amongst firms, businesses operating in Winchester City Centre and such other bodies, organisations or other and to promote co-operation between the various sectors operating within, and using Winchester City Centre;
 - v) to collect and circulate statistics and information of all kinds;
 - vi) to publish, print, cause to be published and printed such guides, brochures, books, leaflets, handbills, advertising and advertising literature as may be beneficial or advantageous to any or all of the objects of the Company;
 - vii) to provide, encourage and promote such facilities and services as may be beneficial to the objects of the company, including, but not exclusively, provision of Christmas lights, public benches, public art, lighting generally, street cleaning, the planting of flowers, bushes and trees, and car parking facilities and to organise and operate any such transport policy as may be considered expedient;
 - viii) to undertake, sponsor or subsidise any cultural, educational, sporting or promotional event, performance or exhibition;
 - ix) to grant donations for public purposes beneficial to the Winchester City Centre;
 - x) to undertake any other activity or service which may be considered from time to time beneficial or conducive to all or any of the objects of the Company.

* The name of the Company was, on 11 March 2002, changed from "Winchester City Centre Management Limited"

IN FURTHERANCE of the objects specified in Clause 3(A) hereof the Company shall have power :-

- B) To purchase, take on lease or in exchange, hire or otherwise acquire real or personal property and rights or privileges and to construct, maintain and alter buildings or erections.
- C) To sell, set, mortgage, dispose or turn to account all or any of the property and assets of the Company.
- D) To undertake and execute any charitable trust which may be lawfully undertaken by the Company.
- E) To invest the moneys of the Company not immediately required for its purposes in or upon such investments, securities or property as may be thought fit, subject nevertheless to such conditions (if any) and such consents (if any) as may from time to time being imposed or required by law and subject also as hereinafter provided
- F) To borrow or raise money in such manner and to such extent as the Company shall think fit.
- G) To remunerate any person, firm or company rendering service to the Company whether by cash payment or by allotment to him or them of securities of the Company credited as paid up in full or in part or otherwise.
- H) To pay out of the funds of the Company all expenses which the Company may lawfully pay of or incidental to the formation, registration or raising money for the Company.
- I) To enter into any arrangement or contract with any government or authority supreme, municipal, local or otherwise and to obtain from any such government or authority any rights, concessions or privileges that may seem conducive to the attainment of the Company's objects or any of them.
- J) To do all such other things as are incidental or conducive to the attainment of the above objects.
- K) To engage such specialists, tradesmen, advisers and consultants in pursuance of the Company's objects;

It is hereby expressly declared that each of the preceding sub-clauses shall be construed independently of and shall be in no way limited by reference to any other sub-clause and that the objects set out in each sub-clause are independent objects of the Company.

The income of the Company, from wherever derived, shall be applied solely in promoting the above objects, and no distribution shall be made to its members in cash or other or otherwise.

- 4. The liability of the members is limited.
- 5. Every Member of the Company undertakes to contribute to the assets of the Company in the event of it being wound up while he is a Member or within one year after he shall cease to be a Member for payment of the debts and liabilities of the Company contracted before he ceased to be a Member and the costs, charges and expenses of winding up and for the adjustment of the rights of contributories among themselves such amount as may be required not exceeding one pound.
- 6. If on winding up of the Company there remains any surplus after the satisfaction of its debts and liabilities, the surplus shall not be distributed amongst the members of the Company, but shall be given or transferred to some other body (whether or not it is a member of the Company) have objects similar to those of the Company, or to another body the objects of which are charitable and to be applied for its purposes within the Winchester City Council administrative area.
- 7. No addition, alteration or amendment shall be made to or in the provisions of the Memorandum or Articles of Association for the time being in force, unless the same shall have been previously agreed in writing by Winchester City Council and the Hampshire Chamber of Commerce.

**THE COMPANIES ACT 1985 AND 1989
COMPANY LIMITED BY GUARANTEE**

**ARTICLES OF ASSOCIATION
OF
WINCHESTER CITY CENTRE PARTNERSHIP LIMITED**

INTERPRETATION

1. In these Articles:
 - 1.1 reference to any Act of Parliament includes any statutory modification or re-enactment of it for the time being in force;
 - 1.2 "clear days" in relation to a period of notice means the period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect;
 - 1.3 the "Council" means the Winchester City Council or its successor body;
 - 1.4 the "Chamber" means the Hampshire Chamber of Commerce or its successor body;
 - 1.5 the "Business Improvement District" means those areas of Winchester City Centre as defined from time to time by the directors and subject to the BID levy;
 - 1.6 The 'Companies Act' means the Companies Act 1985 and 'the 2006 Act' means the Companies Act 2006, but so that any reference in these Articles to any provision of the Act or the 2006 Act shall be deemed to include a reference to any statutory modification or re-enactment of that provision for the time being in force, and unless the context requires otherwise, all words or expressions bear the same meaning as in the Companies Act;
 - 1.7 "Levy Payers" means those non-domestic rate payers within the Winchester Business Improvement District who are required to pay a BID levy in accordance with Sections 45 and 46 of the Local Government Act 2003 and the Business Improvement Districts (England) Regulations 2004 (SI 2004/2443)
 - 1.8 "Local Authority Person" means a person who is associated with a local authority for the purposes of Section 69 Local Government and Housing Act 1989 which includes a member of a local authority or an officer of a local authority or a person who has been a member of a local authority within the preceding four years or a person who is both an employee of a company under the control of the local authority or a director or officer of that company;
 - 1.9 "Local Authority" means a body of one of the descriptions listed in Section 67(3) Local Government and Housing Act 1989 and includes a group of local authorities as referred to in Section 73(2) of that Act;
 - 1.10 "Regulated Company" means a company deemed to be a regulated company for the purposes of the Local Government and Housing Act 1989 and Local Authorities (Companies) Order 1995 and any subsequent amendments thereto;
 - 1.11 "communication" and "electronic communication" have the same meaning as in the Electronic Communications Act 2000;

- 1.12 reference to a person includes a corporation, and reference to a corporation includes any firm, public or other authority, board association society or group and "corporate" shall be construed accordingly.

MEMBERS

2. Such individuals being either:-
- 2.1 nominees of incorporated or unincorporated bodies, societies, organisations, companies;
- 2.2 other natural or legal persons
who are admitted to membership in accordance with Articles 3 and 4 shall be members of the Company.
3. No such nominee of an incorporated or unincorporated body, society, organisation or company or other person shall be admitted to membership of the Company unless an application for membership has first been delivered to the Company Secretary and approved by the directors. All Levy Payers are entitled to submit an application for membership and the directors will approve such an application.
4. An application for membership of the Company must:
- 4.1 be in writing;
- 4.2 be signed by the applicant;
- 4.3 include a declaration that the applicant is or is not a Local Authority Person and that the applicant will advise the Company of any change in such status
- 4.4 include an undertaking that the applicant will not do anything or omit to do anything which the applicant knows or could reasonably anticipate would cause the Company to become a Regulated Company as defined in the Local Authorities (Companies) Order 1995.
5. All members agree to be bound by the obligations on them as set out in the Memorandum and Articles of Association of the Company. When acting as members they shall act at all times in the best interest of the Company.
6. Membership shall not be transferable and shall cease on death or on the liquidation or dissolution of a corporate member.
7. Membership shall fall into three distinct classes, as follows:
- 7.1 Class A members shall consist of nominees of the Hampshire Chamber of Commerce (one nominee) and the Winchester City Council (one nominee) only.
- 7.2 Class B members shall consist of the Levy Payers.
- 7.3 Class C members shall consist of those individuals or nominees of companies or organisations who not fall within either Class A or Class B and who shall pay a minimum annual subscription to be fixed by the directors and subject to any increase in this amount that the directors may from time to time resolve.

WITHDRAWAL OF MEMBERSHIP

8. Any member may resign from the Company by giving three (3) months' notice in writing duly signed to the secretary and thereupon such member shall be deemed to have ceased to be a member from the date of the expiration of such notice.

CESSATION OF MEMBERSHIP

9. A member shall automatically cease to be a member of the Company if:
- 9.1 any annual or other subscription or entrance fee or BID levy has not been paid six months after it has become due;

- 9.2 the directors resolve after giving the member concerned a proper opportunity to be heard, that it is not in the interests of the Company that membership should continue.
 - 9.3 they are no longer required to pay the BID levy either due to the fact that they are no longer within the Business Improvement District or the BID levy and/or Business Improvement District ceases to be operational.
10. No refund shall be made of any annual or other subscription or entrance fee or BID levy on the termination of membership for any reason.

LOCAL AUTHORITY PERSONS

- 11. No Local Authority Person may be admitted to membership of the Company without the consent of each local authority member if, by virtue of such admission, 20% or more of the total voting rights of all the members having the right to vote at a general meeting of the Company will be held by members who are Local Authority Persons and cause the Company to be deemed to be a Regulated Company.
- 12. If for any reason the Local Authority Persons together have 20% or more of the total voting rights of all members having the right to vote at a general meeting, the number of votes that may be cast in aggregate by those Local Authority Persons shall be reduced (pro rata among them) and/or the number of votes that may be cast in aggregate by all other members shall be increased (pro rata among them) (as is most appropriate in the circumstances) so that the aggregate number of votes which may be cast by those Local Authority Persons shall represent 20% of the total number of votes which may be cast by all the members at the meeting.
- 13. No Local Authority Person may be appointed as proxy or representative or otherwise vote on behalf of any other non-local authority member.
- 14. No resolution for the variation of this Clause or Clause 46 shall be proposed at any general meeting unless there shall first have been obtained the written consent of all of the Local Authority Persons who are members of the Company.

GENERAL MEETINGS

- 15. The Company shall hold an annual general meeting each year in addition to any other meetings in that year, and shall specify the meeting as such in the notices calling it. Not more than fifteen months shall elapse between one annual general meeting of the Company and the next. The annual general meeting shall be held at such times and places as the directors shall appoint.
- 16. All general meetings other than annual general meetings shall be called extraordinary general meetings.
- 17. The directors may call general meetings. On the requisition of members under the Companies Act, the directors shall forthwith convene an extraordinary general meeting for a date not later than eight weeks after receipt of the requisition. If there are not within the United Kingdom sufficient directors to call a general meeting, any director or any member of the Company may call a general meeting.

NOTICE OF GENERAL MEETINGS

- 18. An annual general meeting and an extraordinary general meeting called for the passing of a special resolution appointing a person as a director shall be called by at least twenty-one clear days notice. All other general meetings shall be called by at least fourteen clear days' notice.
- 19. A general meeting may be called by shorter notice if it is so agreed:
 - 19.1 in the case of an annual general meeting, by all the members entitled to attend and vote; and
 - 19.2 in the case of any other meeting by a majority of not less than 95% of the total votes of members entitled to attend and vote at the meeting.
- 20. The notice for any general meeting shall be given to all the members and to the directors and auditors.

21. The notice of any general meeting shall specify the time and place of the meeting and the general nature of the business to be transacted and, in the case of an annual general meeting, shall specify the meeting as such.
22. The accidental omission to give notice of a meeting to any person entitled to receive notice, or the non-receipt of notice of a meeting by any such person, shall not invalidate the proceedings at that meeting.

PROCEEDINGS AT GENERAL MEETINGS

23. No business shall be transacted at any meeting unless a quorum is present. Six persons entitled to vote upon the business to be transacted, each being a member or proxy for a member or a duly authorised representative of a corporation shall be a quorum.
24. If a quorum is not present within half an hour from the time appointed for the meeting, or if during a meeting a quorum ceases to be present, the meeting shall stand adjourned to the same day in the next week at the same time and place or to such time and place as the directors may determine.
25. The chairman of the directors (if any) or in his or her absence some other director nominated by the directors shall preside as chairman of the meeting. If neither the chairman nor any such other director is present and willing to act within fifteen minutes after the time appointed for holding the meeting, the directors present shall elect one of their number to be chairman and, if there is only one director present and willing to act, he shall be chairman.
26. If no director is willing to act as chairman, or if no director is present within fifteen minutes after the time appointed for holding the meeting, the members present and entitled to vote shall choose one of their number to be chairman.
27. The chairman may, with the consent of the meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at an adjourned meeting other than business which might properly have been transacted at the meeting had adjournment not taken place.
28. When a meeting is adjourned for fourteen days or more, at least seven clear days notice shall be given specifying the time and place of the adjourned meeting and the general nature of the business to be transacted. Otherwise it shall not be necessary to give any such notice.
29. A resolution put to the vote of a meeting shall be decided on a show of hands unless a poll is duly demanded before or on the declaration of the result of the show of hands. Subject to the provisions of the Companies Act, a poll may be demanded:
 - 29.1 by the chairman; or
 - 29.2 by at least two members having the right to vote at the meeting; or
 - 29.3 by a member or members representing not less than one-tenth of the total voting rights of all the members having the right to vote at the meeting.
30. Unless a poll is duly demanded a declaration by the chairman that a resolution has been carried or carried unanimously, or by a particular majority, or lost, or not carried by a particular majority and an entry to that effect in the minutes of the meeting shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution.
31. The demand for a poll may be withdrawn before the poll is taken, but only with the consent of the chairman. The withdrawal of a demand for a poll shall not invalidate the result of a show of hands declared before the demand for the poll was made.
32. A poll shall be taken as the chairman directs and the chairman may appoint scrutineers (who need not be members) and fix a time and place for declaring the results of the poll. The results of the poll shall be deemed to be the resolution of the meeting at which the poll is demanded.
33. In the case of an equality of votes, whether on a show of hands or on a poll, the chairman shall

have a second or casting vote.

34. A poll demanded on the election of a chairman or on a question of adjournment shall be taken immediately. A poll demanded on any other question shall be taken either immediately or at such time and place as the chairman directs not being more than thirty days after the polls is demanded.
35. The demand for a poll shall not prevent the continuation of a meeting or any other business. If a poll is demanded before the declaration of the result on a show of hands and the demand is duly withdrawn, the meeting shall continue as if the demand had not been made.
36. No notice needs to be given of a poll not taken immediately if the time and place at which it is to be taken are announced at the meeting at which it is demanded. In other cases at least seven clear days' notice shall be given specifying the time and place at which the poll is to be taken.

VOTES OF MEMBERS

37. Subject to Clause 12, every member shall have one vote.
38. On a show of hands every member who is present in person or by a duly authorised representative shall have one vote.
39. On a poll every member present or represented and in addition every member present by proxy shall have one vote.
40. An instrument appointing a proxy shall be in writing in any form which is usual or in such other form which the directors may approve, and shall be executed by or on behalf of the appointor.
41. No member shall be entitled to vote at any general meeting unless all money then payable by that member to the Company has been paid.
42. No objection shall be raised to the qualification of any voter except at the meeting or adjourned meeting at which the vote objected to is tendered, and every vote not disallowed at the meeting shall be valid. Any objection made in due time shall be referred to the chairman whose decision shall be final and conclusive.
43. A vote given or poll demanded by the duly authorised representative of a corporate member shall be valid notwithstanding the previous termination of the authority of that representative unless notice of the termination was received at the Registered Office of the Company at least 2 clear days before the commencement of the meeting or adjourned meeting at which the vote is given or the poll demanded or (in the case of a poll taken otherwise than on the same day as the meeting or adjourned meeting) the time appointed for taking the poll

DIRECTORS

44. Save for any director appointed in accordance with Articles 61, the directors of the Company must be members of the Company or the duly appointed representatives of members of the Company
45. The number of directors shall be subject to a maximum of 16 and will be appointed as follows:
 - 45.1 The Chamber shall have the right to appoint 1 director.
 - 45.2 The Winchester City Council shall have the right to appoint one director subject to Clause 46
 - 45.3 Class B members shall have the right to nominate a maximum of 8 directors who must be a representative of a Class B member. If this right causes the total number of Class B directors to exceed 8, the appointment of Class B directors will be by election.
 - 45.4 Class C members shall have the right to nominate a maximum of 3 directors who must be a representative of a Class C member. If this right causes the total number of Class C directors to exceed 3, the appointment of Class C directors shall be by election.
 - 45.5 Hampshire County Council and the University of Winchester or their successors or any such other body as the directors from time to time substitute for one of the before

mentioned shall have the right to appoint one director each (the "Co-opted Directors").

- 45.6 The individual holding the post of the Executive Director from time to time shall for as long as he holds that appointment and is not a Local Authority Person be a director ex officio.
- 45.7 The Chamber, the Council, and the Co-opted Directors shall each notify the Secretary in writing of the names of any directors appointed pursuant to Clause 45.1, 45.2 and 45.5 not less than twenty-eight days before the annual general meeting from which the appointment takes effect
- 45.7 Elections of directors under Clause 45.3 and 45.4 if necessary shall be held at the annual general meeting in accordance with these Articles and such other rules as may be prescribed from time to time by the directors and elections shall be determined by the respective class of shareholders by a show of hands or by secret ballot if requested by any such member.
46. No Local Authority Person shall be appointed as a director of the Company without the consent of each local authority member if by virtue of such appointment the local authority directors will together constitute 20% or more of the total number of directors of the Company and cause the Company to be deemed to be a Regulated Company.
47. If for any reason the local authority directors together constitute 20% or more of the total number of directors, the number of votes that may be cast in aggregate by those local authority directors shall be reduced (pro rata among them) and/or the number of votes that may be cast in aggregate by all other directors shall be increased (pro rata among them) (as is most appropriate in the circumstances) so that the aggregate number of votes which may be cast by the local authority directors shall represent 19.9% of the total number of votes which may be cast by all the directors of the Company.
48. No local authority director may be appointed as alternate director or otherwise vote on behalf of any other non-local authority director.
49. No person may be appointed or remain a member or director of the Company or be authorised to act as a local authority's representative at a general meeting of the Company or at meetings of the Company which include a general meeting if such person is disqualified from membership of a local authority (otherwise than by being employed by a local authority or by a company which is under the control of a local authority).

POWERS OF DIRECTORS

50. The business of the Company shall be managed by the directors who may exercise all the powers of the Company subject to the provisions of the Companies Act, the Memorandum of Association of the Company and these Articles and to any directions given by special resolution.
51. No alteration of the Memorandum of Association of the Company or these Articles nor any direction given by special resolution shall invalidate any prior act of the directors which would have been valid if that alteration or direction had not been made or given.
52. The powers of the directors shall not be limited by any special power given to the directors and a meeting of the directors at which a quorum is present may exercise all the powers exercisable by the directors.
53. In addition to all powers expressly conferred upon them and without detracting from the generality of their powers under these Articles the directors shall have the following powers, namely:
- 53.1 to expend the funds of the Company in such manner as they shall consider most beneficial for the achievement of the Objects of the Company and to invest all or any of those funds in the name of the Company as they see fit and to direct the sale or transfer of any such investments and to expend the proceeds of any such sale in furtherance of the Objects of the Company;

53.2 to enter into contracts on behalf of the Company.

APPOINTMENT AND RETIREMENT OF DIRECTORS

54. In every notice for an Annual General Meeting, the Board shall set out its requirements, skills, qualities and experience which it needs from its directors. The notice shall state the extent to which and how those requirements are met by those directors continuing in office and those retiring and intending to re-offer themselves for election. In exercising their powers to nominate, appoint, reappoint, elect, re-elect, approve and dismiss Board members, both the members and the directors shall seek to ensure that the Board is representative of the local community and users of the services offered by the Company and also comprises persons with a broad range of skills and who are likely to contribute to the success of the Company.
- 55.
- 55.1 Council or Chamber or Co-opted nominated directors shall be appointed for a period of three years or other such period of office to be agreed with the directors and shall not be subject to retirement by rotation. Council or Chamber nominated directors shall cease to be directors immediately if:
- 55.1.1 the director ceases to be an employee or member of the Council or Chamber or
- 55.1.2 the member that the director represents ceases to be a member.
- 55.2 Subject to the provisions of Clause 56, a person's appointment as any other director shall be for a period of three years and shall cease immediately if:
- 55.2.1 the director ceases to be an employee of the member he represents or
- 55.2.2 the member that the director represents ceases to be a member
56. At every annual general meeting one-third of all other directors, or if their number is not three or a multiple of three, the number nearest to one-third shall retire from office; but if there is only one director who is subject to retirement by rotation he or she shall retire. The directors to retire by rotation shall be those who have been longest in office since their last appointment or reappointment. As between persons who became or were last reappointed directors on the same day as those to retire shall (unless they otherwise agree amongst themselves) be determined by lot.
57. If the Company at a meeting at which a director retires by rotation, does not fill the vacancy the retiring director shall if willing to act be deemed to have been reappointed unless at the meeting it is resolved not to fill the vacancy or unless a resolution for the reappointment of the director is put to the meeting and lost.
58. No person (other than a director retiring by rotation) shall be appointed or reappointed as a director at any general meeting unless:
- 58.1 that person is recommended by the members for appointment or reappointment as a director at the meeting; and
- 58.2 not less than twenty-eight clear days before the date appointed for the meeting a member qualified to vote has given notice to the Company of the intention to propose that person for appointment or reappointment together with a signed notice executed by that person of his or her willingness to be appointed or reappointed
59. Not less than twenty-one clear days before the date appointed for holding a general meeting notice shall be given to everyone entitled to receive notice of the meeting of:
- 59.1 any person (other than a director retiring by rotation at the meeting) who is recommended by a member for appointment or reappointment as a director at the meeting; and
- 59.2 any person in respect of whom notice of intention has been proposed has been duly given under Clause 58.1

60. Any notice under Clause 58 or 59 relating to the appointment (but not the reappointment) of a director must state the particulars which would be required to be included in the Company's register of directors if the person concerned were appointed or reappointed as a director.
61. The Company (by ordinary resolution) or the directors may appoint a person who is willing to act to be a director either to fill a vacancy or as an additional director provided that the appointment does not cause the Company to be deemed to be a Regulated Company. A director so appointed shall hold office only until the next following annual general meeting and shall not be taken into account in determining the directors who are to retire by rotation at the meeting.
62. Any director who retires at an annual general meeting may, if willing to act, be reappointed. If not reappointed at such annual general meeting, the director shall vacate office at the conclusion of the meeting.

ALTERNATE DIRECTORS

63. Any director (other than an Alternate Director) may appoint any other director, or any other person approved by resolution of the directors and willing to act, to be an Alternate Director and may remove from office an Alternate Director so appointed by him.
 - 63.1 in the case of the Council members of the Board, an Alternate Director may be a Council member or Council officer or such other person appointed by the Council pursuant this Clause and;
 - 63.2 in the case of Chamber members of the Board, an Alternate Director may be a Chamber member or Chamber officer or such other person appointed by the Chamber pursuant to this Clause.
64. An Alternate Director shall be entitled to receive notice of all meetings of directors and of all meetings of committees of directors of which his appointor is a member, to attend and vote at any such meeting at which the director appointing him is not personally present, and generally to perform all the functions of this appointor as a Director in his absence but shall not be entitled to receive any remuneration from the Company for his services as an Alternate Director. It shall not be necessary to give notice of such a meeting to an Alternate Director who is absent from the United Kingdom.
65. An Alternate Director shall cease to be an Alternate Director if his appointor ceases to be a Director. If a Director retires but is reappointed or deemed to have been reappointed at the meeting at which he retires, any appointment of an Alternate Director made by him which was in force immediately prior to his retirement shall continue after his reappointment.
66. Any appointment or removal of an Alternate Director shall be by notice to the Company signed by the Director making or revoking the appointment or in any other manner approved by the directors.
67. An Alternate Director shall be deemed for all purposes to be a director and shall alone be responsible for his own acts and defaults and he shall not be deemed to be the agent of the director appointing him.

DISQUALIFICATION AND REMOVAL OF DIRECTORS

68. No person shall act as a director who:
 - 68.1 is under the age of 18;
 - 68.2 is incapable by reason of mental disorder, illness or injury of managing and administering his own affairs;
 - 68.3 is prohibited by law from being a director
 - 68.4 is bankrupt or makes any arrangement or composition with his or her creditors,
69. A director shall cease to hold office who:

- 69.1 becomes disqualified under Clause 68;
- 69.2 resigns office by notice to the Company (but only if at least two directors will remain in office when the notice of resignation is to take effect); or
- 69.3 is subject to a resolution to this effect after being absent without the permission of the directors from all their meetings held within a period of six months.

DIRECTORS' EXPENSES

- 70. The directors may be paid all reasonable travelling, hotel and other expenses properly incurred by them in connection with their attendance at meetings of directors or committees of directors or general meetings or otherwise in connection with the discharge of their duties, but shall otherwise be paid no remuneration.

DIRECTORS' APPOINTMENTS

- 71. Subject to the provisions of the Companies Act, the directors may appoint one or more of their number to any unremunerated executive office of the Company upon such terms as they may decide. Any appointment of a director to an executive office shall terminate if that person ceases to be a director.
- 72. No director, apart from Council or Chamber or Co-opted nominated directors, shall take or hold any interest in the property belonging to the Company or receive remuneration or be interested otherwise than as a director in any other contract to which the Company is a party.

PROCEEDINGS OF DIRECTORS

- 73. Subject to the provisions of these Articles, the directors may regulate their proceedings as they think fit. A director may, and the secretary at the request of a director shall, call a meeting of the directors.
- 74. It shall not be necessary to give notice of a meeting to a director who is absent from the United Kingdom.
- 75. The quorum for the transaction of the business of the directors shall be four.
- 76. The continuing directors or a sole continuing director may act notwithstanding any vacancies in their number, but, if the number of directors is less than the number fixed as the quorum, the continuing directors or director may act only for the purpose of filling vacancies or calling a general meeting.
- 77. The directors may appoint one of their number to be the chairman of their meetings and may at any time terminate that appointment. Unless unwilling to do so, the director so appointed shall preside at every meeting of directors at which he is present. If there is no director holding that office, or if the director holding it is unwilling to preside or is not present within five minutes after the time appointed for the meeting, the directors present may appoint one of their number to be chairman of the meeting.
- 78. Questions arising at a meeting of the directors shall be decided by a majority of votes. In the case of an equality of votes, the chairman shall have a second or casting vote (unless the chairman is a Local Authority Person and the second or casting vote would cause the Company to be deemed to be a Regulated Company).
- 79. The directors may appoint one or more committees to perform any function or duty which in their opinion would be more conveniently undertaken or carried out by a committee. All acts and proceedings of any such committee shall be fully and promptly reported to the directors.
- 80. All acts done by a meeting of directors, or of a committee of directors, shall be as valid as if every such person had been duly appointed and was qualified and had continued to be a director and had been entitled to vote, even if it is afterwards discovered that there was a defect in the appointment of any director or that any of them were disqualified from holding office, or had vacated office, or were not entitled to vote.
- 81. A resolution in writing, signed by all the directors entitled to receive notice of a meeting of

directors or of a committee of directors, shall be as valid and effective as if it had been passed at a meeting of directors or (as the case may be) a committee of directors duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the directors.

SECRETARY

82. Subject to the provisions of the Companies Act, the secretary shall be appointed by the directors for such term, at such remuneration (if not a director) and upon such conditions as they may think fit; and any secretary so appointed may be removed by them
83. No Local Authority Person shall be appointed as secretary without the consent of each Local Authority member.

MINUTES

84. The directors shall keep minutes in books kept for the purpose:
 - 84.1 of all appointments of officers made by the directors; and
 - 84.2 of all proceedings at meetings of the Company and of the directors and committees of directors including the names of the directors present at each such meeting.

EXECUTION OF DEEDS

85. If the Company has a Common Seal then it shall only be used by the authority of the directors or of a committee of directors authorised by the directors.
86. The directors may decide who shall sign any instrument to which the Common Seal of the Company (if any) is affixed or who shall otherwise execute any deed on behalf of the Company and unless decided otherwise the instrument shall be signed by one director and by the secretary or by a second director.

ACCOUNTS

87. Every member shall be entitled during normal business hours to inspect and take copies of the Company's statutory accounts on giving not less than 28 days written notice to the Company Secretary. The Company may make a reasonable charge for any copies taken by such member but otherwise shall not charge for facilities requested under this clause.

NOTICES

88. Any notice to be given to or by any person under these Articles shall be in writing or shall be given using electronic communications to an address for the time being notified for that purpose to the person giving the notice. A notice calling a meeting of the directors need not be in writing or given by electronic communications if there is insufficient time to give such notice having regard to the urgency of the business to be conducted at the meeting.
89. The Company may give any notice to a member either personally or by sending it by post in a prepaid envelope addressed to the member at his or her registered address or by leaving it at that address or by giving it using electronic communications in accordance with any of the methods described in subsections (4A) to (4D) of section 369 of the Companies Act. A member whose registered address is not within the United Kingdom and who gives to the company an address within the United Kingdom at which notices may be given to him, or an address to which notices may be sent by electronic communications, shall be entitled to have notices given to him at that address, but otherwise no such member shall be entitled to receive any notice from the Company.
90. A member present, either in person or by proxy, at any meeting of the Company shall be deemed to have received notice of the meeting and, where necessary, of the purpose for which it was called.
91. Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given. Proof that a notice contained in an electronic communication was sent in accordance with guidance issued by the Institute of Chartered

Secretaries and Administrators shall be conclusive evidence that the notice was given.

92. A notice sent by post shall be deemed to be given at the expiration of 48 hours after the envelope containing it was posted. A notice contained in an electronic communication sent in accordance with section 369(4A) of the Companies Act shall be deemed to be given at the expiration of 48 hours after the time it was sent. A notice contained in an electronic communication given in accordance with section 369(4B) of the Companies Act shall be deemed to be given when treated as having been given in accordance with that subsection.

INDEMNITY

93. Subject to the provisions of the Companies Act, every director or other officer or auditor of the Company shall be indemnified out of the assets of the Company against any liability incurred by him in that capacity in defending any proceedings, whether civil or criminal, in which judgement is given in his or her favour or in which he is acquitted or in connection with any application in which relief is granted to him by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Company.

RULES

94. The directors may from time to time make such rules as they may deem necessary or expedient or convenient for the proper conduct and management of the Company and for the purposes of prescribing classes of and conditions of membership, and in particular but without prejudice to the generality of the foregoing, they may by such rules regulate:
- 94.1 the admission and classification of members of the Company (including the admission of organisations to membership) and the rights and privileges of such members, and the conditions of membership and the terms on which members may resign or have their membership terminated;
 - 94.2 ethical standards to be observed by directors and officers of the Company on Company business;
 - 94.3 the conduct of members of the Company in relation to one another and to the Company's employees;
 - 94.4 the setting aside of the whole or any part or parts of the Company's premises at any particular time or times or for any particular purpose or purposes;
 - 94.5 the procedure at general meetings and meetings of the directors and committees of the directors insofar as such procedure is not regulated by these Articles;
 - 94.6 generally, all such matters as are commonly the subject matter of company rules.
95. The Company in general meetings shall have power to alter, add to or repeal the rules and the directors shall adopt such means as they think sufficient to bring to the notice of members of the Company all such rules, which shall be binding on all members of the Company.
96. No rule made under Clause 94 shall be inconsistent with, or shall affect or repeal anything contained in the Memorandum of Association of the Company or these Articles.

CAB3346
CABINET

REPORT TITLE: OPEN SPACE LAND DISPOSAL AT WELLINGTON PARK, NEWLANDS

22 JUNE 2022

REPORT OF CABINET MEMBER: Councillor Martin Tod – Leader and Cabinet Member for Asset Management

Contact Officer: Steve Lincoln Tel No: 01962 848 110 Email slincoln@winchester.gov.uk

WARD(S): DENMEAD

PURPOSE

To obtain approval for the transfer of 16 hectares of public open space at Wellington Park, Newlands from Winchester City Council to Newlands Parish Council together with the maintenance sum, currently at £1.4m which was provided by the developer as part of the s106 agreement.

RECOMMENDATIONS:

That Cabinet:

1. Notes that no objections were received as a result of the notice publicising the intention to dispose of the public open space as required by s123(2A) of the Local Government Act 1972.
2. Agrees the disposal of open space at Wellington Park, Newlands identified edged red on the Plan [‘Winchester Transfer Areas’ 1S1194/WTA1, 09/03/17] at Appendix (i) to Newlands Parish Council.
3. Agrees the transfer of the open space maintenance sum (currently £1,457,764.96) to Newlands Parish Council, and delegates to the S151 officer to confirm the final sum at the point of transfer.
4. Authorises the Service Lead Legal to prepare all transfers/agreements necessary to implement the recommendations above.

IMPLICATIONS:1 COUNCIL PLAN OUTCOME

- 1.1 Tackling the Climate Emergency and Creating a Greener District
- 1.2 The land comprises areas of meadow, woodland, open water and amenity grassland. The site also contains numerous veteran oak trees which will remain and be protected under the management of the parish council.
- 1.3 Living Well
- 1.4 The site provides access to a network of high quality and easily accessible open spaces which are important for the health and wellbeing of the local community. There are opportunities for informal recreation, access to wildlife, areas for picnicking, walking and children's play.
- 1.5 Your Services, Your Voice
- 1.6 Disposal of this open space to the parish council empowers and enables local people to have more direct control and a greater say in how their local parks and open spaces are managed and maintained.

2 FINANCIAL IMPLICATIONS

- 2.1 The 16 hectares (ha) of open space at Wellington Park, Waterlooville was laid out by the developer, Taylor Wimpey in 2016 and transferred to the council in 2017 at no cost, in accordance with a s106 agreement (c7.4.4 page 75) linked to the planning permission.
- 2.2 Taylor Wimpey was also required to provide a sum of £1.577m for its future maintenance, along with £53,000 for a play area in the Havant Borough Council area. The fund has been further supplemented by interest that has accrued since 2017.
- 2.3 In the intervening years, while the council has been maintaining and enhancing the site, a proportion of the commuted sum has been spent and the fund now stands at £1,457,764.96. On disposal of the land, this fund will move across to the parish council to assist them with the costs of managing the site in perpetuity.
- 2.4 The council sought an external valuation of the land which concludes that:
 - a) The restricted value of the land is £470,000, which reflects the value once the capital value is offset by all maintenance obligations.
 - b) The unrestricted value and the restricted value are the same, as the land has no development potential.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 The Local Government Act 1972 defines open space by reference to the definition given in s336(1), Town and Country Planning Act 1990, as : “any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground”. The land at Wellington Park falls within this definition.
- 3.2 The council has the power to agree to dispose of open space under sections 111 and 123 of the Local Government Act 1972. Under section 123(2A) of the 1972 Act a council may not dispose of open space unless before doing so they cause notice to be published of the intention to do so, specifying the land in question, and advertising for two consecutive weeks in a local newspaper. The council must then consider any objections to the proposed disposal.
- 3.3 The relevant advertisement pursuant to s123 (2A) of the Local Government Act 1972, was placed in the Portsmouth Evening News from 10 March 2022 for two weeks. No objections were received.
- 3.4 Section 7 of the Open Spaces Act 1906 enables the council to convey the land on the condition that it already has the “power, either with or without the consent of any other corporation or persons, to sell [the] land”. This power is to be found in s123(1) of the 1972 Act, and is subject to the condition in s.123(2) that the consent of the Secretary of State is required for disposals at less than best consideration.
- 3.5 The Local Government Act 1972: General Disposal Consent 2003 (the General Consent) gives a general consent by the Secretary of State for transfer of open space land at an under value of up to £2m. The valuation report provided to the council concludes that the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2m.
- 3.6 The valuer concludes that placing a restrictive covenant on the land to secure its use as recreational open space would depress its value below that which could be achieved by an unrestricted sale on the open market, so the terms of the General Consent are met and will be relevant.
- 3.7 If this disposal is authorised as recommended, ownership of the open space land will be transferred from the council to Newlands Parish Council. The responsibility for maintaining these open spaces as publically accessible, open and unenclosed areas, in accordance with the s106 agreement, will be transferred from the council to the parish council in accordance with an appropriate legal arrangement.
- 3.8 There are no direct procurement implications related to this decision as land disposal does not fall within the Public Contract Regulations 2015.

4 WORKFORCE IMPLICATIONS

- 4.1 Should this land be retained by the council, it would be maintained and paid for via the grounds maintenance contract. By transferring the land to the parish council, the work involved in overseeing and monitoring this maintenance does not become a long-term requirement.

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 The open space was secured at nil cost through an s106 agreement between the council and the developer to meet the needs of the new community.
- 5.2 The council's 'Open Space Assessment', a supporting policy document to the Local Plan, identifies the land as protected open space. A transfer of the land at nil cost would see the land remain as open space on the parish council's asset register in a similar way to that of the city council and remain as accessible public open space in perpetuity.

6 CONSULTATION AND COMMUNICATION

- 6.1 The council is authorised to dispose of any land that it owns but, where such land can be regarded as open space, such disposal must be publically advertised. The relevant advertisement pursuant to s123 (2A) of the Local Government Act 1972, was placed in the Portsmouth Evening News from 10 March 2022 for two weeks. The objections received must be considered before making any decision to dispose of the site. No objections were received.
- 6.2 Furthermore, the disposal of the open space to Newlands Parish Council is being undertaken in consultation with the parish council. The parish council has agreed to accept a transfer of the land and the accompanying maintenance sum, and recognises that this will provide it with an opportunity for more control over how the open spaces within its jurisdiction are managed. This has been discussed at meetings of both the parish council and West of Waterlooville Forum.

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 An ecological management plan has been made available for the site by the city council, and the parish council has agreed to undertake management in substantial accordance with this plan.
- 7.2 The land will remain as protected open space through the Local Plan and the restrictive covenant to be included in the transfer of the land to the parish council, and will continue to function in such a way as to deliver benefits for both wildlife and people. In addition the site provides a range of other environmental services including flood attenuation, carbon capture, urban cooling and removal of pollutants through the extensive reed bed system.

8 PUBLIC SECTOR EQUALITY DUTY

8.1 Under s149 (1) of the Equality Act the council must have due regard, in the exercise of its functions, (and Cabinet must, as the decision maker in respect of the proposed decision, have due regard) to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act.
- b) Advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share them.
- c) Foster good relations between persons who share relevant protected characteristics and persons who do not share them.

8.2 An equality impact assessment has been completed to assess the impact of this decision. The assessment is found at appendix (ii) which concluded that the transfer of open space and the maintenance sum to Newlands Parish Council will have no negative effect on the community or individuals on the basis of their race/gender/disability/sexual orientation/age or religion.

8.3 Maintaining public access to the area and hence recreational activities such as walking, picnics and children's play benefits a wide group of residents. The effect of the transfer particularly on parents with young children, children and the elderly will be a positive one as the open spaces will continue to be available and accessible to all vulnerable groups.

8.4 The transfer agreement will ensure that public access to the site will be retained and in this way will ensure that those with protected characteristics can still easily visit the local public open spaces.

8.5 Cabinet should refer to the equality impact assessment at appendix (ii). Overall, the proposed decision is considered to contribute towards advancing equality of opportunity particularly due to the provision of local parks and open spaces, on persons with protected characteristics.

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 Having had regard to the council's obligations under the Data Protection Act 2018 and UK General Data Protection Regulation 2018, it is considered that a Data Protection Impact Assessment (DPIA) is not required for this report.

9.2 Any data collected as a result of, any event, consultation and engagement with the project is processed in accordance with data protection legislation.

10 RISK MANAGEMENT

10.1 Not transferring the open space to the parish council would mean a loss of opportunity for local management.

Risk	Mitigation	Opportunities
<i>Financial Exposure</i>		

<i>WCC do not have sufficient funds to transfer.</i>	Funds are available and have been ring fenced for this purpose	Transfer of funds strengthens the asset base of the parish council
<p>Legal <i>The decision is challenged.</i></p> <p><i>Appropriate legal arrangements cannot be completed.</i></p>	<p>All necessary statutory processes have been complied with.</p> <p>Discussions have been ongoing with the Parish Council who have agreed to take the land including responsibility for its maintenance. The parish council have appointed a solicitor.</p>	
<p>Innovation N/A</p>	N/A	N/A
<p>Reputation <i>That there may be a need for Newlands Parish Council to seek advice in the management of the site.</i></p>	The council will provide support at the outset to Newlands Parish Council to ensure they have all the necessary tools to undertake effective and efficient management of the site.	Council reputation is enhanced through successful transfer and empowerment of the parish council.
<p>Achievement of outcome <i>That the parish council fails to maintain the land to the expected standard.</i></p>	<p>The council will provide support at the outset to Newlands Parish Council to ensure they have all the necessary tools to undertake effective and efficient management of the site.</p> <p>A management plan has been written and agreed with Newlands Parish Council, which will be included in the terms of</p>	<p>The parish council's ability to respond to local need/demand ensures the open space is managed more effectively.</p> <p>This council can focus its resources on securing and delivering new areas of open space as they become available through the development management process.</p>

	the disposal and ensure the site continues to be effectively managed.	
Property N/A	N/A	N/A
Community Support <i>That the Parish Council does not have or does not retain support of the community.</i>	Ongoing discussion at parish meetings and community forum ensures community awareness. The council to provide advice where necessary.	There is a likelihood of greater community involvement in the site and increased sense of ownership.
Timescales <i>Delay in decision and completion of the transfer with a corresponding reduction of the commuted sum for maintenance.</i>	All necessary statutory processes complied with.	Short delay to date has allowed the parish council to fully prepare for the transfer.
Project capacity <i>Additional council time required if transfer is prolonged.</i>	Council officer work programme to accommodate possible additional time.	

11 SUPPORTING INFORMATION:

- 11.1 The site for disposal comprises 16ha of meadow, woodland, scrub, open water and amenity grassland spread across a number of separate parcels of land. The majority of the site (13ha) lies to the west of the Wellington Park development in a single parcel known as Newlands Walk. See appendix (i) for a plan showing the location and extent of the open space.
- 11.2 Wellington Park was the first phase of the West of Waterlooville major development. It has been under construction since 2010 and was completed in 2017.
- 11.3 Planning permission for the Wellington Park site (council planning ref: 05/00500/OUT) was accompanied by a s106 legal agreement dated 20 December 2007 between Winchester City Council, Hampshire County Council, Havant Borough Council, Taylor Wimpey and Laing Homes. The

s106 agreement included terms which obliged the developer, to lay out and provide 16 ha of public open space and sustainable urban drainage features, as the supporting infrastructure to the new major development area, and to transfer £1.5M to the council to ensure future open space maintenance provision.

- 11.4 The s106 states that the open space land should be transferred to the 'relevant authority' upon completion. When the land was transferred by the developer in 2017 the future governance arrangements for the area had not been decided (Newlands Parish Council did not exist) so the sensible option at the time was to transfer the land to the city council and the land has been under the council's management since this date. Open space maintenance has been delivered through the council's grounds maintenance contract.
- 11.5 It has always been the intention of both the council and the new parish council to see the land transferred to the parish council at the earliest opportunity. Ownership by Winchester City Council was never seen as an appropriate long-term arrangement due to the desire for the local community to have more control and influence over the management of the site and for it to be able to enhance the area going forward, in a way which better meets local needs. This devolved management of open space reflects the established approach across the district, where both resident management companies and parish councils manage public open space very successfully in all areas.
- 11.6 All statutory processes associated with the disposal of open space have been completed, with a public notice of the disposal receiving no objections.
- 11.7 The council sought an external valuation of the land which concludes that:
- a) The restricted value of the land is £470,000, which reflects the value once the capital value is offset by all maintenance obligations.
 - b) The unrestricted value and the restricted value are the same, as the land has no development potential.
- 11.8 It is therefore recommended that the council transfers the open space at Wellington Park to Newlands Parish Council, along with the remainder of the commuted sum which is to be used towards the maintenance of the site in perpetuity with the parish precept.

12 OTHER OPTIONS CONSIDERED AND REJECTED

- 12.1 The alternative option is that the council retains management of the open space rather than it being transferred to the parish council. This has been discounted for the following reasons:
- a) Whilst the council has an effective grounds maintenance contract, it does not allow for local variation and/or subtlety of management. This can be more readily achieved when land is managed by local people for local people.

- b) The council is no longer the default recipient or transferee of new residential on-site open spaces, where those open spaces could be more appropriately managed by a local parish council or a resident management company.
- c) Allowing local people to have a more direct say in how their open space is managed engenders a better sense of ownership and responsibility and reduces issues such as anti-social behaviour and vandalism.
- d) The existing commuted sum is sufficient to help support the management of the site for the foreseeable future but there will be a need to use local precept at some point to sustain effective management of the site.

BACKGROUND DOCUMENTS:-

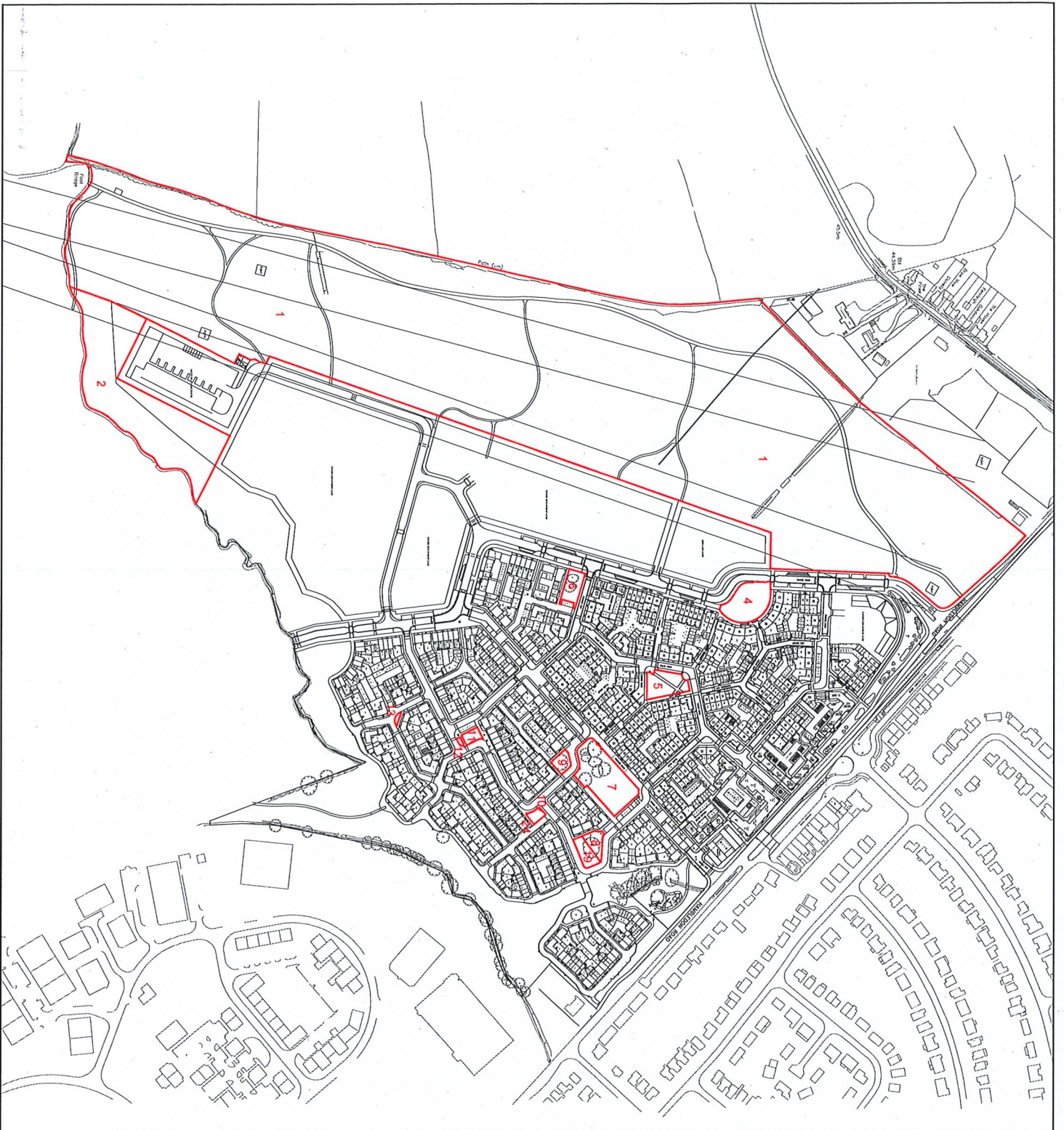
Previous Committee Reports:-

N/A

APPENDICES:

- (i) Scaled plan ('Winchester Transfer Areas' 1S1194/WTA1, 09/03/17) showing the location and extent of the open space proposed for transfer to Newlands Parish Council
- (ii) Equality Impact Assessment.

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KEY
 — EXTENT OF OPEN SPACE
 TO BE TRANSFERRED

WINCHESTER TRANSFER	
AREA No.	AREA (sq. m.)
1	135,643
2	10,065
4	1,310
5	829
6	487
7	2,275
8 +19	693
9	280
10+24	150
11+12	213
13	37
TOTAL	151952

REV. DATE DETAILS BILL
 JOB OLD PARK FARM, WATERLOOVILLE

TITLE
 WINCHESTER TRANSFER AREAS
 1-2, 4-13, 19 and 24

SCALE 1:25000@A2
 DRN DP CHND
 DATE 09-03-17 DATE

Taylor Wimpey
 Taylor Wimpey Southern Counties
 Operations House, Lakeside Centre
 Telephone: 02380 255088
 Fax: 02380 251344

DRG.No. 1S1194/WTA 1 Rev. *

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Winchester City Council

Equality Impact Assessment Template (EqIA)

Section 1 - Data Checklist

When undertaking an EqIA for your policy or project, it is important that you take into consideration everything which is associated with the policy or project that is being assessed.

The checklist below is to help you sense check your policy or project before you move to Section 2.

		Yes/No	Please provide details
1	Have there been any complaints data related to the policy or project you are looking to implement?	No	
2	Have all officers who will be responsible for implementing the policy or project been consulted, and given the opportunity to raise concerns about the way the policy or function has or will be implemented?	Yes	
3	Have previous consultations highlighted any concerns about the policy or project from an equality impact perspective?	No	
4	Do you have any concerns regarding the implementation of this policy or project? <i>(i.e. Have you completed a self-assessment and action plan for the implementation of your policy or project?)</i>	No	
5	Does any accessible data regarding the area which your work will address identify any areas of concern or potential problems which may impact	No	

		Yes/No	Please provide details
	on your policy or project?		
6	Do you have any past experience delivering similar policies or projects which may inform the implementation of your scheme from an equality impact point of view?	Yes	
7	Are there any other issues that you think will be relevant?	No	

Section 2 - Your EqIA form

Directorate: Place	Your Service Area: Economy and Community	Team: Natural Environment and Recreation	Officer responsible for this assessment: Stuart Dunbar- Dempsey	Date of assessment: 4.2.22
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	Question	Please provide details		
1	What is the name of the policy or project that is being assessed?	Newlands public open space transfer.		
2	Is this a new or existing policy?	Project not policy.		
3	Briefly describe the aim and purpose of this work.	Transfer of 16ha of public open space from City Council ownership to Newlands Parish Council.		
4	What are the associated objectives of this work?	Maintenance of public open space. Community empowerment.		
5	Who is intended to benefit from this work and in what way?	Local people having more say in their local open spaces.		
6	What are the outcomes sought from this work?	Well maintained public open spaces.		
7	What factors/forces could contribute or detract from the outcomes?	Capability of parish council to manage public open space effectively and make best use of commuted sum.		
8	Who are the key individuals and organisations responsible for the implementation of this work?	WCC and Newlands Parish Council.		
9	Who implements the policy or project and who or what is responsible for it?	WCC Service Lead Legal and Natural Environment & Recreation Team (NERT)		
10a	Could the policy or project have the potential to affect individuals or communities on the basis of race differently in a negative way?	Y	N	
10b	What existing evidence (either presumed or otherwise) do you have for this?	The assessment does not differentiate on the basis of race in any way		
11a	Could the policy or project have the potential to affect individuals or communities on the basis of sex differently in a negative way?	Y	N	

11b	What existing evidence (either presumed or otherwise) do you have for this?	The assessment does not differentiate on the basis of sex in any way	
12a	<p>Could the policy or project have the potential to affect individuals or communities on the basis of disability differently in a negative way?</p> <p><i>you may wish to consider:</i></p> <ul style="list-style-type: none"> • <i>Physical access</i> • <i>Format of information</i> • <i>Time of interview or consultation event</i> • <i>Personal assistance</i> • <i>Interpreter</i> • <i>Induction loop system</i> • <i>Independent living equipment</i> • <i>Content of interview</i> 	Y	N
12b	What existing evidence (either presumed or otherwise) do you have for this?	The assessment does not differentiate on the basis of disability in any way	
13a	Could the policy or project have the potential to affect individuals or communities on the basis of sexual orientation differently in a negative way?	Y	N
13b	What existing evidence (either presumed or otherwise) do you have for this?	The assessment does not differentiate on the basis of sexual orientation in any way	
14a	Could the policy or project have the potential to affect individuals on the basis of age differently in a negative way?	Y	N
14b	What existing evidence (either presumed or otherwise) do you have for this?	The assessment does not differentiate on the basis of age in any way	
15a	Could the policy or project have the potential to affect individuals or communities on the basis of religious belief differently in a negative way?	Y	N
15b	What existing evidence (either presumed or otherwise) do	The assessment does not differentiate on the basis of	

	you have for this?	religion in any way		
16a	Could this policy or project have the potential to affect individuals on the basis of gender reassignment differently in a negative way?	Y	N	
16b	What existing evidence (either presumed or otherwise) do you have for this?	The assessment does not differentiate on the basis of gender in any way		
17a	Could this policy or project have the potential to affect individuals on the basis of marriage and civil partnership differently in a negative way?	Y	N	
17b	What existing evidence (either presumed or otherwise) do you have for this?	The assessment does not differentiate on the basis of marriage and civil partnership in any way		
18a	Could this policy or project have the potential to affect individuals on the basis of pregnancy and maternity differently in a negative way?	Y	N	
18b	What existing evidence (either presumed or otherwise) do you have for this?	The assessment does not differentiate on the basis of pregnancy and maternity in any way		
19	Could any negative impacts that you identified in questions 10a to 15b create the potential for the policy to discriminate against certain groups on the basis of protected characteristics?	Y	N	No negative impacts identified
20	Can this negative impact be justified on the grounds of promoting equality of opportunity for certain groups on the basis of protected characteristics? Please provide your answer opposite against the relevant protected characteristic.	Y	N	Race: Sex: Disability: Sexual orientation: Age: Gender reassignment: Pregnancy and maternity: Marriage and civil partnership: Religious belief:
21	How will you mitigate any potential discrimination that may be brought about by your policy or project that you have identified above?	No potential discriminations identified		

22	Do any negative impacts that you have identified above impact on your service plan?	Y	N	
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Signed by completing officer	<i>Stuart Dunbar-Dempsey</i>
Signed by Service Lead or Corporate Head of Service	<i>Steve Lincoln</i>

CAB3343
CABINET

REPORT TITLE: MEMBERS' EQUALITY, DIVERSITY AND INCLUSION FORUM

22 JUNE 2022

REPORT OF CABINET MEMBER: CLLR GORDON-SMITH - CABINET MEMBER FOR SERVICE QUALITY AND LEAD MEMBER FOR EQUALITY, DIVERSITY AND INCLUSION

Contact Officer: Lisa Kirkman Tel No: 01962 848 220 Email lkirkman@winchester.gov.uk

WARD(S): ALL

PURPOSE

This report presents a proposal to establish a Members' Equality Diversity and Inclusion (ED&I) Forum to engage and communicate with our communities and local organisations to better understand issues around equality, diversity and inclusion within the district.

RECOMMENDATIONS: That Cabinet agree:

1. To establish a Members' Equality, Diversity and Inclusion Forum.
2. To appoint to the membership of the Equality, Diversity and Inclusion Forum.
3. To nominate and approve a chair for the Members' Equality, Diversity and Inclusion Forum.

IMPLICATIONS:1 COUNCIL PLAN OUTCOME

- 1.1 Homes for all
- 1.2 The establishment of a Members' Equality, Diversity and Inclusion Forum will support the council to understand and respond to the needs of all our existing and prospective housing tenants and ensure that they are looked after appropriately.
- 1.3 Living Well
- 1.4 The Forum will support the council in understanding issues our residents face with equality, inclusion and diversity which in turn will feed into the design and implementation of both our council policies and services that we deliver.
- 1.5 Your Services, Your Voice
- 1.6 Supports the council to understand the needs of our residents and businesses as it continues to make services accessible to all.

2 FINANCIAL IMPLICATIONS

- 2.1 No direct financial implications.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 The council has a statutory duty under section 149 of the Equalities Act 2010 that requires all public bodies to consider the needs of all individuals in their day to day work – in shaping policy; in delivering services and in relation to their own employees. The Public Sector Equality Duty is a duty on public bodies and others carrying out public functions.
- 3.2 Public bodies, officers and councillors who are subject to the PSED must, in the exercise of their functions, have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act;
 - Foster good relations between people who share a relevant protected characteristic and those who do not share it; and
 - Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
- 3.3 These three aims are sometimes referred to as the three aims of the general equality duty.
- 3.4 Having due regard means consciously thinking about the three aims of the PSED as part of the process of decision-making. This means that

consideration of equality issues must influence the decisions reached by public bodies – such as in how they act as employers; how they develop, evaluate and review policy; how policy is implemented, how they design, deliver and evaluate services and how they commission and procure from others.

3.5 Having due regard to the need to advance equality of opportunity involves considering the need to:

- Remove or minimise disadvantages suffered by people due to their protected characteristics;
- Meet the needs of people with protected characteristics; and
- Encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

3.6 Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

3.7 The PSED also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore take account of disabled people's impairments when making decisions about policies or services. This might mean making reasonable adjustments or positively discriminating towards disabled people in order to meet their needs.

3.8 The PSED covers the following protected characteristics age, disability, gender reassignment, pregnancy, maternity/ paternity, race, religion or belief (including non-belief), sex and sexual orientation.

3.9 The duty includes a requirement to review, refresh and publish up to date equality objectives and a policy stating how the objectives will be met for the city council in order to remain legally compliant with the PSED.

3.10 There are no procurement implications as a direct result of this report

4 WORKFORCE IMPLICATIONS

4.1 There are no additional workforce requirements to enable the establishment of an Equality, Diversity and Inclusion Forum other than those officers already driving this area of work and the action plan. Administrative support for the forum can currently be met from existing resources but will be kept under review while the real workload can be calculated as we progress the action plan.

5 PROPERTY AND ASSET IMPLICATIONS

5.1 None

6 CONSULTATION AND COMMUNICATION

- 6.1 Consultation on the content of the report has taken place with Executive Leadership Board (ELB).
- 6.2 The development of a Member's Equality, Diversity and Inclusion Forum will raise awareness of local inequalities and highlight the positive actions that the council, communities and partners can undertake to promote and educate people to reduce these, and as an enabler by engaging proactively with our communities and local partner organisations to enable a greater understanding of existing and emerging inequalities in the district and consider ways of collaborating to address these.

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 None

8 PUBLIC SECTOR EQUALITY DUTY

- 8.1 This report proposes establishing a Members Equality, Diversity and Inclusion Forum which will support the council's statutory Public Sector Equality Duty.
- 8.2 The impact of the proposal on the protected characteristics groups and implications have been considered and concluded that the Forum would be a key group to promote equality and inclusion and eliminate decimation in the district.

9 DATA PROTECTION IMPACT ASSESSMENT

- 9.1 None required as there is no processing of personal data, or where there is processing it does not result in a high risk to the rights and freedoms of a person or persons directly or indirectly identified.

10 RISK MANAGEMENT

Risk	Mitigation	Opportunities
Financial Exposure	None	None
Exposure to challenge - Compliance with the PSED is a statutory duty and important aspect of public life	Establishing the Member ED&I Forum will allow the Council to learn about equality issues and set an action plan to reduce these	That instances of equality can be reduced through the work of the Forum
Innovation	None.	None
Reputation - unable to demonstrate compliance with the PSED sends out	The work of the Forum will demonstrate to residents, communities	Understanding the issues within our communities enables the council to

Risk	Mitigation	Opportunities
an inappropriate message to the wider community	and stakeholders how the council is conforming to the requirements of the PSED	take positive action and enhance its reputation
Achievement of outcome		
Property	None	None
Community Support	Consideration of ED&I issues in our communities enables better decision making	Communities are better supported through understanding of the issues
Timescales	None	None
Project capacity	None	None
Other	None	None

11 SUPPORTING INFORMATION:

11.1 The council recently updated its Public Sector Equality Duty Policy which was adopted by Cabinet on 25 January 2022 (report CAB3331 refers).

11.2 The following principles, drawn from case law, explain what is essential in order for the PSED to be fulfilled as public bodies should ensure:

- Knowledge – those who exercise the public body’s functions need to be aware of the requirements of the PSED. Compliance with the PSED involves a conscious approach and state of mind. To ensure knowledge both Members and officers should undertake proper and continuous training, and such training the content and timing of such training must be kept under constant review.
- Timeliness – the PSED must be complied with before and at the time that a particular policy is under consideration or decision is taken – that is, in the development of policy options, and in making a final decision. A public body cannot satisfy the PSED by justifying a decision after it has been taken.
- Real consideration – consideration of the three aims of the PSED must form an integral part of the decision-making process. The PSED is not a matter of box-ticking; it must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- Sufficient information – the decision maker must consider what information he or she has and what further information may be needed in order to give proper consideration to the PSED.
- No delegation – public bodies are responsible for ensuring that any third parties which exercise functions on their behalf are capable of complying with the PSED, are required to comply with it, and that they do so in practice. It is a duty that cannot be delegated.

- Review – public bodies must have regard to the aims of the PSED not only when a policy is developed and decided upon, but also when it is implemented and reviewed. The PSED is a continuing duty.
- 11.3 There are four performance areas in the new Policy as follows:
- (1) Understanding and working with our community;
 - (2) Leadership, partnership and organisational commitment;
 - (3) Responsive services and customer care; and
 - (4) Diverse and engaged workforce
- 11.4 These performance areas above have been taken from the Local Government Associations Equality Framework for Local Government 2020. This framework will be used to benchmark our equality success particularly as we drive forward with this refreshed approach.
- 11.5 To support undertaking of the council’s PSED responsibilities a Corporate PSED Panel has been formed. The Panel will monitor, manage and steer the implementation of the PSED policy which includes, training to increase understanding of PSED and where appropriate completion of equality impact assessments. All proposals going on to cabinet for decision are required to consider whether an Equality Impact Assessment is relevant.
- 11.6 The Panel will:
- Undertake independent reviews of equality impact assessments in relation to new council policies and projects and changes and implementation of existing policy and projects.
 - Provide advice and recommendations on PSED implementation.
 - Review general and specific arrangements for implementation of the PSED including equality impact assessments across the council.
 - Monitor agreed actions to address potential negative or positive impact on promotion of equality for protected characteristic groups and monitor progress of the Equality, Diversity and Inclusive Action Plan.
- 11.7 The Panel will consist of officers from across the council including representatives from the Policy Team, Human Resources Team, Community Team and Housing Team. The officers who sit on the panel will receive appropriate training from qualified professionals.
- 11.8 The Equality, Diversity and Inclusion Action Plan is a key document for setting out and recording how service areas and corporate related activity will work to deliver the council’s Equality Objectives and Equality Policy.

- 11.9 The plan will also be used to monitor progress and achievements against the activities in the plan, ensuring targets are on track and delivered.
- 11.10 To deliver this action plan effectively, it is important for all staff to understand clearly their role in the delivery of equality and diversity related activity and feel confident in embedding equality considerations in all they do.
- 11.11 The new action plan comprises of actions that are based on each of the four performance areas to be met as appropriate, as part of the council's commitment to providing better outcomes for all people.
- 11.12 Much of this work, whilst valuable and critical to the decision making process, is internal facing and more could be delivered and understood as a council if we looked externally and sought to learn from and engage with our community. It is proposed to do that through a Members Equality, Diversity and Inclusion Forum,
- 11.13 The Forum will engage with local communities and organisations to understand local inequalities and prepare a work programme to address these. The Forum will also lead on promoting equality, sharing ideas and raise awareness of equality and diversity.
- 11.14 At its meeting on 24 May 2022 (Report CAB3344 refers) Cabinet approved the nomination of Cllr Gordon-Smith as the lead cabinet member for Equality, Diversity and Inclusion. At the same time Cabinet appointed Councillor Becker as Equality, Diversity and Inclusion member champion to provide leadership on tackling local equality, diversity and inclusion issues which would contribute to supporting the city council to meet its Public Sector Equality Duty.
- 11.15 Elected members have a key role in making the district a more inclusive place for everyone to live, work and visit. Establishing a forum would provide the opportunity to consider relevant data sets, hear evidence of inequalities within the district and to understand the issues and barriers that impact on the lives of residents in our local communities and to devise a work programme and action list to address these.
- 11.16 The council works with a number of existing groups and forums to deliver services to residents and businesses. Regular liaison with these groups to facilitate communications, particularly in relation to equality and inclusion issues, will support the Forum to better understand the needs of these groups.
- 11.17 Working with other agencies such as Hampshire Constabulary and Hampshire County Council, the Forum will look to learn about incidents such as hate crime that occur in the district and then work with community groups to look at best practice at tackling related issues.
- 11.18 The Forum would be led by elected members, working in collaboration with local communities, forums and organisations and facilitated by council officers. The work of the Forum would form a key part of delivering the

priorities detailed in the Council Plan and contribute to making the district an inclusive place to live and work and where everyone is valued and respected for who they are.

- 11.19 The chair of the Forum will in the first instance be nominated by Cabinet. The group will consist of the shadow Cabinet Member and one representative from each of the other political groups, the Cabinet Member for ED&I the Member Champion for ED&I and lead officers for this area at the council.
- 11.20 The Forum's work programme arising from the initial discovery into any equality issues would be forwarded to Executive Leadership Board for consideration. An Issues Log would be created and updates forwarded to the Strategic Director: Monitoring Officer. Any actions or recommendations would be forwarded to Executive Leadership Board (ELB) for consideration and approval.
- 11.21 Through the day-to-day work of the council, there is already good practice of officers having due regard to the aims of the Public Sector Equality Duty via the undertaking of Equality Impact Assessments which is the primary evidence of compliance with the PSED. This statutory duty applies to council, officer and member decisions which may fall within the protected characteristics list.
- 11.22 Availability of completed Equality Impact Assessments will support the Forum to understand the impacts on protected characteristic groups before decisions are taken.
- 11.23 Supporting the work of the Members' Forum there are a number of other existing groups including the council's Housing Excellence Group (HEG) which supports the housing department to cover its equalities responsibilities and meet the PSED as well as providing a guide officers consider the PSED through impact assessment and how diverse needs will be met. Since approval of the Policy in January, an officer Equality, Diversity and Inclusion Panel and has been formed and will:
- Undertake independent reviews of equality impact assessments in relation to new council policies and projects and changes and implementation of existing policy and projects.
 - Provide advice and recommendations on PSED implementation
 - Review general and specific arrangements for implementation of the PSED including equality impact assessments across the council
 - Monitor agreed actions to address potential negative or positive impact on promotion of equality for protected characteristic groups and monitor progress of the Equality, Diversity and Inclusive Action Plan.
- 11.24 An annual report providing details of the progress of the group against its work programme and actions undertaken to tackle inequality would be presented and considered at Audit and Governance Committee, with the first report expected in twelve months' time. The report would also include an

update on the progress made against the Equality, Diversity and Inclusion Action Plan 2021 that was appended to the Public Sector Equality Duty report (CAB3331, 25 January 2022).

11.25 Attached as Appendix 1 to this report are the draft terms of reference for the Forum.

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 The alternative option to progress without a member forum will disadvantage the council to understand and tackle local equality issues within the district and the work of officers as they comply with the statutory Public Sector Equality Duty.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

CAB3331 Public Sector Equality Duty, 25 January 2022

Other Background Documents:-

None

APPENDICES:

Appendix 1 – Members’ Equality, Diversity and Inclusion Forum – Draft Terms of Reference.

Members' Equality, Diversity and Inclusion Forum – Terms of Reference

Purpose

The main purpose of the Members' Equality, Diversity and Inclusion (ED&I) Forum is to engage with our communities and local partner organisations to understand existing and emerging inequalities in the district. It also aims to enhance the local councillors' role in tackling discrimination and help to create a more inclusive district.

Main objectives

The main objectives of the forum are to:

- Receive and understand evidence of inequalities in the district from Census data and partner organisations such as the NHS, Hampshire County Council and voluntary and community organisations.
- Listen to local people's lived experiences of inequalities and concerns around accessibility to local services and opportunities, such as employment, health and education.
- Understand from other organisations of examples of equality, diversity and inclusion best practice.
- Consider how the forum can promote further work towards tackling equality, diversity and inclusion issues.

Membership

- Cabinet Member for Equality, Diversity and Inclusion
- Member Champion for Equality, Diversity and Inclusion
- Shadow Cabinet Member
- Nominated Member from opposition
- Strategic Director
- Corporate Head of Strategic Support
- Senior Policy and Programme Manager
- Policy Officer

Partner organisations, local groups, community representatives and council officers will be invited to participate in relevant forum meetings to participate and/or present evidence of inequalities, current initiatives to tackle these and participate in discussions about further action that the City Council may be able to assist with.

Meetings and Work Programme

The Forum meets on a quarterly basis and follows a work programme that is set and agreed by members. Topics to be discussed will focus on priority issues that affect a range of groups including those with protected characteristics or living in deprived areas and align with the Council Plan priorities.

Responsibilities

Forum members are champions for equality, diversity and inclusion and take an inclusive and collaborative approach to this work.

Any local equality, diversity and inclusion issues that are identified by members in their own wards and communities can be forward to the forum for discussion as part of their work programme.

Monitoring and Reporting

Progress against the Forum's work programme is to be monitored and reported regularly to Executive Leadership Board to ensure that where there are agreed outcomes these are progressed.

The Forum will maintain its own issues log and actions list and monitor progress at its meetings.

An annual update report of the Chair of the Forum is to be presented to Audit and Governance Committee.

Members of the Forum can feed back on the work of the Forum, particularly evidence collation, to their own political groups so that all members are kept informed.

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Forward Plan of Key Decisions

July 2022

The Forward Plan is produced by the Council under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The purpose of the Plan is to give advance notice of Key Decisions to be made by the Cabinet, Cabinet Members or officers on its behalf. This is to give both Members of the Council and the public the opportunity of making their views known at the earliest possible stage.

This is the Forward Plan prepared for the period **1 - 31 July 2022** and will normally be replaced at the end of each calendar month.

The Plan shows the Key Decisions likely to be taken within the above period. Key Decisions are those which are financially significant or which have a significant impact. This has been decided, by the Council, to be decisions which involve income or expenditure over £250,000 or which will have a significant effect on people or organisations in two or more wards.

The majority of decisions are taken by Cabinet, together with the individual Cabinet Members, where appropriate. The membership of Cabinet and its meeting dates can be found [via this link](#). Other decisions may be taken by Cabinet Members or Officers in accordance with the Officers Scheme of Delegation, as agreed by the Council (a list of Cabinet Members used in the Plan is set out overleaf).

The Plan has been set out in the following sections:

Section A – Cabinet

Section B - Individual Cabinet Members

Section C - Officer Decisions

Anyone who wishes to make representations about any item included in the Plan should write to the officer listed in Column 5 of the Plan, at the above address. Copies of documents listed in the Plan for submission to a decision taker are available for inspection on the Council's website or by writing to the above address. Where the document is a committee report, it will usually be available five days before the meeting. Other documents relevant to the decision may also be submitted to the decision maker and are available on Council's website or via email democracy@winchester.gov.uk or by writing to the above



Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 refers to the requirement to provide notice of an intention to hold a meeting in private, inclusive of a statement of reasons. If you have any representations as to why the meeting should be held in private, then please contact the Council via democracy@winchester.gov.uk or by writing to the above address. **Please follow this link to definition of the paragraphs** (Access to Information Procedure Rules, Part 4, page 32, para 10.4) detailing why a matter may be classed as exempt from publication under the Local Government Acts, and not available to the public.

If you have any queries regarding the operation or content of the Forward Plan please contact David Blakemore (Democratic Services Manager) on 01962 848 217.

Cllr Martin Tod

Leader of the Council

31 May 2022

Cabinet Members:	Title
• Cllr Martin Tod	Leader & Cabinet Member for Asset Management
• Cllr Paula Ferguson	Deputy Leader & Cabinet Member for Community & Housing
• Cllr Russell Gordon-Smith	Service Quality
• Cllr Kelsie Learney	Climate Emergency
• Cllr Margot Power	Finance & Value
• Cllr Jackie Porter	Place & the Local Plan
• Cllr Lucille Thompson	Business & Culture

	Item	Cabinet Member	Key Decision	Wards Affected	Lead Officer	Documents submitted to decision taker	Decision taker (Cabinet, Cabinet Member or Officer)	Date/period decision to be taken	Committee Date (if applicable)	Open/private meeting or document? If private meeting, include relevant exempt paragraph number	
Section A											
Decisions made by Cabinet											
Page 53	1	Q4 Performance Monitoring 21/22	Cabinet Member for Asset Management	Significantly effect on 2 or more wards	All Wards	Simon Howson	Cabinet report	Cabinet	Jul-22	19-Jul-22	Open
		General fund outturn 21/22	Cabinet Member for Finance & Value	Expenditure > £250,000	All Wards	Richard Botham	Cabinet report	Cabinet	Jul-22	19-Jul-22	Open
	3	Housing Revenue Account (HRA) outturn 21/22	Cabinet Member for Community & Housing	Expenditure > £250,000	All Wards	Richard Botham	Cabinet report	Cabinet	Jul-22	19-Jul-22	Open
	4	Open space land disposal at Newlands Walk	Cabinet Member for Asset Management	Expenditure > £250,000	Denmead	Sue Croker	Cabinet report	Cabinet	Jul-22	19-Jul-22	Open

	Item	Cabinet Member	Key Decision	Wards Affected	Lead Officer	Documents submitted to decision taker	Decision taker (Cabinet, Cabinet Member or Officer)	Date/period decision to be taken	Committee Date (if applicable)	Open/private meeting or document? If private meeting, include relevant exempt paragraph number
5	Update on Station Approach project	Cabinet Member for Asset Management	Significantly effect on 2 or more wards	Town Wards	Emma Taylor	Cabinet report	Cabinet	Jul-22	19-Jul-22	Open
Page 154	Taxi policy review	Cabinet Member for Place & Local Plan	Significantly effect on 2 or more wards	All Wards	David Ingram	Cabinet report	Cabinet	Jul-22	19-Jul-22	Open
	7	Land transaction	Cabinet Member for Asset Management	Expenditure > £250,000	All Wards	Geoff Coe	Cabinet report	Cabinet	Jul-22	19-Jul-22

Section B

Decisions made by individual Cabinet Members

8	Traffic Regulation Order Programme for 22/23	Cabinet Member for Climate Emergency	Significantly effect on 2 or more wards	All Wards	Andy Hickman	Cabinet member decision report	Cabinet Member for Climate Emergency Decision Day	Jul-22	4-Jul-22	Open
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	Item	Cabinet Member	Key Decision	Wards Affected	Lead Officer	Documents submitted to decision taker	Decision taker (Cabinet, Cabinet Member or Officer)	Date/period decision to be taken	Committee Date (if applicable)	Open/private meeting or document? If private meeting, include relevant exempt paragraph number
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Section C
Decisions made by Officers

9	Treasury Management - decisions in accordance with the Council's approved strategy and policy	Cabinet Member for Finance & Value	Expenditure > £250,000	All Wards	Designated HCC Finance staff, daily	Designated working papers	Designated HCC Finance staff, daily	Jul-22	Jul-22	Open
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