



Meeting	Cabinet
Date and Time	Tuesday, 17th October, 2023 at 9.30 am.
Venue	Walton Suite, Winchester Guildhall

Note: This meeting is being held in person at the location specified above. Members of the public should note that a live video feed of the meeting will be available from the council's YouTube channel ([youtube.com/WinchesterCC](https://www.youtube.com/WinchesterCC)) during the meeting.

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 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).

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 Wednesday 11 October 2023** via democracy@winchester.gov.uk or (01962) 848 264 to register to speak and for further details.

6. **Minutes of the previous meeting held on 13 September 2023** (Pages 5 - 14)

7. Leader and Cabinet Members' Announcements

8. Winchester City Street Market Management Contract and Operating Policy (Pages 15 - 68)

Key Decision (CAB3427)

9. Community Infrastructure Levy (CIL) Funding Allocations for 2023 bids (Pages 69 - 96)

Key Decision (CAB3426)

10. To note the future items for consideration by Cabinet as shown on the November 2023 Forward Plan. (Pages 97 - 102)

Laura Taylor
Chief Executive



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9 October 2023

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 2023/24

Chairperson: Councillor Tod (Leader and Asset Management)

Councillor	- Cabinet Member
Cutler	- Deputy Leader and Cabinet Member for Finance and Performance
Becker	- Cabinet Member for Community and Engagement
Learney	- Cabinet Member for Climate Emergency
Porter	- Cabinet Member for Place and Local Plan
Thompson	- Cabinet Member for Business and Culture
Westwood	- Cabinet Member for Housing

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](#). Please note that the video recording is subtitled but you may have to enable your device to see them (advice on how to do this is on the meeting page).

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

Wednesday, 13 September 2023

Attendance:

Councillors
Tod (Chairperson)

Cutler
Becker
Learney

Porter
Thompson

Apologies for Absence:

Councillors Westwood

Members in attendance who spoke at the meeting

Councillors Lee, Wallace, Bolton and Horrill

[Video recording of this meeting](#)

1. **APOLOGIES**

Apologies were received as noted above.

2. **MEMBERSHIP OF CABINET BODIES ETC.**

RESOLVED:

That Councillor Rutter replace Councillor Scott as a non-voting member of the Cabinet Committee: Housing for the remainder of the 2023/24 municipal year.

3. **DISCLOSURE OF INTERESTS**

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

4. **PUBLIC PARTICIPATION**

Three members of the public/representatives of local groups spoke during public participation and their comments are summarised under the relevant minutes below.

5. **MINUTES OF THE PREVIOUS MEETING**

RESOLVED:

That the minutes of the previous meeting held 18 July 2023 be agreed as a correct record.

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

Councillor Thompson announced that a second district wide jobs and opportunities fair would take place on 23 November 2023.

Councillor Porter announced that the council's Animal Welfare Team had been awarded the prestigious RSPCA platinum pawprint award. On behalf of the Cabinet, Councillor Tod offered his congratulations for this achievement.

Councillor Becker announced that the annual Paralympic Personal Bests event would take place on 14 September 2023 at the Winchester Sport and Leisure Park and the University of Winchester sports stadium. She also reported on the positive response to the Ukraine support fund.

Councillor Tod announced that the demolition of Friarsgate surgery in Winchester had commenced.

7. **LOCAL AUTHORITY HOUSING FUND – ADDITIONAL FUNDING**
(CAB3420)

Councillor Tod introduced the report on behalf of Councillor Westwood.

David Chafe (TACT) and Ian Tait spoke during public participation as summarised briefly below.

David Chafe

He stated that the proposals had been discussed at the TACT Support meeting and the Council Plan priority to allow further homes to be acquired was supported. TACT had supported round 1A of the LAHF and continued to endorse the proposals.

Ian Tait

He supported the programme but queried why funds were being allocated from the Housing Revenue Account (HRA) as opposed to the General Fund. He suggested it was possible that some of the new homes would not be available through the Home Choice allocation scheme for many years and therefore funding through the HRA was not appropriate.

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

She welcomed the opportunity to secure additional funds and in general supported the proposals. She requested assurances that in addition to

the larger family homes, provision would be made for refugees seeking smaller units of accommodation.

The Strategic Director responded to the points raised by the public and councillors above, including giving the assurances regarding housing for refugees requiring smaller units of accommodation.

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

RESOLVED:

1. That a revised Memorandum of Understanding (MoU) with the Department for Levelling Up, Housing and Communities (DLUHC) be entered into to secure an additional £3,300,000 Local Authority Housing Fund (LAHF) funding from Round 1b to fund the provision of an additional 22 homes under the programme.

2. Further to the LAHF grant used to acquire 15 properties already budgeted for (CAB3304 refers), additional capital expenditure of up to £4,375,000 be agreed to acquire and refurbish the remaining 7 properties required, subject to viability under Financial Procedural Rule 7.4, using the approved 2024/25 HRA unallocated new build budget, to be funded by LAHF grant with the balance of £2,401,000 match funded by the HRA.

3. That an MoU with DLUHC be entered into to secure £1,239,600 of LAHF Round 2 funding for the provision of 6 additional homes under the programme.

4. That capital expenditure of up to £2,917,500 be agreed to acquire and refurbish 6 properties subject to viability under Financial Procedural Rule 7.4, using the approved 2024/25 HRA unallocated new build budget, to be funded by £1,239,000 LAHF grant with the balance of £1,679,400 to be match funded by the HRA.

5. That authority be delegated to the Corporate Head – Asset Management and the Director with the responsibility for housing to purchase 13 properties.

8. **PRIDE IN PLACE - PUBLIC TOILETS IMPROVEMENT STRATEGY**
(CAB3411)

Councillor Learney introduced the report and outlined the key elements together with work and consultation undertaken to date in the development of the strategy.

Ian Tait spoke during public participation as summarised briefly below.

He endorsed the work of the British Toilet Association and supported the proposed capital programme outlined in the report. He highlighted the importance of ongoing maintenance as an area where there had been

failures previously. He also asked when the water fountain outside the Market Lane toilets would be fixed.

Councillor Learney and Councillor Tod responded to the points raised by Mr Tait, including confirming that there would be an improved ongoing maintenance programme.

At the invitation of the Leader, Councillors Lee and Bolton addressed Cabinet as summarised briefly below.

Councillor Lee

He suggested that the wording of the strategy be strengthened to seek to achieve as close as possible to carbon net zero. He also asked whether the possibility of subscribing to the "Toilet Twinning" initiative had been considered.

Councillor Bolton

He highlighted the extensive cost of the proposed renovations and queried why there was significant higher expenditure for within Winchester city centre as opposed to the market towns. He suggested that the current poor quality of the maintenance and cleaning of toilets warranted bringing forward a new maintenance contract as soon as possible.

Councillor Learney and the Strategic Director responded to the comments made, including explaining that the proposed expenditure corresponded to the different levels of usage of the different toilet facilities.

Councillor Learney and the Strategic Director also responded to questions from Cabinet Members, including suggestions for future development of the strategy.

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

RESOLVED:

1. That a strategy and approach for improving and managing public toilets in the district be agreed as set out in Appendix 1 of the report and that authority be delegated to the Cabinet Member for Climate Emergency and Head of Programme to make any non-material amendments as required.
2. That a detailed action plan to fully deliver the strategy will be brought forward following further discussion and data gathering.
3. (a) that a supplementary capital estimate of £10,000, funded by the car parks reserve be approved, increasing the budget allocated in CAB3384 Parking and Access Improvement Programme from £200,000 to £210,000;
(b) capital expenditure of £210,000 be approved to improve toilets in Chesil and Worthy Lane car parks, and St Catherine's and South Winchester park and ride car parks.

4. That, subject to Cabinet approval of CIL funding in October (CAB3426):

- (a) a capital budget of £360,000 be approved; and
- (b) capital expenditure of £210,000 of CIL funds for the works outlined in paragraphs 2.5 and 11.4.7 of the report be approved.

5. That the refurbishment of public conveniences in Wickham, Bishops Waltham, New Alresford and Denmead will be subject to outcome of further discussions with Town and Parish Councils.

6. That additional cleaning will be undertaken at the most heavily used public toilets utilising some of the reserve funding which was put aside for Pride in Place enhancements (as set out in paragraph 11.4.6 of the report).

9. **ADOPTION OF THE CARBON NEUTRALITY ACTION PLAN**
(CAB3423)

Councillor Learney introduced the report emphasising that carbon neutrality remained a key priority for the district. She confirmed that the Plan (CNAP) would be amended to take account of additional data for 2021 recently received from the Department of Energy Security and Net Zero. In addition, other minor amendments were proposed to improve the clarity and consistency of language used.

Jo Crocker (WinACC) spoke during public participation as summarised briefly below.

She fully supported the stated aim to “go greener faster” and welcomed the CNAP as progress towards this aim. She applauded the principles and processes proposed, particularly the use of working groups. She offered WinACCs assistance in ensuring the figures used in the CNAP were accurate, clearly stated and explained. In addition she requested that targets each year between now and 2030 be included with each of the pathways and that the wording on renewals be amended to make clear that 50MW was a minimum. In particular, she emphasised the importance of the proposed new task and finish group on renewable energy and that the CNAP should reflect the government’s stated target to decarbonise the national grid by 2035.

Councillor Learney thanked WinACC for their support and confirmed that all the points raised would be addressed by minor amendments to the CNAP prior to publication.

At the invitation of the Leader, Councillors Wallace, Lee and Bolton addressed Cabinet as summarised briefly below.

Councillor Wallace

He emphasised the critical importance of the CNAP and queried the lack of opportunity for review and input from members prior to consideration by Cabinet. He requested that the adoption of the CNAP be deferred to enable this wider member consultation to take place.

Councillor Lee

He welcomed the commitment to net zero but highlighted that a significant percentage of the CNAPs top three priority interventions were in areas beyond the council's control. He noted that various mitigation measures were suggested but considered these were either too small or too far in the future to provide the necessary mitigation. He queried whether the investment strategy had been produced. He suggested that the council consider a collaborative approach to campaigning for the Hampshire pension fund to move away from fossil fuel investments. He asked whether there had been a full analysis of the list of stakeholders.

Councillor Bolton

He queried the effectiveness of the annual reporting of the carbon emission KPI in terms of monitoring delivery towards the net zero aim. He highlighted the inclusion of Extinction Rebellion in the list of stakeholders and queried how interactions with stakeholders would be structured. He expressed concern that the report had not been considered by members at the Scrutiny Committee. He also expressed concern about the proposals to invest in schemes to build renewable energy providers and the use of carbon credits.

Councillor Learney and the Strategic Director responded to the comments raised by members, including emphasising that the CNAP would be revised again prior to 2030 to take account of the changing national situation. In addition, the Carbon Reduction roadmap had previously been considered at Scrutiny Committee and various other projects within the CNAP had been considered at Policy Committees.

Councillor Learney proposed amendments to the report's recommendations and these were agreed as set out in the revised resolution 2 and new resolution 3 below.

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

RESOLVED:

1. That the revised Carbon Neutrality Action Plan for 2023-2030 be adopted.
2. That the Corporate Head of Service: Economy & Community be given delegated authority to make minor changes to the Carbon Neutrality Action Plan with regard to design and text amendments and to update data prior to publication.
3. That the council work with stakeholders to further develop performance monitoring and set out task and finish groups to accelerate work on priority actions.

10. **GENERAL FUND OUTTURN 22/23**
(CAB3416)

Councillor Cutler introduced the report and stated that it had been considered at Scrutiny Committee on 6 September where a number of questions from members responded to. There was one outstanding query for officers relating to the Bishops Waltham footpath/cycle way. Cabinet Members had all received a draft of the Scrutiny Committee minutes prior to the Cabinet meeting.

At the invitation of the Leader, Councillors Wallace and Horrill addressed Cabinet as summarised briefly below.

Councillor Wallace

He noted that £2m had been allocated for proposals towards the “going green faster” aim but the report indicated that a large percentage of this figure remained unspent due to the number of underspends. He acknowledged that some of these underspends were due to improved efficiencies but queried whether others showed a lack of commitment in practice.

Councillor Horrill

She highlighted the significant amount of government grants that the council had been successful in applying for, acknowledging the officer work involved in the applications. She requested clarification of three points, namely future plans for the Guildhall, variances in the homelessness budget and the possibility of additional assistance to councillors in terms of IT equipment currently provided and support.

Councillor Cutler, Councillor Tod, the Strategic Director and the Chief Finance Officer responded to the points raised above. Councillor Cutler asked that further detail be provided to Councillor Wallace outside the meeting on the reasons for the underspends highlighted by him.

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

RESOLVED:

1. That the General Fund Revenue Outturn and Capital Programme Outturn be noted as set out in the report.
2. That the transfers to and from the Major Investment Reserve as detailed in Appendix 1 of the report be approved and the reserves and closing balances at 31 March 2023 be noted (as set out in Appendix 2 of the report).
3. That the revised 2023/24 capital programme be approved as set out in Appendix 5 of the report.
4. That the revised 2023-2033 capital programme be noted as set out in Appendix 6 of the report.

11. **HOUSING REVENUE ACCOUNT (HRA) OUTTURN 22/23**
(CAB3417)

Councillor Cutler introduced the report on behalf of Councillor Westwood and stated that the report had been considered at Scrutiny Committee on 6 September 2023 where a number of questions from members had been responded to. Cabinet Members had all received a draft of the Scrutiny Committee minutes prior to the Cabinet meeting. There were two outstanding queries relating to the funding allocated for overheating mitigation measures and the expected number of new homes to be delivered in 2023/24.

The Strategic Director provided answers to both of the outstanding queries outlined above.

David Chafe (TACT) spoke during public participation as summarised briefly below.

He stated that the proposals had been considered at the TACT support group and he had attended the Scrutiny Committee to listen to discussions. In general, TACT found the contents of the report very technical and difficult to understand and he therefore welcomed the opportunity for the full TACT meeting to be briefed at their meeting in November. He supported the recommendations as set out.

The Corporate Head of Housing confirmed that a summary paper would be provided for the TACT meeting and officers would be in attendance to respond to questions.

At the invitation of the Leader, Councillors Wallace and Horrill addressed Cabinet as summarised briefly below.

Councillor Wallace

He expressed concern about the lack of actual expenditure on the retrofit programme, despite the significant amount of budget provision. He requested confirmation that the 23/24 programme was on track.

Councillor Horrill

She raised a number of specific questions regarding any provision for disrepair compensation, staff recruitment in key posts, commitment to the new homes programme and the refund to the HRA for the Tower Street new build project which was not being progressed.

The Strategic Director responded to comments raised, including confirming that, as had been reported to Business and Housing Committee on 12 July 2023 the retrofit programme for 2023/24 was on track. The Leader and other cabinet members confirmed that they remained committed to the new homes programme.

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

RESOLVED:

1. That the HRA Outturn figures for 2022/23 be noted as detailed in Appendices 1 and 2 of the report.
2. That the carry forward of £0.018m of HRA revenue funding from 2022-23 be approved as detailed in paragraph 11.4 of the report.
3. That the Housing capital programme outturn for Major Works and New Build be noted as detailed in paragraphs 11.5 to 11.8 and Appendices 3 & 4 of the report.
4. That the funding of the 2022/23 HRA capital programme be noted as detailed in paragraphs 11.10 & 11.11 and Appendix 5 of the report.
5. That the revised capital programme budget of £35.653m for 2023/24 be approved as detailed in paragraphs 11.12 & 11.13 and Appendices 6 & 7 of the report that takes account of potential programme slippage and the re-profiling of expected spend.

12. **Q1 FINANCE & PERFORMANCE MONITORING** (CAB3415)

Councillor Cutler introduced the report and stated that it had been considered at Scrutiny Committee on 6 September 2023 where a number of questions from members had been asked and responded to. The Committee had requested Cabinet consider two points, the first regarding some KPIs not being populated yet and the other suggesting changes to the performance indicator regarding fly tipping. Possible improvement to the fly tipping reporting app were also suggested. Cabinet Members had all received a draft of the Scrutiny Committee minutes prior to the Cabinet meeting.

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

She reiterated the comment regarding some KPIs remaining unpopulated and also mentioned discussion regarding the RAG status articulation. She also referred to discussion earlier in the meeting where an assurance was given that as a Tier 1 project, the progress under the Carbon Neutrality Action Plan (CNAP) would be included in quarterly monitoring reports.

Cabinet Members and the Strategic Director responded to the comments made including emphasising that the work on the performance and financial monitoring for quarter 2 was advanced so it might not be possible to introduce all changes requested in time for the next report.

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

RESOLVED:

That the progress achieved during Q1 of 2023/24 be noted and the contents of the report be endorsed.

13. **FUTURE ITEMS FOR CONSIDERATION BY CABINET**

RESOLVED:

That the list of future items as set out in the October 2023 forward plan be noted.

The meeting commenced at 9.30 am and concluded at 12.30 pm

Chairperson

CAB3427
CABINET

REPORT TITLE: WINCHESTER CITY STREET MARKET MANAGEMENT
CONTRACT AND OPERATING POLICY

17 OCTOBER 2023

REPORT OF CABINET MEMBER: Cllr Lucille Thompson, Cabinet Member for
Business and Culture

Contact Officer: Andrew Gostelow Tel No: 07980 732149

Email agostelow@winchester.gov.uk

WARD(S): WINCHESTER TOWN AND SURROUNDING WARDS

PURPOSE

This report sets out the Winchester Street Market Operating Policy which will provide the framework for operation of the city street market which has been created in response to:

- a review of the city street market which included the findings and recommendations made in an independent report undertaken by The Retail Group in 2022, see link to Business & Housing Policy Committee papers in previous committee report,
- the need to align the operation of the city street market with the priorities outlined in the council plan,

The Winchester City Street Market Operating Policy (attached as appendix 1) will form part of the specification for the competitive tender process to procure a market operator.

RECOMMENDATIONS:

Cabinet is asked to:

1. Adopt the Winchester City Street Market Operating Policy, see Appendix 1.
2. The Corporate Head of Service: Economy and Community be given delegated authority to commence the competitive tender exercise to seek bids for a market operator and to award the contract to the most economically advantageous tender for a term of 3 years with an option to renew annually for up to a further 2 years based on performance of service provision.
3. That the Corporate Head of Service: Economy and Community be authorised to enter into all necessary agreements with the preferred contractor to manage the street market.
4. That delegated authority be granted to the Service Lead: Legal to execute and enter into all necessary contractual agreements.

IMPLICATIONS:

1 COUNCIL PLAN OUTCOME

- 1.1 Tackling the Climate Emergency and Creating a Greener District
- 1.2 The Operating Policy encourages the adoption of sustainable measures such as discouraging single use plastics. Applications to trade will be considered against number of criteria with 40% weighting given to sustainable measures such as the where products are sourced and the trader approach to, for example reducing use of plastics recycling of products and waste.
- 1.3 Homes for all. None
- 1.4 Vibrant Local Economy
- 1.5 Having a vibrant and attractive street market in the centre of Winchester city contributes to the visitor economy, supports local traders including independent businesses, encourages start-ups and provides access to goods and services for both residents and visitors. In doing so this increases footfall and dwell time of people in the city which results in increased spend per visit. It helps achieve a stronger, greener, more sustainable local economy, contributing to the city's distinctive and competitive offer and influencing young people choosing to live and work in the district.
- 1.6 Living Well
- 1.7 The curation of the city street market through the adoption of the operating policy will ensure a suitable range of products are available at prices which meet the needs and expectation of our residents and visitors including those most affected by the cost of living.
- 1.8 Your Services, Your Voice
- 1.9 The operating policy and market operator contract aims to:
 - (i) Attract a wider diversity of residents and businesses
 - (ii) Ensures the market is accessible and inclusive
 - (iii) Drives satisfaction and performance

2 FINANCIAL IMPLICATIONS

- 2.1 The established city street market is currently operated on behalf of the council by Southern Market Traders. The market operates 51 weeks a year from Thursday to Saturday with a Sunday market alternating with the Winchester Farmers Market. The current income and expenditure for this activity is set out below:

	2023/24	
Winchester Market	Forecast	Budget
Daily Market (Thurs, Fri, Sat)	£250,000	£300,000
Sunday themed markets and concessions	£23,000	£25,000
TOTAL INCOME	£273,000	£325,000
Market Operators Contract Fee	£84,000	£84,000
Direct Operating Costs	£67,000	£67,000
Indirect Operating Costs	£41,000	£41,000
TOTAL EXPENDITURE	£192,000	£192,000
NET INCOME	£81,000	£133,000

- 2.2 The market layout has a maximum capacity of 65 pitches, including 20 pitches operated at weekends in the Broadway. Currently the market operates on an average 65% occupancy throughout the year, as reflected in the income above. Based on past performance of the market, feedback from the current operator and as a result of the soft market testing the aim would be to increase this occupancy to an average of 75%.
- 2.3 There are no plans to change the number of pitches operated on the market, or the layout of the market which would bring about a financial implication.
- 2.4 The number of days and times the market operates will be adjusted to enable the introduction of themed and specialist markets including evening markets, as supported by the recommendations in the independent review. The purpose of this is to add value to the overall markets and wider city offer for both residents and visitors, improving the reputation and influencing dwell time, spend and impact on the overall local economy. In doing so this will serve to protect the existing and develop new income streams.
- 2.5 Current pitch fees are broadly in line with local area and competitor destinations. Therefore there are no immediate plans to change pitch fees.
- 2.6 Consideration has been given to the current traders operating on the market and it is not anticipated that the adoption of the operating policy would unduly restrict the ability of the vast majority to trade and thus lead a financial impact.
- 2.7 The introduction of the operating policy would be phased as part of a structured transition plan over a six month period to provide sufficient time for those who need to undertake any enhancements to the way they trade in order to meet the requirements of the policy. Undertaking this approach is considered to limit any financial risk.

- 2.8 Despite the above, any change brought about by procuring a new contract and adopting the operating policy for the street market could present a financial risk. This is potentially due to a reduced number of traders taking pitches during the transition period and beyond following the commencement of the contract. This might occur because traders are unable or not prepared to align their business with the operating policy or do not wish to operate with the market operator.
- 2.9 In terms of financial implications that the procurement process might bring about, tenderers will be asked to outline their approaches to:
- a) protecting the established revenue streams for the council,
 - b) generate additional and new revenue streams, considering how they might:
 - (i) limit and/or share appropriate financial risk with the council,
 - (ii) propose incentives for the operator to develop the market offer both in terms of quality and additional revenue generation.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 There is no signed written agreement currently in place between the council and the market operator. In order to provide the necessary legal framework to manage the market operations a new contract needs to be issued.
- 3.2 The tender opportunity is above the UK threshold for a services contract and an open tender procedure is being utilised in accordance with the council's Procurement Rules and The Public Contract Regulations 2015. The opportunity will be advertised via 'Contracts Finder' and 'Find a Tender', both sites are designed to help suppliers find public sector procurement opportunities.
- 3.3 The contract will be for an initial period of three years, with annual reviews and will include an option to extend annually for a further two years.
- 3.4 An exception to procurement rules decision record was approved 27 October 2022. The variation of the standard evaluation weightings, as set out in 29.1 (ii) of the Councils Contract Procedure Rules, reflects 60% in favour of quality and 40% towards cost. This will enable the procurement of an appropriately experienced market operator and ensure that the service and quality of the city street market is the main consideration when evaluating tender submissions.
- 3.5 A robust performance monitoring schedule will form part of the contract and activities will be conducted in accordance with the council's Contract Management Framework.

4 WORKFORCE IMPLICATIONS

- 4.1 Responsibility for the street market contract will transfer from the Estates to the Economy team following completion of the tender exercise. Existing Economy staff resources will oversee the implementation of the Operating Policy and the competitive tendering for the market operator. The team will be responsible for the ongoing contract management and monitoring with the selected operator.

5 PROPERTY AND ASSET IMPLICATIONS

- 6 All necessary permissions from Hampshire County Council to enable the operation of a street market in the High Street and Middlebrook Street, as outlined in the Operating Policy will be secured prior to commencement of the new contract. The council will retain ownership of the stall gazebos for use by traders.

7 CONSULTATION AND COMMUNICATION

- 7.1 Business and Housing Policy Committee on 6 October 2022 considered the findings and recommendations of an independent review undertaken that year on behalf of the council by The Retail Group. This also incorporated findings and recommendations relating to the market from a wider retail study undertaken by Lambert Smith Hampton in 2020. The key areas raised by the committee have been considered within the operating policy and included:
- a) Discouraging the use of single-use plastic within the district's Street Markets.
 - b) Safety issues in connection with loading and unloading be considered as part of any future procurement exercise and separately with market stall holders.
 - c) Timescales relating to re-tendering.
 - d) The ease of access through the Winchester Street Market.
 - e) The long-term aim of using The Broadway be considered.
- 7.2 In considering the policies for the future operation of the market a working group of officers from the Economy and Estates teams was established. Representatives from Procurement, Legal, Finance and Environmental Health teams have provided guidance as part of this group's work.
- 7.3 A meeting with the current market operator was held on 20 June 2023 to discuss and gain feedback on the key changes proposed for the future operation of the market.

- 7.4 Soft Market Testing has been undertaken with five established market operators including the existing operator to further test the proposed operating policy.
- 7.5 The Cabinet Member for Economy and Culture has been kept informed and has been given the opportunity to comment on progress via regular Cabinet Member update meetings.
- 7.6 To support the tender exercise and the introduction of the Operating Policy a communications and transition plan will be produced to ensure local stakeholders, interested parties and residents are fully informed about the process and timescale proposed for this contract.
- 7.7 Town Forum on 14 September 2023 and Business & Housing Policy Committee on 19 September 2023 considered the Operating Policy and gave feedback on three aspects: the proposed Winchester Street market vision and operating policy; trader application and selection criteria and the framework transition plan. The following comments were provided:
- a) Retain flexibility. Operational management of the market as well as its layout and location should remain agile and periodically reviewed to ensure it reflects:
 - (i) appropriate access for users of the cycle route,
 - (ii) variation in pitch locations and sizes in response to particular / special opportunities,
 - (iii) the changing uses of the high street and wider city area,
 - b) To encourage business start-ups to test their products for a limited period on the market consideration should be given, whilst maintaining health and safety, to relax trading requirements/costs where possible, on a temporary/exception basis.
 - c) Retain affordability. There must be a range of price points and goods sold which meet the expectations of users of the market, including residents, in terms of quality and affordability.
 - d) Increase emphasis on sustainability. Greater weight should be given to climate/carbon reduction criteria in both the operation of the contract and trader selection.
 - (i) There should be reduction in single use plastics by market traders.
 - (ii) Consideration should be given to increasing the 10% weighting to sustainability when evaluating responses to the tender.

- e) A completed Equality Impact Assessment is included in the papers for consideration by Cabinet.
- 7.8 In response to these comments the operating policy has been revised to include the right for the council to periodically review and amended the policy. There is opportunity for flexibility by also retaining the right to alter days, locations, times etc. of the street market as set out in the policy. The wording “of appropriately and affordably priced goods” has been added to the policy.
- 7.9 Consideration of how to support business start-ups to trade will be included as a dimension within the contract with the market operator. Based on their experience and knowledge they will be best placed provide the most appropriate forms of support.
- 7.10 The environmental and social value criteria weighting will be increased from 10% to 15% for the evaluation of submissions. The operating policy now has a revised statement on sustainability and environmental considerations at section 6.14.

8 ENVIRONMENTAL CONSIDERATIONS

- 8.1 As part of the tender process bidders will be required to set out how they will assist the council to meet its environmental targets by reducing its carbon footprint, proactively managing and reducing its impact on the environment, its use of natural resources and to develop its Corporate Social Responsibility.
- 8.2 All bidders will need to complete and ‘pass’ a standard qualification selection questionnaire as part of the procurement exercise. The questionnaire is designed to check the business conduct of suppliers including proven offences of grave professional misconduct, including environmental matters and modern slavery.
- 8.3 Additionally, 10% of the evaluation weighting for ‘quality requirements’ will be allocated to environmental considerations.
- 8.4 The Operating Policy seeks to encourage applications from street market traders selling sustainable or Fairtrade products as well as street market traders operating in a sustainable way, for example by reducing plastic use and encouraging recycling of products and waste.
- 8.5 The location of where the street market trader’s business is based and the geographic source of their products for sale will be considered as part of the application process. The highest scores being given to those that are travelling and sourcing products with the least miles to operate on the street market.
- 8.6 Sustainability will be considered when developing a programme of themed markets with the market operator. Additional sustainability focussed opportunities will be considered with the market operator as part of the transition plan.

9 PUBLIC SECTOR EQUALITY DUTY

- 9.1 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.
- 9.2 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.
- 9.3 An Equality Impact Assessment has been completed, see appendix 2. It identifies that the location and layout of stall, signs and A-boards may present a barrier and hazard for people with mobility and sight impairments. The policy identifies pitch locations to ensure there is adequate and appropriate routes and space to enable free / unimpeded movement around and through the street market. There is also a requirement that stall holders remaining within the designated pitch area and do not put out signs or use overhanging signs. The contracted market operator will be responsible for ensuring stall are pitched in the correct locations and enforcing adherence to these requirements which will be set out the Operating Policy and through provision of detail stall location plans. Space between stalls and buildings/street furniture will comply with necessary accessibility regulations and will also reflect space needed for formal cycling routes.

10 DATA PROTECTION IMPACT ASSESSMENT

- 10.1 All personal information collected as part of the implementation of the new city street market operating policy and the procurement process, including that contained in contract documentation will be held in accordance with the Council's Data Protection Policy and comply with the six Data Protection Principles set out in Article 5(1) of the General Data Protection Regulation (GDPR) and sections 35 to 40 of the Data Protection Act 2018 (DPA).

11 RISK MANAGEMENT

Risk	Mitigation	Opportunities
Financial Exposure Revenue is reduced from a drop in market traders taking pitches on the market. This might be bought about by:- <ul style="list-style-type: none">- market traders unable to trade on the market as they do not meet the requirements of the City Street Market Operating Policy.	A plan setting out the support and advice available from the council and the market operator will be agreed by both parties for implementation in the first six month of the new contract. This will encourage market traders to adapt operating arrangements in	Potential operators as part of the tender process may provide innovative proposals to improve the markets income stream

Risk	Mitigation	Opportunities
<ul style="list-style-type: none"> <li data-bbox="240 1249 603 1473">- a strained relationship between the market traders and market operator leads to a reduction in pitch bookings. <li data-bbox="240 1637 603 1899">- continued economic downturn results in reduced customer spend on the market leading to reduction in number of market traders. 	<p data-bbox="663 286 1074 857">order to meet the requirement of the City Street Market Operating Policy. New market traders who do meet these policies will be proactively recruited as part of the trader recruitment plan, to fill any reduction from existing market traders as well as creating a waiting list for pitches enabling an appropriate level of mixed and changing offer to drive repeat customer visits.</p> <p data-bbox="663 902 1074 1205">The City Street Market Operating Policy will be kept under review in terms of its requirements and implementation to allow changes in response to any issues emerging throughout the period of transition.</p> <p data-bbox="663 1249 1074 1552">The impact of the adoption of the City Street Market Operating Policy will be monitored throughout the initial six month period. A review of the requirements to mitigate any significant risk will be considered.</p> <p data-bbox="663 1637 1074 1899">The tender specification will require bidders to outline their approach to relationship management as part of a transition plan and throughout the life of the contract to mitigate this risk.</p> <p data-bbox="663 1944 1074 2007">Competitive tender specification requires</p>	<p data-bbox="1099 1249 1369 1585">Development of a partnership approach between the council and the operator to build collaboration and shared ownership of risk and reward.</p>

Risk	Mitigation	Opportunities
	bidders to offer mitigating arrangements to respond to such circumstances to limit financial exposure for both the market operator and the council.	
<p>Exposure to challenge Challenge from market operators for failure to undertake a compliant competitive tender process.</p> <p>Existing market traders unable to trade due to inability to meet new operating policy.</p> <p>Residents unsupportive of the changes made to the market operation.</p>	<p>Robust tender process supported by the council's procurement and legal services to ensure compliance with the Public Contract Regulations 2015. Existing market traders will be supported through the changes as part of an agreed plan of transition delivered by the market operator and supported by the council. This will include advice and guidance as well as up to six months for traders to bring about the changes required.</p> <p>A communications plan will detail ongoing information to share with residents to keep them informed of any changes to the street market.</p>	<p>Effective communications raises awareness and drives additional resident footfall to the market.</p>
<p>Innovation Inadequate innovative approaches to market operations stifles appropriate development of the offer, limits introduction of an appropriate range of products for sale, leading to reputational damage and reduction of footfall.</p>	<p>Best practice research along with soft market testing has generated innovative approaches which have informed the development of the tender specification. The competitive tender specification requires bidders to consider development of the market offer in terms of innovation</p>	<p>Innovative approaches to operating the market could lead to improved quality, reduced operating costs and strengthened reputation.</p>

Risk	Mitigation	Opportunities
	and range of products for sale. This will be supported by the adoption of the City Street Market Operating Policy. Adoption of KPIs and associated contract management will also serve to mitigate this risk.	
<p>Reputation</p> <p>The provision of a poorly curated street market offer which does not meet the needs and expectations of residents and visitors results in a negative impact on the perception of the wider city offer, reduced footfall to the high street, leading to reduced spend in the local economy.</p> <p>The adoption of City Street Market Operating Policy leads to complaints from High Street retailers and traders.</p> <p>Public criticism of the planned changes to the market operation are experienced during the policy approval process, procurement/contracting of the market operator and delivery of the transition plan.</p>	<p>The adoption of the City Street Market Operating Policy, the delivery of a robust transition plan, and agreed with the market operator, an incentivised plan of development will aim to mitigate these risks.</p> <p>The adoption of a robust transition plan along with regular communication with High Street retailers, which takes into consideration feedback, will form part of the contractual agreement between the market operator and the council.</p> <p>A proactive communications framework plan has been drafted which aims to define the need for change, its benefits, and fosters support and engagement from residents, businesses and market traders.</p>	
<p>Achievement of outcome</p> <p>Non-compliance with the City Street Market Operating Policy means that the desired improvements are not achieved.</p>	<p>A robust transition plan will be agreed and delivered to include advice and guidance to support existing traders to meet the policies over a six</p>	

Risk	Mitigation	Opportunities
<p>Time required to transition takes longer and delays delivery of outcomes.</p>	<p>month period, and a requirement for the market operator to curate a waiting list of market traders who do meet the agreed policies.</p> <p>Through ongoing contract management, including regular performance reviews, established milestones and KPIs will be reviewed and actions put in place to mitigate emerging delays where possible.</p>	
<p>Property The location in which the city street market operates is not in the control of the city council.</p> <p>The street market cannot operate in usual location due to priority given to civic or other events.</p>	<p>The High Street and Middlebrook Street fall under the responsibility of Hampshire Highways. The city street market is an established operation in this area. However, periodic meetings and communications with Hampshire Highways will be maintained along with any licencing requirements met to mitigate any risks to operating the market.</p> <p>A Festivals and Events programming policy is being developed which will outline the acceptable uses of High Street and Broadway and any instances where the city street market will need to be relocated. These will be agreed and deployed in partnership with Hampshire County Council.</p>	
<p>Community Support Residents do not support the</p>	<p>A robust communications</p>	

Risk	Mitigation	Opportunities
revised operating policies resulting in a reduction in footfall.	<p>plan will be developed building on the framework in partnership with the market operator which will include notification to residents of the planned changes.</p> <p>The Market Operator will be required to collect feedback from traders and market customers during the transition period and share this with the council. Any appropriate revisions to the City Street Market Operating Policy will be considered as a result.</p>	
<p>Timescales</p> <p>Timescales slip regarding the competitive tender process, contracting a market operator, undertaking the transition period and plan which limit the publicity opportunities due to the pre-election period.</p>	<p>Effective programme management will be used throughout the tender, contracting and transition periods including the establishment and monitoring of key milestones.</p>	
<p>Project capacity</p> <p>Competing council priorities result in a lack of resource available to deliver this programme of work.</p>	<p>Options for redeploying capacity from other teams in the service (or wider) will be explored as soon as resource issues are identified as part the programme management regime.</p>	
<p>Other</p> <p>The competitive tender process does not result in securing an ongoing market operator.</p>	<p>The existing market operator will be in place until such time as a successful competitive tender process is achieved. If an operator is not secured from the first competitive tender, feedback will be sought from</p>	<p>Feedback from the tender exercise leads to a new approach to contracting a market operator.</p>

Risk	Mitigation	Opportunities
	bidders to enable a revision of the specification.	

12 SUPPORTING INFORMATION:

Current street market operation

- 12.1 The city street market is a well-established, long-standing market, operated on behalf of the council since 2011 by Southern Market Traders Management Consultants Ltd. The market operates 51 weeks of the year daily from Thursday to Saturday. A themed antique/collectibles and art and design market operates on Sundays alternating with the Hampshire Farmers Market.
- 12.2 The maximum pitches available are 65 on a Sunday (including the Broadway) and currently 45 Thursday to Saturday.
- 12.3 The market currently operates in the High Street and Middlebrook Street. Whilst the intention is to maintain this location and layout flexibility will be reserved for the council to consider alternative/extended locations in the city, for example if there were road closures in Jewry Street and Market Street to facilitate one off/special events.
- 12.4 It has previously operated in Middlebrook Street car park and has extended up as far as The Ivy in the High Street in the past.
- 12.5 The market typically operates on average at 65% occupancy throughout the year, with January and February traditionally quieter months. Premium pitch fees are charged during the festive period with a flat rate fee at all other times.
- 12.6 For clarity the Hampshire Farmers' Market that takes place every second Sunday is operated under licence with council and falls outside the market management contract.
- 12.7 There are two pitches dedicated for concessions, numbers 75 and 76 in Market Street and St Maurice's Covert respectively. Concessions are operated under a licence with the council and form part of the market operator's contract. Traders operating on these pitches are required to meet the requirements of the operating policy.
- 12.8 Traders offer a range of goods for sale, typically found on a traditional market. Some traders are local, others travel significant distances to trade on the market, offering goods for sale but also services such as double glazing, driveway replacement, roadside recovery.

Evidence base and justification of the operating policies

- 12.9 The justification for the operating policy of the city street market is:
- a) the lack of a contract in place with the current market operator,
 - b) the findings and recommendation from the research undertaken by Lambert Smith and Hampton and the Retail Group,
 - c) the desk research into other markets undertaken by officers,
 - d) the outcome of the soft market testing,
 - e) that the market has capacity and can accommodate more traders,
 - f) the need to drive footfall after the pandemic and the impact of the cost-of-living crisis on residents and visitors,
 - g) the need to operate a curated market to protect the assets of Winchester's historic heritage setting.
- 12.10 A Retail Study was undertaken by Lambert Smith Hampton in 2020, see Appendix 2. As part of the study the following recommendations were made with regard to the street market:
- a) Whilst the facilities of the city centre were considered as quite or very good by the users surveyed the street market was rated mainly as quite good to middling,
 - b) The existing street market offer is a recognised strength and it is identified as a growth opportunity, both to improve the existing market offer and to add additional themed offers, evening markets, street food markets etc,
 - c) It is recognised as adding to the provision of independent retailers in the core city centre area, something that might not be otherwise affordable given pressures on space and rents,
 - d) Through expanding the independent offer, the street market will be expanding the choice and variety of goods available in the city centre.
- 12.11 An independent review was conducted on behalf of the council by the Retail Group in 2022, see Appendix 2. It concluded:
- a) The market is anchored by a good fruit and veg trader, excellent fishmonger and a butcher,
 - b) There is an award winning cheese trader, excellent bread, pies and cakes traders and a growing range of other food operators,

- c) The catering offer is good, with an excellent coffee provider and several hot food specialists,
- d) The non-food traders cover a wide variety of categories, from silver plate cutlery to bedlinen, leather goods and artisan producers.

12.12 The research carried out with users of the market showed that whilst 75% of respondents were satisfied with the current street market provision:

- a) 72% were keen to see occasional event markets,
- b) 65% would like to see more visiting themed markets.

12.13 The research identified opinions from local businesses operating in and around the high street. These included:

- a) An improved market would be considered an attraction, generate additional footfall, would be popular and add some benefit to local businesses,
- b) In future the markets need to complement existing businesses and have broad appeal,
- c) The current markets are in the right location, market shoppers use other town centre facilities, traders do not provide unfair competition,

12.14 The independent review recognised:

- a) The Thursday, Friday and Saturday markets could all grow and use the space used by the Sunday market, further along the Broadway. This would increase the appeal of the market and all the associated economic benefits,
- b) The market needs to be presented to a better average standard, there are some excellent traders and some reducing the average. Despite this it was felt that the market was well managed and the trader manager relationship appeared positive,
- c) There are opportunities to improve the product quality, further expand the variety, more local / regional produce, trader delivery and improved stall quality, signage, information and use of space, sightlines, first impressions and overall experience.

12.15 The review also considered four well established markets:

- a) Ridley Road, Hackney – a large street market trading across the week
Accepted as a very important part of a visit to the town centre, with most people using it the majority of times they visit. Only 10 to 15 % of visitors never use the market.

- b) Medway Markets - Rochester High Street Farmers and Artisan Market
Two thirds of consumers visit the market most times or every time they visit the town centre and the market is trading. Consumers like the quality of the market (stalls and product) and the choice available.
- c) Bury Market, Greater Manchester
Bury Market recognised by the community as being of great importance and value, contributing to the local identity of the town. Repeat and long standing customers is high. The Market is described by the community as a vital social hub who feel safe and welcome there.
- d) Queens Market, Newham
Ninety-two percent of market users strongly agree or agree that it is a community hub offering a social and welcoming environment and 96% strongly agree or agree that significantly contributes to the areas local identity.

12.16 The review recommended:

- a) extending the offer to complement the wider retail offer in terms of quality and mix including more local and regional producers,
- b) introducing early evening, themed and touring markets including youth/student, entrepreneur/start up business and independent/local producer themes, and
- c) introducing street events and offerings to attract a younger adult demographic.

12.17 In summary the review recognised that whilst the market was established and long standing, there were opportunities to use it as a springboard to deliver a more proactively curated market offer which aligns more closely with the council plan. In particular around priorities including sustainability, supporting local businesses, competitiveness, driving footfall and the overall quality of the market offer and its impact on the reputation of the city for residents and visitors.

12.18 Desk research was undertaken by officers reviewing a range of local markets as well as those in locations complementary to Winchester city. This included Eastleigh, Southampton, Basingstoke, Salisbury, Chichester and Frome as well as the Christmas Markets hosted in Winchester, Bath and York.

12.19 The research concluded:

- a) All market operators had an operating policy in place, with some taking a more comprehensive approach.

- b) All market operators undertook some sort of application and assessment process, considering both mandatory compliance as well as qualitative considerations.
- c) A growing number of operators were considering the sustainability credentials of the traders and that of their goods for sale.
- d) The pitch fees currently charged in Winchester are broadly in line with others. There is the opportunity to consider modest increases when it is felt appropriate to do so.
- e) The delivery of a sense of place, clear branding, operator owned gazebo's was varied.

12.20 Soft Market Testing was carried out in order to inform how the council might progress future operations of the street market in central Winchester prior to procuring a contract for a market management company. The aim of the soft market testing was to:

- a) gather information to support the council's decision-making process in any next steps,
- b) inform our thinking regarding commercial considerations of operating the street market,
- c) identify innovative and cost-effective delivery solutions, which may inform our specification development,
- d) understand the optimum way of procuring.

12.21 A soft market testing questionnaire was included on contracts finder which generated a significant amount of interest from operators and resulted in five, representing over 40 markets responding. A summary of the questionnaire responses included:

- a) All operators reported opportunity to grow and develop the Winchester city market. This included the average annual pitch occupancy, additional themed and touring markets as well as special events, additional trading days and sponsorship,
- b) All operators had experience of a range of financial models and most included a fixed management contract fee option in their response. Two have operated on a shared income model relating to additional income generated above set KPIs. One would consider operating on a profit share basis and one operated a revenue share arrangement with the traders,
- c) Most operators adopted a flat fee structure and one operated a pitch fee based on season and location,

- d) All operators adopted an application and assessment process to varying degrees,
- e) Most operators supported encouraging local traders, local goods for sale and start-up businesses,
- f) All operators supported the adoption of sustainability including two which operated a ban on single use plastics,
- g) All were supportive of a collaborative planned period of transition.

The Vision for Winchester City Street Market

12.22 Based on the independent review, research undertaken and the evidence base, the proposed vision for the Winchester City Street Market is for a well-curated, high-quality, locally driven street market which meets the expectations of its visitors, supports the local economy and adds to the vibrancy of the city centre by:

- a) providing access to a diverse and affordable range of products and food & beverage,
- b) driving footfall, spend and dwell time,
- c) raising awareness and reputation of the city's retail offer,
- d) reducing the street market's carbon footprint,
- e) complementing existing retail activities,
- f) encouraging business start-ups and innovation.

12.23 This approach also aligns with the Winchester District Ten Year Green Economic Development Strategy which aims to position the city as 'a vibrant place for business' making it 'a go-to place' for business start-up's by providing affordable space.

Proposed Street Market Operating Policy

12.24 The Operating Policy which sets out the way the contracted market operator and market traders will be expected to manage and operate the city street market, responds to the reviews undertaken, feedback received and the evidence collected. It forms a key part of the competitive tender and contracting process and sets the standard expected in terms of:

- a) a City Street Market Operating Policy which drives the qualitative delivery of the city street market with which all market traders will be

required to comply in addition to meeting compliance and legislative requirements,

- b) market traders which offer a wide range of high-quality, appropriately priced products, which complement those currently available and meet the expectations from the range of visitors using the street market
- c) national groups and chains as well as service providers such as motor breakdown, double glazing, subscription organisations such as Woodland Trust/RSPB, will be discouraged,
- d) a market trader selection process (as outlined in 10.20) which recognises both qualitative considerations as well as compliance and legislative requirements,
- e) practices which reduce carbon impact through the provision of locally sourced goods for sale; adoption of sustainable practices and the location of the market traders, favouring those that travel least miles to operate on the street market,
- f) a pitch pricing policy which reflects seasonality, availability and within three pricing bands made up of premier pitches, standard pitches and charity pitches,
- g) themed markets which encourage entrepreneurs, start-up business and independent/local producers as well as those that attract a young demographic/student audience,
- h) opportunities to increase dwell time including the appropriate expansion of street food provision, street entertainment, outdoor seating etc,
- i) repeat customer visits through encouraging up to four new approved traders to the market to replace the existing in any 12 month period enabling an appropriate level of mixed and changing offer,
- j) a stronger sense of place and visual identity through the provision of branding, signage and colour co-ordinated gazebos.

12.25 In order for market traders to operate on the city street market they will be required to apply for pitches and be assessed against a set criteria. This approach incorporates the existing arrangements. Successful applicants will be recognised as an approved trader and will be offered a permit to trade. As part of the transition plan all current market traders will be assessed against the set criteria by the market operator in partnership with the council. All new applications will be assessed by the market operator, as set out in the operating policy, see Appendix 1 and overseen by the council as part of ongoing contract management.

12.26 There are five stages to the application process to become a trader on the street market as outlined below:



12.27 The table below outlines how applications to trade on the market and existing market traders will be assessed. A percentage allocation has been given to the five areas of qualitative assessment and within each of these applicants will be scored 0 – 5. Our research showed that this approach was in line with many other markets, including those who participated in the soft market testing, recognising some taking a less formal approach whilst others, such as Greenwich, London and LSD adopting an evaluation similar to that recommended. Full details will be available in the City Street Market Operating Policy.

Qualitative Assessment	
GOODS FOR SALE	SUSTAINABLE CREDENTIALS
60% of qualitative Score	40% of qualitative score
Areas for consideration: Quality of goods for sale Compatibility of goods for sale with	Areas for consideration: Sustainability credentials of the goods for sale and the market trader including:

existing high street offer Goods for sale meeting local need or demand	Provenance of goods, using local or fair-trade products or ingredients use of recycled or sustainable goods organic and/or seasonal foods reduction of single use plastics reduction in energy consumption and waste distance travelled trader
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Market operator tender exercise

12.28 Bidders will respond to the specification with a fixed operating fee along with an outline their approach regarding the overall operation of the city street market and will include how the following will be delivered:

- a) The vision for the Winchester city street market,
- b) The adoption of the operating policy,
- c) The adoption of the legislation and compliance policy,
- d) Protection of the established revenue streams for the council,
- e) Opportunities to generate additional and new revenue streams and related financial models
- f) A detailed transition plan to include roles, responsibilities, and actions required of the market operator (both outgoing and incoming), the market traders and the council,
- g) A framework communications and engagement plan aimed at all audiences including residents, visitors, current market traders, high street retailers and other stakeholders, such as the BID.

12.29 The revenue collected from pitch fees on behalf of the council will fund the costs of the market operator contract fees, as outlined in 2.1.

12.30 The table below outlines the proposed competitive tender programme, which will be kept under review:

Activity	Timeline
Soft Market Testing	July 2023
Adoption of the operating policy and delegated	September/October 2023

Activity	Timeline
authority to procure and contract	
Tender open to applications	October – November 2023
Response evaluation	November – December 2023
Tender submission interviews	January 2024
Appointment of contractor and contract execution	January – February 2024
Contractor handover period if required	March 2024
Transition period, adoption and execution of agreed operating policies	April to September 2024

13 OTHER OPTIONS CONSIDERED AND REJECTED

- 13.1 Do nothing – continue with the current market operator. This was rejected in favour of mobilising the findings and recommendation of both reviews.
- 13.2 Contract the current market operator to operate the market under the revised operating policies. This was rejected in favour of offering the opportunity to the market via the competitive tender process to ensure best value and compliance.
- 13.3 Serve notice to the current market operator and operate the market in house. This was rejected as neither the resources nor expertise is available within the council.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

Business & Housing Policy Committee, Thursday 6 October 2022, Findings and future plans following the Street Market Review: [\(Public Pack\)Agenda Document for Business and Housing Policy Committee, 06/10/2022 18:30 \(winchester.gov.uk\)](#)

Other Background Documents:-

Retail Group Independent Market Study 2022

Soft Market Testing Questionnaire

Framework Transition and Communications Plan

APPENDICES:

Appendix 1 – Draft Winchester City Street Market Operating Policy

Appendix 2 – Equality Impact Assessment

WINCHESTER CITY STREET MARKET OPERATING POLICY
SEPTEMBER 2023



Winchester City Street Markets Operating Policy
September 2023

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1. INTRODUCTION

- 1.1 The council's vision for the Winchester City Street Market, referred to as 'the street market' is for a well-curated, high-quality, locally driven street market which meets the expectations of its visitors, supports the local economy and adds to the vibrancy of the city centre by:
- providing access to a diverse and affordable range of products and food & beverage,
 - driving footfall, spend and dwell time,
 - raising awareness and reputation of the city's retail offer,
 - reducing the street market's carbon footprint,
 - complementing existing retail activities, and
 - encouraging business start-ups and innovation.
- 1.2 This approach supports the Council Plan 2020 to 2025 vision for a vibrant local economy, achieved by having a compelling and competitive visitor offer, promoting independent businesses, encouraging start-ups and increasing the attractiveness of Winchester district's high streets.
- 1.3 This approach also aligns with the Winchester District Ten Year Green Economic Development Strategy which aims to position the city as 'a vibrant place for business' making it 'a go-to place' for business start-up's by providing affordable space.
- 1.4 This policy supports the outcomes of the independent review of Winchester District Street Markets, commissioned by Winchester City Council, which recommended:
- extending the offer to complement the wider retail offer in terms of quality and mix including more local and regional producers,
 - introducing early evening, themed and touring markets including youth/student, entrepreneur/start up business and independent/local producer themes, and
 - introducing street events and offerings to attract a younger adult demographic.

2. Purpose of this document

- 2.1 There are two key documents which outline how the Winchester City Street Market will be operated including the requirements of both the approved street traders and the market management company. These are:
- The Winchester City Street Market Operating Policy, (this document)
 - The Winchester City Street Market Compliance Policy.
- 2.2 The purpose of this document is to set out the policies which are of an operational nature and are in addition to those related to compliance and legislation.
- 2.3 For clarity this policy does not apply to Hampshire Farmers' Market that takes place every second Sunday. This is operated under licence with council and falls outside the market management contract.

3. Policy review and variations

- 3.1 Winchester City Council reserves the right to periodically review and alter or vary any of the policies set out in this document including making any changes, either on a temporary or permanent basis, to ensure the viability and efficacy of the market. Due regard will be given to appropriate consultation and notification periods for those affected by the changes required.

4. Definitions

4.1 Winchester City Council:

Winchester City Council is the market owner. The responsibility and oversight of market operations sits within the Economy team who will act as client for the market management company contract, management of which will be robust and transparent ensuring best value and in compliance with the council's contract management framework.

4.2 The Market Management Company:

Day-to-day management of the street market is devolved to the market management company, as specified in the contract between Winchester City Council and the commissioned market management company.

4.3 The Market Manager:

The person/s appointed by the market management company to manage the operation of the street market on a day-to-day basis.

4.4 Approved Traders:

Any person/business wishing to sell food, drink or goods on the street market who has satisfied the requirements of the approved trader process.

4.5 Charities:

Charities are organisations that are registered with the Charity Commission for England and Wales.

4.6 Concessions:

These are two concession pitches, numbers 75 and 76 which are available seven days a week and are operated under licence from the council and managed by the market management company.

4.7 Exclusions:

Permission for the Hampshire Farmers Market, taking place on alternate Sundays, is given by licence from the city council and is not managed by the market management company.

5. THE MARKET MANAGEMENT COMPANY

5.1 The market management contract will be procured periodically in accordance with the council's Contract Procedure Rules and relevant legislation. The appointed management company will be responsible for gaining street trading consent from Winchester City Council for the duration of the market management contract.

5.2 The market management company will have devolved authority from Winchester City Council to be responsible for the day-to-day operation of the street market, ensuring that it and the approved traders including concessions, adhere to the requirements set out in:

- Winchester City Street Market Operating Policy (this document),
- Winchester City Street Market Compliance Policy, and
- the planning conditions governing town centre street markets, for further information please visit XXXX.

5.3 The market management company and Winchester City Council reserves the right to require an approved trader, in the instance of failure to comply with the Operating and Compliance policies, to remove themselves and their goods for sale from their pitch with immediate effect. Consequently, such approved traders may not be invited to trade on the market in the future.

- 5.4 If an approved trader wishes to appeal a decision of the market management company in its course of enforcing these policies as part of the day to day operation of the street market, they should do so in writing to the Economy team at: ecodev@winchester.gov.uk. All appeals will be considered in line with the procedure outlined in Appendix X and will be considered within 28 days, unless otherwise advised. The decision of Winchester City Council is final.

6 **WINCHESTER CITY STREET MARKET**

Types of market traders, quality, range and provenance of products

- 6.1 This section of the policy outlines the types of street traders and their products that Winchester City Council wishes to attract to apply to become approved traders and trade on its street market.
- 6.2 To be able to trade on Winchester's street market a street market trader must apply to be an approved trader. Approved trader applications are welcomed from street market traders whose products support the Winchester City Council's objective of a vibrant economy, see street market approved trader application process for more information on pages 15 – 20.
- 6.3 The street market will aim to offer a wide range of high-quality, appropriately and affordably priced products to meet the expectations from the range of visitors using the street market. Approved traders will include small independent businesses such as contemporary designers and makers, independent local, seasonal and regional food and drink producers, vintage fashion, collectables and furniture, as well as their distributors.
- 6.4 National groups and chains and service providers for example, motor breakdown services, double glazing, subscription organisations who are solely selling membership and have no goods for sale are discouraged and are at the discretion of Winchester City Council.
- 6.5 For the regular street markets duplication of approved traders offering the same or similar products will be kept to a minimum. This excludes specialist / themed markets, which by their nature, will have traders offering similar products.
- 6.6 The provision of street food is encouraged, with designated seating areas, to increase visitor dwell time.
- 6.7 Approved traders will be required to offer products for sale that complement existing retail activity in the local area.
- 6.8 Charities will be required to apply as an approved trader in the usual way. Charities must be registered with the Charity Commission for England and

Wales. When trading on the market charities must be offering goods for sale. More information about charities is outlined in pitch allocation on page 11.

- 6.9 There are two pitches dedicated for concessions, numbers 75 and 76 in Market Street and St Maurice's Covert respectively. Concessions are operated under a licence with the council. Traders operating on these pitches are required to meet the requirements of this policy.
- 6.10 Applications for up to one year of consecutive trading will be considered and all applications are renewable annually with the same notice periods as outlined in this policy.
- 6.11 Existing high street retailers and city centre business can apply for a pitch on the street market in the same way as all other market traders and will be assessed accordingly.
- 6.12 In order to manage appropriate churn and encourage customer loyalty and repeat visits a minimum three of approved traders must be new to the market in any 12 month period.
- 6.13 The market management company must consider the product price points of approved traders in relation to product price points available across the city to ensure an appropriate and affordable range is offered at the street market which meets the expectations of a broad range of residents and visitors.
- 6.14 Sustainability and the environment impact of the street market is an important consideration for the council. It declared a climate emergency in June 2019 with the targets to become a carbon neutral local authority by 2024 and wider district by 2030. Applications are encouraged from street market traders who support this ambition through the way they trade and the goods they offer and. For example, by selling sustainable or Fairtrade products, by reducing single use plastic, encouraging recycling of products and reducing waste. The location of where the street market trader's business is based and the geographic source of their products for sale will also be considered as part of the application process.
- 6.15 Opportunities to extend the range of products available on the street market by attracting themed and touring markets will be considered by Winchester City Council as put forward by the market management company. These markets will be additional to the standard trading times and days (9am to 5pm Thursday to Saturday).
- 6.16 Themed markets and street market traders which encourage entrepreneurs, start-up business and independent/local producers as well as those that attract a young demographic/student audience are welcomed.

- 6.17 Events and entertainment which operate alongside the street market and which add value and are commensurate with the local environment, will be considered where appropriate, and where they:
- a) increase footfall,
 - b) dwell time,
 - c) visitor experience,
 - d) develop the reputation of the street market to generate increased repeat custom,
 - e) develop the reputation of the street market amongst traders influencing the best street market traders wishing to trade in Winchester.
- 6.18 Approved traders will be expected to conduct their business in such a manner as to maintain the good order, discipline, and positive reputation of the street market and that of Winchester City Council.
- 6.19 Visitors to the market may submit a comment about the street market via the online form available on the 'Markets' page at www.winchester.gov.uk. All comments from visitors to the market will be responded to by either the market management company or Winchester City Council. Any visitor who feels that the comment is not responded to satisfactorily may make a formal complaint by completing an online complaints form via the council's website. All complaints will be handled in line with Winchester City Council's complaints procedure as outlined on the website.

7. DAILY OPERATIONS

Street market operating times

- 7.1 The operating hours for the street market are Thursday to Sunday 9am– 5pm.
- 7.2 The market management company will ensure:
- the provision of an easily identifiable point of contact for both visitors and approved traders during market operating hours,
 - that all approved traders operating a pitch are open for trade during these operating hours.
- 7.3 Winchester City Council reserves the right to operate the market on additional days, for example at Christmas and for speciality/themed markets.
- 7.4 The market management company will need the written consent of the council to operate the street market outside of these operating hours.
- 7.5 Winchester City Council reserve the right to alter the street market operating days, trading hours and temporarily suspend or close any street market for any reason and on any grounds, for such period as the council requires.
- 7.6 Winchester City Council reserves the right to stand down the street market if it believes there to be any significant breaches of health and safety.

- 7.7 Without liability to the market management company, it may request not to operate a street market or similarly shorten the market operating hours in certain extenuating circumstances, such as Met Office severe weather warnings. Where possible 48 hours' notice should be provided, by email, to the council for approval and then to the approved traders.

8. Market location and layout

- 8.1 The main areas of operation of the street market are the bottom end of the High Street, Middlebrook Street and on Sunday's the Broadway, subject to agreed road closures.
- 8.2 The street market will be arranged within the physical parameters as indicated on the agreed plan. See Appendix A.
- 8.3 Key principles for the layout of stalls and traders use of them are:
- Space must be maintained between the stall and shop fronts to allow movement and access,
 - Stalls must not create pinch points or areas of congestion that restricts or prohibits access and movement,
 - The highway must remain unobstructed and allows for emergency vehicle access.
- 8.4 Additional layout requirements are outlined in the Compliance and Legislation Policy and the relevant risk assessment undertaken by the market operator as a requirement of the contract between Winchester City Council and the Market Management Company.
- 8.5 The market layout will allow for all pitches to be of the same depth to give the market the appearance of continuity. With the exception of regular concessions, pitch sizes will be either 3x3m or 3x4m, as set out in the plan.
- 8.6 Consideration will be given to approved traders who wish to apply to operate on more than one adjacent pitch. However, overall the market management company is required to ensure that the street market will not be dominated by a few larger pitches.
- 8.7 Winchester City Council reserves the right to allocate designated areas for special themed approved traders. i.e., food, and occasional table and chairs will be available where appropriate to influence the dwell time of market users.
- 8.8 Winchester City Council reserves the right to alter the location and layout of the street market at any time. In this instance due notice will be given to approved

traders via the contracted market management company. Such instances include:

- the council's special and civic events, such as Mayor Making and Freedom Parade,
- the deployment of special or themed zones for times such as Christmas, and
- to accommodate major events and festivals, such as Hat Fair.

8.9 Where an event or festival still enables the street market to continue, the market management company would be expected to work with the event organisers to ensure the event and the street market run smoothly and in conjunction with one another.

9. Street market visual identity

9.1 The visual identity of the street market is important in ensuring that it evokes a strong sense of place, arrival and visitor experience.

9.2 The market management company is responsible for ensuring all approved traders comply with the branding guidelines that have been set out by Winchester City Council.

9.3 To create this sense of place and visual identity all street traders must only use the gazebos and accessories, including gazebo sides provided, unless otherwise agreed in advance with the market management company and such requests will need to be approved by Winchester City Council.

9.4 The market management company is responsible for maintaining all provided equipment to a high standard throughout the term of the contract. They will regularly inspect the condition of these and repair or arrange replacement as agreed with Winchester City Council.

9.5 The approved trader's promotional materials must be confined to the inside of the provided gazebo, on the front down stand of the canopy roof and/or a sail banner attached to the gazebo infrastructure. All approved traders sail banners must be no larger than 2 meters to ensure that no one approved trader's presence dominates the market.

9.6 Approved traders must not site stands or signs, such as A-boards on any other area than the traders consented pitch. The market management company is at liberty to remove any unauthorised promotional material.

9.7 Approved traders must only display branding attributable to the products they are selling. Any promotional material included on a pitch must be related to the approved trader that is trading from that pitch. Approved traders will be required to remove any unauthorised promotional material on the instruction of the market management company.

- 9.8 Approved traders must not move or remove any signage or promotional materials sited in the market and/or on the gazebo allocated to the pitch by the market management company.

10. Pitch allocation

- 10.1 Subject to the level of fee payable and any pitch location requests made by the approved trader, the market management company will have the final decision on which pitches are allocated to which approved traders. The market management company will be required to demonstrate equality of opportunity in its decision making.
- 10.2 Where possible, approved traders offering similar goods for sale will not be located within close proximity of each other.
- 10.3 Pitch number 77 is designated for charities at a discounted pitch fee. Charities must apply to trade on the market and meet all relevant requirements outlined in this policy. A charity cannot trade on the market consecutively for more than one week. A charity cannot trade on the market for any more than ten days per year.
- 10.4 There are two dedicated concession pitches, numbers 75 in Market Street and 76 in St Maurice's Covert.
- 10.5 Winchester City Council reserves the right to alter the number and allocation of pitches in discussion with the market management company.

11. Waiting list

- 11.1 If individual street market days are fully subscribed a waiting list will be operated by the market management company and overseen by Winchester City Council.
- 11.2 As pitches become available priority will be given to street market traders whose applications have been on the waiting list longest.

12. Pitch pricing

- 12.1 Pitch pricing is subject to seasonality, availability and within four pricing bands, as laid out below:
- Band 1
Premier High Street pitches. Pitch numbers 15 to 31.
- Band 2
Standard High Street and Middlebrook Street pitches. Pitch numbers 1 to 14.
- Band 3
Charity rate. Pitch number 77
- Band 4
Concession rate. Pitch numbers 75 and 76.

12.2 At the discretion of the council:

- reduced pitch fees will be offered on certain pitches during low season
- increased footfall is expected at Christmas, summer school holidays and when the city is hosting specific events, these periods are considered high season where increased pitch fees can be applied.

12.3 Non – refundable block booking incentives will be offered on a limited number of pitches to approved traders booking and paying for pitches in advance for a minimum of 24 and maximum of 48 trading days per year.

12.4 All fees and charges will be reviewed on an annual basis and changes will normally be implemented from 1 April each year. Winchester City Council reserves the right to review fees and charges at any time. Where possible 28 days notice of any / all price changes will be given.

12.5 Approved traders shall pay the full amount due regardless of whether the pitch is used or not, unless cancellation is given within the period outlined in the Pitch Booking Cancellation section.

12.6 For a tariff of current fees and charges, including seasonal rates and block booking incentives, please refer to Appendix X.

13. Pitch Payments

13.1 The market management company will collect all pitch fees on behalf of Winchester City Council.

13.2 Pitch fees will be paid in advance or as requested on the day of trading. All payments taken on the day of trading should be banked with Winchester City Council on the same day.

13.3 All payments should only be made in favour of Winchester City Council. Payments via cash will be discouraged.

13.4 The following methods of payment are available:

- In advance by a direct debit mandate/standing order
- In advance by BACS
- In advance or on the day, in person, via a debit or credit card
- In advance or on the day in cash

13.5 A receipt will be issued by the market management company on behalf of Winchester City Council for every payment made.

13.6 Approved traders not making pitch payments in advance or on request on the day of trading will be asked to remove themselves and their goods for sale from the street market with immediate effect.

13.7 In the circumstances of non-payment of pitch fee Winchester City Council reserves the right to refuse such approved traders the opportunity to trade on future street market days.

14. Pitch payment refunds

- 14.1 Refunds for pre-paid pitch bookings will only be made in line the the cancellation periods outlined below.
- 14.2 All pre-paid block bookings made at an incentive rate are non-refundable unless a street market trading day is cancelled by Winchester City Council or the market management company.

15. Pitch booking cancellations

- 15.1 72 hours notice by the trader of cancellation of paid for pitches in high season must be made to the market management company for all refundable advance bookings.
- 15.2 24 hours notice by the trader of cancellation of paid for pitches in low season must be made to the market management company for all refundable advance bookings.
- 15.3 Refunds relating to cancellations made after the cancellation notice period will be at the discretion of the market management company. The market management company reserves the right to offer a pitch on an alternative market day in lieu of a refund.
- 15.4 If any approved trader, having booked and paid for a pitch in advance, is absent from that day's market without informing the contracted market management company of the reason and expected duration of absence, they will be placed on the waiting list for future market days.

16. Street market set up, operating and take down requirements

- 16.1 The market management company will be responsible for overseeing the set-up, daily operation and take down of each street market.
- 16.2 The market management company will be responsible for all traffic management matters, including the production of a traffic management plan enforced by registered traffic management operative (RTMO), the movement of vehicles on the street market site, setting up and dismantling of stalls and arrangements for roads closures.
- 16.3 To ensure the smooth operation of the market the market management company is expected to:
- maintain regular communications with approved traders, and
 - develop a positive relationship with the surrounding businesses including dealing with issues and concerns arising from these businesses.
- 16.4 Winchester City Council will provide the gazebos, which all approved traders must use unless otherwise agreed in advance with the market management company.

- 16.5 The market management company will be responsible for the erection and dismantling of all gazebos and equipment for the street market on each market day, according to their agreed standard operating procedures.
- 16.6 Approved traders are not permitted to commence set up before 6am.
- 16.7 The market management company will ensure that the loading and unloading of stalls and products is managed in a safe way, taking account of pedestrians using the space.
- 16.8 Approved traders shall not unreasonably block the access to other approved traders, emergency vehicles or effective movement of visitors through the street market.
- 16.9 Noise and disturbance must be kept to a minimum during set up / take down periods which are between 6am and 9am and after 5pm.
- 16.10 Street market take down must not commence during market trading hours without the permission of the market management company and no earlier than 3pm.
- 16.11 Approved traders must have their pitches clear within one hour of the end of the street market operating hours.
- 16.12 All delivery and set up vehicles must be removed from the street market site by 9am. These vehicles are not permitted back onto the street market before the street market operating hours have passed, unless otherwise authorised by the Market Manager on the day of operation.
- 16.13 There are no facilities provided for waste disposal. All approved traders will be required to take their waste e.g., food waste, other rubbish and waste water with them at close of business for appropriate disposal. The market management company will be responsible for enforcing this.
- 16.14 All gazebos and equipment must be returned by the market management company to the designated storage facility.

17. ADVERTISING, MARKETING & PR

- 17.1 Winchester City Council and the market management company will, from time to time, undertake promotional and marketing campaigns to raise awareness and drive footfall to the street market. The street market's brand identity and marketing assets will be deployed as appropriate.
- 17.2 Approved traders are encouraged to adopt the street market brand identity as part of any advertising, marketing and PR activities undertaken to promote the approved trader's presence at the street market.
- 17.3 As part of the approved trader application process street market traders will be required to provide information about their business and products for sale. This will be used by the market management company and Winchester City

Council to promote the street market and its approved traders including content on Winchester City Council's website. Approved traders have the right to opt out of promotional activities undertaken by Winchester City Council.

17.4 As part of the application process the street market traders will be required to confirm that:

- they will not promote the street market as their own event, for example by setting up public-facing social media account,
- they will not act as official market spokesperson when making comment to the media,
- that any media enquiries relating to the street market will be passed to Winchester City Council's communications team (communications@winchester.gov.uk) who will field any market-related press enquiries.

18. STREET MARKET APPROVED TRADER APPLICATION PROCESS

New applications

- 18.1 New street market trader applications will be considered by the market management company.
- 18.2 Street market trader applicants must demonstrate that they meet the criteria as set out in the:
- Winchester City Street Market Operating Policy
 - Winchester City Street Market Compliance and Legislation Policy
- 18.3 All applications will be subject to selection scoring, as outlined in this document.
- 18.4 The application and selection process for new applicants will be undertaken by the market management company and Winchester City Council will have oversight of the process and reserves the right to refuse any application.
- 18.5 The market management company will use the regular contract management meetings with Winchester City Council to consider any applications that do not meet all the relevant criteria and/or the required selection scores but which the market management company would like to be considered for a pitch.

Application process

18.6 There are five stages to the application process.



18.7 Stage one

All street market trader applications should be made via the online application process detailed on the street market pages on Winchester City Council's website. The web page details the application process which includes the requirement to provide a list of products for sale and all necessary supporting documentation and evidence required.

Approved traders cannot make a material change to the products or ranges for sale from the information supplied on their application form without consent.

If a material change is required the approved trader must seek consent from the market management company in advance of trading and an amended application form must be submitted for consideration.

18.8 Stage two

Street market traders, whether selling food or not, must comply with all applicable legislative and compliance requirements, such as health and safety, as outlined in the Winchester Street Market Compliance and Legislation Policy. These areas will be scored as pass/fail or not applicable on the scoring matrix. All street market trader's applicants that do not demonstrate that they meet all applicable legislative and compliance requirements will not be considered beyond stage two of the application process.

18.9 Stage three

Applications will be scored zero to five against the quality and sustainability criteria, and the scores totalled as per the criteria weightings outlined in the scoring matrix.

18.10 Stage four

All street market trader applications will be ratified by Winchester City Council before approved trader status and consent to trade is granted by the market management company and prior to the street market trader trading on the Winchester city street market.

Consent to trade is solely at the discretion of Winchester City Council and does not entitle the approved trader to any form of tenancy of the site occupied.

18.11 Stage five

Approved traders are permitted to book and pay for a pitch, via the market management company, to trade on Winchester city street market. The market management company will undertake inductions with each newly approved trader to introduce the market facilities and complete assessments of each newly approved trader on their first day of trading.

18.12 Street market trader application scoring matrix (criteria and weighting model)

Assessment criteria <i>*Mandatory</i>	Weighting or Pass/Fail
Health and safety <i>(Please refer to the Winchester Street Market Compliance and Legislation for further information)</i>	
*Public Liability Insurance Policy that provides cover of no less than £5,000,000	PASS / FAIL
*Gas Safety Certificate	PASS / FAIL / NA
*Portable Electric Appliance Test Report	PASS / FAIL / NA
*Portable Electrical Appliance Test Report (PAT)	PASS / FAIL / NA
*Pressure Systems Report of Compliance and a written scheme of examination	PASS / FAIL / NA
*Fire Risk Assessment	PASS / FAIL
*Fire Extinguisher Certificate of Compliance or new purchase	PASS / FAIL
Food traders only	
*Registered with the market trader's local authority food safety team (for food businesses only)	PASS / FAIL / NA
*Market Traders must achieve a food hygiene rating of 3 or above	PASS / FAIL / NA
Level 2 in food safety/catering/retail	PASS / FAIL / NA
Food allergen and labelling training undertaken in the last three years	PASS / FAIL / NA
Food safety management system in place	PASS / FAIL / NA

Qualitative Assessment	
GOODS FOR SALE	SUSTAINABLE CREDENTIALS
60% of qualitative Score	40% of qualitative score
Areas for consideration: Quality of goods for sale Compatibility of goods for sale with existing high street offer Goods for sale meeting local need or demand	Areas for consideration: Sustainability credentials of the goods for sale and the market trader including: Provenance of goods, using local or Fair Trade products or ingredients Use of recycled for sustainable goods Organic and/or seasonal foods Reduction of single use plastics Reduction in energy consumption Distance travelled by trader

18.13 Street market trader application scoring model

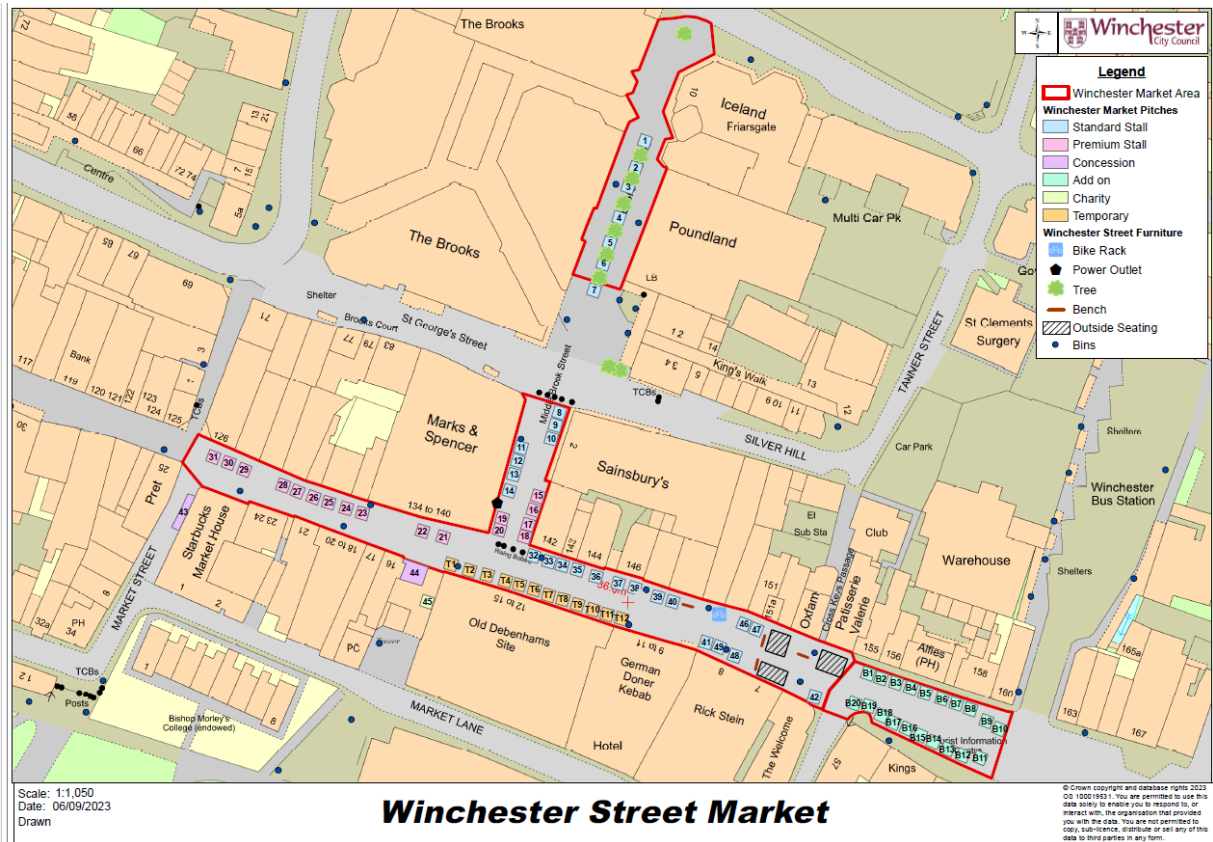
Each assessment area within the street trader's application will be scored in accordance with the following scoring model.	
The applicant exceeds the required standard, answers the area of assessment with precision and relevance, and adds value and innovation as appropriate ensuring that the specified requirements will be exceeded with no concerns.	5 – Excellent
The applicant meets the required standard, answers the area of assessment with precision and relevance, and adds value and innovation as appropriate ensuring that the specified requirements will be met with no concerns.	4 – Good
The applicant meets the minimum required standard and answers the area of assessment in an acceptable level of detail. The specified requirements will be met without any/or limited concerns	3 – Satisfactory
The applicant partially meets the minimum required standard and answers the area of assessment but with some details missing or unanswered. Contains minor shortcomings where information provided is either inconsistent or in conflict with other areas of the application and as such raises concerns.	2 – Minor Reservations Applications which receive '2' - minor reservations the council reserves the right to reject the application entirely.
The applicant fails to meet the minimum required standard in this area of assessment. The information provided raises many concerns.	1 – Serious Reservations Applications which receive a '1' – serious reservations' the council reserves the right to reject the application entirely.
No response or information is provided to allow proper evaluation, ability is not evidenced.	0 – no score – Fail Applications that 'Fail' will not be considered further

Termination of approved trader status

- 18.14 Termination of approved trader status and the opportunity to trade on the street market is 14 calendar days' notice in writing by either party.
- 18.15 A review of approved traders in terms of compliance and legislation obligations and the meeting of the requirements in this policy will be undertaken annually as a minimum by the market management company.

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APPENDIX A – MARKET SITE



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Winchester City Council

Equality Impact Assessment (EIA)

Section 1 - Data Checklist

When undertaking an EIA 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?	Yes	Complaints have been received from <ul style="list-style-type: none"> • high street retailers about the type of stall holder products that are in competition with their offer; • market traders that have not been able to trade and how the decision was reached to exclude them.
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	An officers' working group was established at the outset of this project which included all those involved in its development and execution.
3	Have previous consultations highlighted any concerns about the policy or project from an equality impact perspective?	No	Research studies (include stakeholder surveys) and soft market testing has been used to unpin the development to of the policy.
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	This policy brings together a number of existing practices for a long-standing street market. It provides greater clarity on the operating requirements including a clear complaints procedure.

		Yes/No	Please provide details
5	Does any accessible data regarding the area which your work will address identify any areas of concern or potential problems which may impact on your policy or project?	No	2021 Census Profile for areas in England and Wales - Nomis (nomisweb.co.uk)
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	The council has been operating a street market for a number of years.
7	Are there any other issues that you think will be relevant?	No	

Section 2 - Your EIA form

Directorate: PLACE	Your Service Area: Economy Communities	Team: Economy	Officer responsible for this assessment: Andrew Gostelow	Date of assessment: August 2023
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	Question	Please provide details
1	What is the name of the policy or project that is being assessed?	Winchester City Street Market Operating Policy
2	Is this a new or existing policy?	New – as a revision and collection into a single place the operating past practices.
3	Briefly describe the aim and purpose of this work.	To provide, in a formalised policy, a comprehensive, clear and transparent set of standards and practices regarding how the council’s street market is operated on a day-to-day basis. This takes forward the findings and recommendations for two independent studies.
4	What are the associated objectives of this work?	To enable, through a clear a policy, the vision for Winchester city street market which includes: a) Providing access to a diverse and affordable range of products and food and beverage b) Driving footfall, spend and dwell-time c) Raising awareness and reputation of the city’s retail offer d) Reducing the street market’s carbon footprint e) Complementing existing retail activities f) Encouraging business start-ups and innovation
5	Who is intended to benefit from this work and in what way?	Direct beneficiaries are the market traders and the market contract manager as this provide a fair and transparent guide to how the street market will be operated and managed on the council’s behalf. Indirect beneficiaries are residents, visitors, high street retailers, businesses and organisations across the city as the policy set out how the market should run how to raise complaints and how these will be dealt with.
6	What are the outcomes sought from this work?	A well-curated, high quality, locally driven street market which provides fair opportunity for market traders to have stalls following a selection process and.

		A market that meets the expectations of its visitors, supports the local economy and adds to the vibrancy of the city centre.
7	What factors/forces could contribute or detract from the outcomes?	A range of risks have been identified that include: Financial – reduce income arising from change increase contract management fee. Reputation – traders do not support the council’s vision. Innovation – ability to deliver enhanced activities.
8	Who are the key individuals and organisations responsible for the implementation of this work?	Winchester City Council and the contracted market operator.
9	Who implements the policy or project and who or what is responsible for it?	Winchester City Council officers and the market manager deployed by the contracted market operator.

		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 Street markets have the potential to increase opportunity for diversity through the range of stall holder & traders, the makers and suppliers of goods, foods on offer and customers who use the market.
10b	What existing evidence (either presumed or otherwise) do you have for this?	Institute of Place Management report Market Matter highlights: “Markets provide employment and self-employment opportunities that are open to all. Markets provide entry-level employment that can assist relatively unskilled or under-capitalized individuals and have proved attractive to immigrant communities (Balkin 1989, Tangires 2003, Morales 2009, Regeneris 2010).” Markets Matter (placemanagement.org)	
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?		
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	<p style="text-align: center;">N</p> <p>The location and layout of stall, signs and A-boards may present a barrier and hazard for people with mobility and sight impairments.</p> <p>Physical access is helped as the location is flat and there are near-by disabled parking bays.</p> <p>The policy identifies pitch locations to ensure there is adequate and appropriate routes and space to enable free / unimpeded movement around and through the street market.</p> <p>There is also a requirement that stall holder remaining within the designated pitch area and do not put out signs or overhanging signs.</p> <p>The contracted market operator will be responsible to ensure (enforce) adherence to these requirements.</p>
12b	What existing evidence (either presumed or otherwise) do you have for this?	<p>In the 2021 census this district there is 24% of residents disabled under the Equality Act or with long term health conditions.</p> <p>2021 Census Profile for areas in England and Wales - Nomis (nomisweb.co.uk)</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	<p style="text-align: center;">N</p> <p>It is recognised that street markets add community cohesion, contribute to community development and social inclusion and engage people in society</p>

13b	What existing evidence (either presumed or otherwise) do you have for this?	<p>Institute of Place Management report Market Matter highlights:</p> <p><i>“Markets engage people in society. The fact that markets are organised and regulated ensures participation by people from all backgrounds (Morales, 2011). This agglomeration and active engagement in shared activity has mutual benefits, both commercial (Novelli, Schmitz and Spencer, 2006) and social (Alkon, 2007; Blanchard, Tolbert and Mencken, 2012) and secures an active response from shoppers (New Economics Foundation, 2005; Murphy 2011)”</i></p>	
14a	Could the policy or project have the potential to affect individuals on the basis of age differently in a negative way?	Y	<p>N</p> <p>There are safeguarding and health and safety considerations for under 18’s operating on the market.</p> <p>Opportunity will be provided for youth markets and young entrepreneurs.</p> <p>Intergenerational opportunity exists with stall holders and traders often being family businesses.</p> <p>Older persons are frequent users of markets as they present affordability and an opportunity for social interaction.</p>
14b	What existing evidence (either presumed or otherwise) do you have for this?	<p>Institute of Place Management report Market Matter highlights</p> <p><i>“Markets support inter and intra-generational economic mobility. Many market traders are family businesses and employ extended family members on either a part or full-time basis (Eshel & Schatz 2004, Morales 2011) and the emergence of youth markets and the ‘teenage market’ is generating income for young people (Teenagemarket nd, NMTF nd)”</i></p>	

		<p>“Markets are places of social interaction. Used by all sections of society, markets are where people of different incomes, ages, genders and cultures can meet together and interact (Tangires 2003, Watson & Studdert 2006). They are the happy ‘third place’ of spontaneous interaction (Oldenburg 1988).”</p>											
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 you have for this?												
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?												
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?												
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?												
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										
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	<table border="1"> <tr><td>Race:</td></tr> <tr><td>Sex:</td></tr> <tr><td>Disability:</td></tr> <tr><td>Sexual orientation:</td></tr> <tr><td>Age:</td></tr> <tr><td>Gender reassignment:</td></tr> <tr><td>Pregnancy and maternity:</td></tr> <tr><td>Marriage and civil partnership:</td></tr> <tr><td>Religious belief:</td></tr> </table>	Race:	Sex:	Disability:	Sexual orientation:	Age:	Gender reassignment:	Pregnancy and maternity:	Marriage and civil partnership:	Religious belief:
Race:													
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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	Appropriate steps will be taken by city council officers and the market operator											

CAB 3427
Appendix 2

	your policy or project that you have identified above?	to ensure where possible mitigating actions are taken on a case-by-case basis.		
22	Do any negative impacts that you have identified above impact on your service plan?	Y	N	

Signed by completing officer	Susan Robbins, Corporate Head of Economy & Community
Signed by Service Lead or Corporate Head of Service	

CAB3426
CABINET

REPORT TITLE: COMMUNITY INFRASTRUCTURE LEVY (CIL) FUNDING ALLOCATIONS FOR 2023 BIDS

17 OCTOBER 2023

REPORT OF CABINET MEMBER: Councillor Jackie Porter. Cabinet member for Place and Local Plan

Contact Officer: Corinne Phillips Tel No: 01962 848962 Email cphillips@winchester.gov.uk

WARD(S): ALL WARDS

PURPOSE

The purpose of this report is for Cabinet to agree the new community and council led projects recommended for CIL funding by the Informal Panel, after the close of the application process earlier in the year. Cabinet agreement is also sought for the Community Infrastructure Funding Programme for 2024/25.

Bids for community projects were received between 1st January and 31st March 2023 as well as bids for schemes directly delivered by the council and county council. The Informal Panel has assessed these funding requests, in accordance with the agreed spending protocol and have made recommendations as to which schemes should be allocated funding, and included in the programme of CIL supported projects for this year. A review of CIL took place in early 2023. This involved agreeing with Members changes to the CIL spending criteria and how CIL funding would be attributed to different funding streams which needed to be agreed prior to any bids for funding being assessed by the Informal Panel. The changes recommended were agreed by Cabinet in July 2023 (CAB3385 refers). As a consequence it has been agreed with Members that in future the bid window will open between 1st September and 31st November each year to avoid delays caused by the election purdah period and subsequent changes in Cabinet members.

Subject to this funding being approved by Cabinet, these projects will become part of the rolling programme of schemes, wholly or partly funded by CIL, in line with the protocol agreed in September 2018, (CAB3071 refers) and reviewed and updated in July 2023 (CAB3385 refers)

RECOMMENDATIONS:That Cabinet

1. Approve the 2023/24 allocation of £296,341 from Winchester City Council CIL income receipts set aside in the existing allocation for community projects as detailed in Sections 11.5 to 11.13 of this report, and approve the expenditure under Financial Procedure rule 7.4 for the funding of thirteen community led projects recommended by the Informal Panel:
 - a) St John Ambulance Hall, Bishops Waltham. Building purchase -£40,000
 - b) Jubilee Hall, Bishops Waltham. Energy efficiency measures - £40,000
 - c) Memorial Park, Compton. Inclusive play equipment - £15,000
 - d) Eversley Park Playground, Kings Worthy. Play equipment - £12,000
 - e) Oliver's Battery Recreation Ground. Leisure equipment - £10,000
 - f) Otterbourne Village Hall. Improvements - £12,850
 - g) Shedfield Reading rooms. Improvements - £15,000
 - h) Swanmore Allotments. Infrastructure improvements - £12,100
 - i) Twyford village centre. Real time bus information - £10,000
 - j) Wickham Community Centre. Improvements - £39,717
 - k) Wickham Primary School. Pre-school outdoor provision £21,000
 - l) St Barnabas Church, Winchester. Improvements - £50,000
 - m) Winchester Rugby Football Club. LED Floodlights - £18,674

2. Approve a budget and expenditure of a capital grant of £217,000 from the Winchester City Council CIL receipts for the provision of temporary consulting rooms at Bishops Waltham Surgery recommended by the Informal Panel and detailed in Section 11.12 of this report. Funding for this project will be allocated and spent from the 10% community pot ring-fenced for community and health projects. The allocation of CIL money would be dependent on the surgery obtaining planning permission for the temporary consulting rooms.

3. Approve a budget and expenditure of a capital grant of £200,000 from the Winchester City Council CIL receipts for the project to extend and redevelop Waterlooville Leisure Centre, recommended by the Informal Panel and detailed in Section 11.7 of this report. Funding for this project will be allocated and spent from the 10% community pot ring-fenced for community and health projects.

4. Approve the allocation of up to £410,000 from the Winchester City Council CIL receipts for the projects to improve and refurbish the public toilets in various locations in the town and district area as detailed in section 11.14 of this report. Funding for this project will be allocated and spent from the 60%

CIL pot ring-fenced for Winchester City Council led projects.

5. Approve the allocation of £21,000 to provide new and improved bus shelters on Cromwell Road and Andover Road as detailed in section 11.15 of this report. Funding for this project will be allocated and spent from the 60% CIL pot ring-fenced for Winchester City Council led projects.
6. Approve the allocation of £60,000 to replace gas boilers with air source heat pumps and install solar panels to Meadowside Leisure Centre in Whiteley, as detailed in section 11.15 of this report. Funding for this project will be allocated and spent from the 60% CIL pot ring-fenced for Winchester City Council led projects.
7. Approve a budget and expenditure of a capital grant of £300,000 for the provision of a contra-flow cycle scheme on the Upper High Street, Winchester as detailed in section 11.16 of this report. This funding will be allocated from the 30% of the Winchester City Council CIL receipts ring-fenced for Hampshire County Council led schemes agreed for CIL support by Winchester City Council
8. Note that in accordance with the recommendation of CAB3385, there is now £344,580 remaining in the Community and Health 'pot' (10% of the remaining unallocated CIL) for further rounds of yearly bids for community and health projects.

IMPLICATIONS:1 COUNCIL PLAN OUTCOME

- 1.1 Tackling the Climate Emergency and Creating a Greener District
- 1.2 A number of the projects supported by the allocation of CIL funding, help to provide the infrastructure required to achieve the corporate priorities and outcomes within the Council Plan. CIL funding is allocated to improve local community facilities and to reduce the need for residents to travel further afield to access those types of facilities, especially in areas where there has been significant development. CIL funding is also provided to enhance public open space and support active travel, to help create a greener district and reduce carbon emissions. The criteria for the funding of schemes includes asking bidders to demonstrate how their projects contribute towards the priorities of the Council Plan and other strategic policies and strategies.
- 1.3 Homes for all
- 1.4 Much of the infrastructure allocated CIL funding is allocated to community projects in areas where new residential development is planned or is already having an impact. This helps in supporting both the existing residents and new residents to form part of the local community by providing the facilities enabling community cohesion.
- 1.5 Living Well
- 1.6 The allocation of CIL funding supports many recreational infrastructure schemes, including sports facilities, outdoor gyms and improved playground facilities and enhances open spaces and accessible footpaths. This encourages and enables greater participation in outdoor recreational and sporting activities and supports green infrastructure, allowing more residents to engage with the natural environment which helps improve health and wellbeing.
- 1.7 Your Services, Your Voice
- 1.8 CIL funding has been set aside for community groups to submit bids for community projects. This helps to ensure that local facilities that are supported by the council are funded from the proceeds of new development. Parish Councils and other community groups tend to engage with residents at a 'grass roots' level to identify and help deliver the facilities which are most important to the local community. Funding can then be directed towards facilities which may not have otherwise been provided.

2 FINANCIAL IMPLICATIONS

- 2.1 The council has collected over £21m of CIL receipts since 2014. The table below sets out the total CIL account with the total collected to date and how it has been used. The current fund retained by the city council and unallocated

is £7,579,211. If the proposals recommended in this report are approved there will be a remaining £6,862,211 to support future infrastructure projects.

2.2 Table 1 CIL Funding Remaining.

WCC CIL Funds remaining	£7,579,211
Total of all proposals recommended as part of this report (subject to approval but excluding the £300,000 for community projects already allocated in September 2022)	£1,208,000
Total Uncommitted CIL Funds (After funding of schemes recommended in this report)	£6,371,211 (+£3659 remaining from 23/24 community CIL scheme) =£6,374,870

2.3 A report to Cabinet on 18th July 2023 detailed a review of the spending protocol for CIL, including ring-fencing of certain percentages for various spending allocations. As a result of the review, Cabinet agreed that the remaining CIL should be proportioned as follows;

30% to support Hampshire County Council led infrastructure projects

10% to support community and health infrastructure projects

60% to support WCC led infrastructure projects

Table 2 – Amount of CIL remaining ring-fenced at 31st August 2023 (CAB3385 refers)

Remaining CIL unallocated at 31st August 2023		
= £7,579,211*		
Allocation for HCC/WCC agreed Projects (30%)	Allocation for Community and Health Projects (10%)	Allocation for WCC led Projects (60%)
CIL available to allocate to projects £2,273,763	CIL available to allocate to projects £757,921	CIL available to allocate to projects £4,547,527

Amount recommended to be allocated in total in August 2023 £300,000 (at additional Panel meeting held on 22/08/23)	Amounts recommended by CIL Panel (in total) on 10/08/23 = £296,341 (this amount comes out of the existing £300,000 already allocated by Cabinet in September 2022- CAB3360 refers) leaving £3659 left over Panel recommended £217,000 for Bishops Waltham surgery and £200,000 for Waterlooville Leisure Centre =£417,000	Amount recommended to be allocated in total in August 2023 £491,000
Remaining uncommitted amount = £1,973,763	Remaining uncommitted amount = £344,580 (£757,921+£3659= £761,580 £761,580 - £417,000 = £344,580	Remaining uncommitted amount = £4,056,527

- *The amount remaining is the funding left after the administration and Parish Council share has been taken out, as well as the funding previously allocated to projects.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allows charging authorities to collect funding from qualifying developments in their area, which must be used to fund infrastructure to support or mitigate development. Also it may be used flexibly to fund any infrastructure as defined within the legislation. It also places a requirement on CIL charging authorities to publish an annual Infrastructure Funding Statement (IFS) which is a reporting mechanism covering the collection and allocation of funds in relation to CIL and s106 planning obligations. The Infrastructure List forms part of the IFS and broadly identifies the types of infrastructure and projects on which CIL can be spent.
- 3.2 The allocation and spending of CIL funding is undertaken in accordance with the protocol previously agreed by Cabinet (CAB3071) and updated by CAB3292, as well as the relevant CIL Regulations and Government Guidance.

- 3.3 Approved council schemes will be procured in accordance with the council's Contract Procedure Rules and the Public Contract Regulations 2015.
- 3.4 CIL funding is not transferred to community schemes until they have been completed, or substantially completed in order to reduce the risk of funds having to be recovered if a scheme fails to be completed. CIL funding awarded to community projects often makes up less than half of the total cost of the project.

4 WORKFORCE IMPLICATIONS

- 4.1 Individual projects are either self-resourced by the applicant or through the council's project preparation before being presented to the Panel.
- 4.2 The CIL administration is a funded resource as highlighted in the table in section 2.2.

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 None directly, although CIL funding is supporting a number of council infrastructure projects and buildings and improvement of existing facilities.

6 CONSULTATION AND COMMUNICATION

- 6.1 Larger council led schemes which may require support with CIL funding will go through a number of stages of consultation from inception to completion, although not specifically in relation to the allocation of CIL funds.
- 6.2 The bids for CIL funding are considered by the Informal CIL Panel in accordance with the agreed protocol. Bidders complete a form available on the city council website which, for community schemes, must be submitted between January 1 and March 31 each year. This includes community bids and those made by services within the council as well as any funding bids made by the County Council. Going forward bids will be invited between 1st September and 31st November following a CIL review undertaken in early 2023 (CAB3385 Refers)
- 6.3 The scheme is advertised via Parish Connect and on the city council website. The CIL Panel includes the Cabinet Member for Place and The Local Plan and the Cabinet Member for Community and Engagement and two Strategic Directors.

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 The projects agreed for allocation of funding will have significant positive impacts upon the environment, including funding for the improvement of walking and cycling routes, open space improvements and investment in other facilities to serve local communities and reduce the need to travel.

7.2 Following a review of the criteria for applying for CIL funding, several new criteria were included in the application process which reflected the council's commitment to reducing carbon emissions and climate change.

8 PUBLIC SECTOR EQUALITY DUTY

8.1 Officers have had regard to the Council's duties under the Human Rights Act 1988, and the Equalities Act 2010. There is no identified adverse impact through the allocation of CIL funding to anyone with a protected characteristic under the Equalities Act 2010 or with regards to human rights.

8.2 The impacts of public sector equality are assessed at the project stage. Many projects for which CIL funding is allocated seek to improve the accessibility of facilities for all, and future funding priorities will endeavour to continue to provide improved facilities at both a local and wider level to enable greater community inclusion and engagement. The impact of CIL funding on equality was discussed when reviewing the criteria, but it was not thought necessary to include it as a separate criterion as the improvement of infrastructure will generally be of benefit to all. The wider benefit of a project to the community is one of the criteria considered when assessing funding bids.

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 The information supplied on the application form does not contain any personal information. Often only the e-mail of an organisation is included for communication purposes (or Town/Parish Clerk e-mail) with the Town/Parish Council or community organisation address. The application forms are not publicly available.

10 RISK MANAGEMENT

Risk	Mitigation	Opportunities
Financial Exposure Schemes allocated CIL funding exceed the amount requested.	A fixed amount if CIL is allocated to community schemes each year. Schemes are funded from within the budget unless any increase is agreed by Cabinet. Schemes are rarely fully funded using CIL. Council schemes are prioritised within budget limits in accordance with the agreed protocol and within the ring- fenced percentages agreed by	The CIL funding allocated to schemes often allows additional funding to be levered in from other organisations to help deliver schemes that often would not otherwise have progressed.

<p>Inflationary pressures may mean that the cost of schemes increase and cannot be delivered without additional funding.</p>	<p>Cabinet. CIL funding is paid in tranches once significant progress is made or at the end of a project. Council officers are in contact with parties responsible for schemes to identify how they intend to deliver the works if cost increase significantly. The CIL allocation can be reviewed if necessary and in accordance with a recommendation in CAB3360 the council may decide to increase CIL funding to address a funding shortfall within limits to allow a scheme to proceed.</p>	
<p>Exposure to challenge If CIL funding is not spent in a timely manner in accordance with the CIL Regulations and Government Guidance and used for the approved projects</p>	<p>The allocation of CIL funding to schemes is assessed against agreed criteria, and schemes which benefit are also in accordance with the relevant CIL Regulations and Government Guidance applying to CIL. The progress of schemes allocated funding are monitored and, if not progressing satisfactorily the same process to allocate funds can be used to withdraw funding from schemes which are not progressing. Funding is released on completion or once substantial progress has been made.</p>	
<p>Reputation Failure to deliver schemes using CIL income could damage the</p>	<p>The CIL programme of allocations is monitored and reviewed regularly to ensure it is up to date and</p>	<p>.</p>

council's reputation.	progress is being made to deliver infrastructure.	
Achievement of outcome The projects funded by CIL are not delivered	Community projects are delivered by outside organisations including Town/Parish Councils and the County Council. Progress is monitored and reported on by the City Council. Council projects are allocated CIL once a business case has been made and agreed by Cabinet when required which ensures the delivery of a scheme.	The projects delivered are of benefit to their communities and can have a wider benefit for reducing the need to travel, improving the natural and built environment and improving the energy efficiency of existing community facilities.
Property Assets may not have the capacity to cope with the increased pressure from new developments	CIL is allocated to improve facilities and increase capacity to meet the increase in demand resulting from new development in accordance with the agreed spending protocol. Projects will not be progressed unless adequate resources are identified.	Significant improvements can be made to infrastructure which would not otherwise be funded.
Community Support Failure to deliver schemes using CIL income from new development could harm the council's reputation with local communities particularly in areas where development has taken place.	Most of the funding allocated to improve community facilities has been in areas where development has taken place, or is planned, and many schemes have been implemented by Town/Parish Councils who represent their local communities (See Appendix A).	Communities across the district will benefit from CIL funding to improve the infrastructure which would not otherwise have been funded.
Timescales Projects will not be delivered within a reasonable timescale.	The projects on the spending programme are regularly reviewed and reported upon annually. Any projects not showing satisfactory progress can	

	be removed from the programme and the funding for the project can be withdrawn.	
Project capacity Lack of resources can hinder the use of CIL funds to deliver much needed infrastructure.	Up to 5% of the CIL income collected can be used to provide support for the collection, allocation and spending of CIL to provide infrastructure improvements.	
The cost of living crisis has caused costs for capital projects to increase. There is a risk that that have been approved will not be delivered due to the affordability of the costs changing between the application for CIL funding being agreed and securing the quotes and doing the works for the projects.	Officers are in regular contact with project owners and will monitor this risk as part of the delivery risks. Cabinet have agreed that inflationary costs for projects can be considered using Decision Day governance to ensure the transparency of any project price adjustments.	Project money which has been allocated may be returned to the pot to be use on projects which are viable.

11 SUPPORTING INFORMATION:

11.1 A strategic review of CIL undertaken earlier in the year made recommendations which were agreed by Cabinet in July 2023 (CAB 3385 refers) this included;

- Ring –fencing a proportion of the retained CIL to different allocations as detailed in 2.2 above.
- A refreshed criteria for considering all CIL bids to reflect the council's priorities and commitment to carbon reduction.
- A refreshed Infrastructure List to include the infrastructure categories and projects which could be supported using CIL funding.

11.2 Prior to the strategic review, Cabinet would agree the amount of CIL which would be set aside for community projects each year, when a report of the CIL programme was updated and agreed. Consequently Cabinet had already agreed an allocation of £300,000 to fund a fifth round of bids for 2023. In

future, the community and health bids will be funded using the 10% allocation ring-fenced from the WCC retained CIL pot.

- 11.3 The community bids which were invited between 1st January and 31st March 2023, were submitted under the existing criteria, and for which £300k had been allocated by Cabinet in September 2022. The review of CIL which was agreed by Cabinet in July 2023 delayed the decisions made by the Panel, as it was decided that there needed to be a new strategic direction for the allocation of CIL funding. This review ring-fenced the remaining CIL funding into three different pots as detailed in 2.3 Table 2 above.
- 11.4 The allocation of £300,000 in September 2022 (CAB3360 refers) brought the total amount of CIL allocated to the funding of community schemes to-date to £1,849,000. The community CIL scheme has been used to support the funding of 38 community schemes since 2019, of which 23 have now been completed. The CIL funding allocated is paid upon completion or substantial completion of projects, to significantly reduce the risk of having to recover funds, if a project is not completed.

Community Schemes considered by the Informal Panel

- 11.5 The fifth round of bidding resulted in 21 community bids being received, with a total value of CIL requested, being in excess of £1.25m. As with previous years, this far exceeded the £300k of CIL allocated for the community schemes for 2023.
- 11.6 The community bids were considered by the Informal Panel in a meeting held on 10th August 2023 to consider the bids received, the minutes of which are detailed in Appendix A to this report. There were a wide range of bids received, but many involved the improvement of sports, recreational and community facilities, which supports the Council Plan priority of 'Living Well' and improving both the built and natural environment.
- 11.7 The Panel had to prioritise the allocation of funding for those projects which met at least one of the criteria in the spending protocol, and favourably recommended those which they regarded would be of most benefit and best supported the development of the area in which they were located. Those projects which could demonstrate health and well-being benefits, and benefits in terms of energy efficiency and carbon reduction were also considered favourably. Value for money was also a factor, with a number of schemes that could demonstrate that additional funding had also been identified, with a 'top up' using CIL, being recommended for CIL funding by the Panel.
- 11.8 The Informal Panel agreed to recommend the allocation of funding for fifteen of the twenty-one schemes. The bids recommended for funding were mainly in locations which already have, or will in the near future, experience significant growth. These areas included Bishops Waltham, Wickham, Swanmore, Shedfield, Kings Worthy and Winchester town.

- 11.9 In September 2022, £300,000 was set aside (under the 'old' CIL protocol) for the funding of community bids for 2023/24. In August 2023 the CIL Informal Panel agreed to allocate funding of £296,341 for the community bids.
- 11.10 However as two of the community bids which the Panel agreed to recommend had a total value of £417,000 the Informal Panel agreed that the funding for these two schemes would come from the newly agreed 10% (community and health 'ring-fenced' pot). The two schemes were the extension of the temporary consulting rooms at Bishops Waltham doctor's surgery and the extension and refurbishment of Waterlooville Leisure Centre.
- 11.11 The schemes for temporary doctor's consulting rooms for Bishops Waltham Surgery and an extension and refurbishment of Waterlooville Leisure Centre, within Havant Borough Council's area, will both be funded from the remaining 10% ring-fenced for community and health projects. This was due to their strategic importance in providing for the community in areas where there had been significant growth and because they provided basic health infrastructure which was essential to the well-being of the residents in the area. Both schemes were also of a high cost, which if funded from the £300,000 allocated for the 23/24 bids would have left very little funding for the other community schemes.
- 11.12 The temporary doctor's consulting rooms required £217,000 of CIL funding to provide portacabins with connections to the required services in the car park of the existing doctor's surgery. A permanent site for either a larger surgery to replace the existing one, or a satellite site in addition to the existing surgery is being explored with the Integrated Care Board as a long term solution. This is likely to take several years. The temporary solution will require planning permission to be granted.
- 11.13 The extension and refurbishment of Waterlooville Leisure Centre is a scheme which will cost in the region of £3.5m. Although within Havant Borough Council area, the Leisure Centre serves many residents within the Winchester district, including the West of Waterlooville development, which is primarily with the Winchester district. The increase in population as a result of the residential development in the area has put increasing pressure upon the existing infrastructure within the local community. The Hampshire Joint Strategic Needs Assessment evidences a need for the projects by highlighting that those in the Southeast of the Winchester District currently experience poor access to community leisure facilities. Havant Borough Council own the leisure centre and will deliver the project. The Havant Local Cycling and Walking Infrastructure Plan (LCWIP) will also see Waterlooville Leisure Centre being fully connected within sustainable travel routes and encourage access by green travel. Havant Borough Council have also made a bid for CIL funding from East Hants District Council, the outcome of which is yet to be determined. This allocation is subject to the project receiving full planning permission which would need to be supported by a business case and be accompanied by an active travel package to link the site to the Winchester area.

City Council Projects

11.14 The Informal Panel also considered the bids for CIL funding which related to projects that would be taken forward by various teams within the city council. These included the refurbishments and improvement of a number of public toilets in the town and district. The Public Toilet Strategy was the subject of a Cabinet report on 13th September 2023 (CAB3411 refers) which made a business case for the improvement and refurbishment of a number of public toilets, subject to CIL funding as listed below:

- a) Abbey Gardens, Winchester;
- b) Middle Brook Street, Winchester;
- c) St Catherine's Park and Ride, Winchester;
- d) Market Lane, Winchester;
- e) South Winchester Park and Ride;
- f) Discovery Centre, Jewry Street, Winchester;
- g) Station Road, New Alresford;
- h) Basingwell Street, Bishops Waltham;
- i) Station Road, Wickham; and
- j) Kidmore Lane, Denmead

11.15 Further city council schemes considered included the provision of new and improved bus shelters in Cromwell Road and Andover Road, the installation of solar panels and heat pumps to replace gas boilers at Meadowside Leisure Centre and the provision of a new access road and drainage improvements for a potential rural housing site at Waterloo lane Micheldever. The Panel recommended CIL funding for the public toilets, bus shelters and solar panels and heat pumps for Meadowside Leisure Centre, but required additional information in relation to the project at Micheldever to be able to make an informed decision. It was agreed that a further meeting was required regarding this proposal before a final decision could be made.

Hampshire County Council projects

11.16 A number of CIL bids for highway projects to be led by the County Council were also received. The Panel felt that there was not enough information for the bids to be decided, therefore further meetings would need to be held. The panel met again to discuss a bid for funding for a contra-flow cycle lane on Upper High Street, Winchester on 22nd August 2023. This meeting was attended by a Hampshire County Council representative to explain the technical details and rationale behind the scheme. The minutes of this additional panel meeting are detailed in Appendix A. Following the

discussions of the Panel it was agreed to recommend funding, as there was also government funding available, which could be withdrawn if the CIL funding requested was not agreed.

- 11.17 The decision for two further bids for the funding of pedestrian crossing facilities in Twyford and Waltham Chase was postponed, pending meetings with Hampshire County Council to agree the funding priorities for highway schemes. This is because there is a finite pot of CIL which has been ring-fenced to support projects which will be brought forward by the County Council and agreeing to schemes 'ad-hoc' will rapidly deplete the CIL resources available.
- 11.18 Moving forward, there are a number of high priority projects linked to the Winchester Movement Strategy and Central Winchester Regeneration, which may need CIL support, including schemes identified by the Local Cycling and Walking Infrastructure Plan (LCWIP). Ring-fencing a specific percentage of the CIL retained by the city council has identified a certain amount of funding, which can be made available to support measures. However, highway schemes are expensive to implement, and the CIL available is a fraction of the resources required to realise the schemes which are needed to encourage active travel and reduce traffic in the city and wider district. Further discussions are therefore required with the County Council and ward members to ensure that the CIL funding delivers the priorities important to the wider community.

Conclusion

- 11.19 The continuing support of the programme of community schemes continues to ensure that local communities which have experienced additional development and demand for local facilities are supported to provide improved local facilities. The allocation of CIL provides a way to help local communities provide facilities which in turn helps reduce the need to travel to engage in social and well-being activities and provides improved open space and recreational facilities as well as supporting carbon reduction schemes in the town and district. There have been numerous projects completed by Town/Parish Councils and community organisations which may not have been able to complete their schemes without additional CIL funding.
- 11.20 In July 2023 Cabinet agreed to a more strategic approach to ring-fencing certain percentages of the CIL collected by the city council to ensure the ongoing support for community schemes as well as supporting strategic infrastructure provided by the county council and city council schemes. This will continue to ensure that the CIL collected from developments within the town and district, are used in the most effective way possible, and to benefit those communities most affected by development whilst ensuring a strategic approach to supporting larger projects which have a wider benefit.

12 OTHER OPTIONS CONSIDERED AND REJECTED

- 12.1 The development of a CIL spending programme accords with the protocol previously agreed by Cabinet and refreshed in July 2023 to reflect spending priorities. It was therefore not considered necessary to consider other options. The criteria for supporting projects using CIL will be kept under review and aligned with the Council Plan and emerging Local Plan and any proposed changes will be reported to Cabinet.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

CAB2807 – Community Infrastructure Levy (CIL) Spending Protocol -8th June 2016

CAB3071 – Community Infrastructure Levy Operational Review – 19th September 2018

CAB3194 - Community Infrastructure Levy Spending Programme – 23rd October 2019

CAB3257 - Community Infrastructure Levy Spending Programme – 21st October 2020

CAB3292 – Community Infrastructure Levy Future Funding Priorities and Monitoring Update – 10th March 2021

CAB3310 - Community Infrastructure Levy Spending Programme – 15th September 2021

CAB3360 – Community Infrastructure Levy – Community and Winchester Council Projects Approval – 14th September 2022

CAB3385 – Community Infrastructure Levy – 18th July 2023

Other Background Documents:-

None

APPENDICES:

Appendix A – Minutes of the Informal Panel Meetings (10th August and 22nd August 2023)

Minutes of the CIL Informal Panel Meeting

Thursday 10th August 2023

Present; Councillor Jackie Porter (Chair and Cabinet Member for Place and Local Plan) Councillor Kathleen Becker (Cabinet Member for Community and Engagement), Dawn Adey (Strategic Director), Sharon Evans (Strategic Director), Corinne Phillips (CIL Implementation Officer)

Apologies received from Matthew Evans (Interim Head of Regulatory)

1) Welcome

Corinne Phillips briefly explained the purpose of the meeting, for those who were attending for the first time and explained the information which had been sent out prior to the meeting. The information sent out, included details of the bids requesting funding, the criteria met, and a brief outline of the development which had occurred in the parish areas where the schemes bidding for funding were located, as well as any previous CIL funding awarded for schemes in those areas. Councillor Porter explained that each bid would be discussed initially and then the Panel would go back once all bids had been initially discussed to decide which bids would be recommended for funding. It was noted that the value of the bids far exceeded to amount if CIL funding available.

2) Consideration of the community schemes

2.1) St John Ambulance Hall – Bishops Waltham. Bid for £200k. This was a community asset which the Parish Council wished to purchase, as it hosted a pre-school group. The Panel agreed that the bid was for a large amount of CIL, and queried whether the Parish Council was using any of its own funding (CIL or otherwise) and whether other HCC funds could be applied for the fund the purchase via match funding. The deadline for the purchase before going on the open market was the 16th July. It was thought that the property was now on the open market website for an asking price more than £200k which was the CIL bid amount. The panel agreed that some CIL funding may be allocated, however more up to date information was considered necessary, as the building itself required accessibility improvements and clarification as to whether income would be generated by the Parish Council from the buildings use if it were to be purchased.

The Panel agreed to provisionally allocate £40,000 of CIL funding towards the purchase of the building pending further information.

2.2) Jubilee Hall – Bishops Waltham. Bid for £80k. The scheme which would be delivered by the Parish Council would provide solar panels and heat pumps for the Jubilee Hall, which is the main community building in Bishops Waltham, which is well used by community groups and the offices of the Parish Council. The Panel noted that 80k was only a proportion of the cost of the project (project cost was c£175k) and that the project met the Council priority of carbon reduction, as well as being of community benefit in an area which has experienced significant development.

The Panel agreed to recommend that £40,000 of CIL funding be allocated to this project to be met from the community pot.

2.3) Temporary Extension of Doctors Surgery – Bishops Waltham. Bid for £217k. This bid for funding has been made by the Integrated Care Board (NHS) as the recent developments in Bishops Waltham has led to a much higher demand than can be met by the existing doctor's surgery. The panel discussed who would ultimately own the portacabins which would be temporarily housed in the doctor's surgery car park, and provide temporary consulting rooms (although likely to be for several years). The ICB had made the bid and had intimated that the portacabins could be utilised elsewhere in the longer term, once a permanent solution to the surgery capacity had been identified. The ICB had no other funding so had applied for the project to be funded in full using CIL. The Panel felt that as this was an urgent issue, with currently no other solution created by the increase in residential development in the area, the CIL funding should be recommended. This would however be taken out of the district CIL pot, and not from the community CIL fund. **The Panel agreed to recommend that £217k of CIL funding be allocated which is to be met from the 10% agreed by Cabinet in July 2023 to be set aside for Community and Health projects.**

2.4) Boyes Lane Recreation ground play equipment – Colden Common. Bid for £90k. The scheme was for the replacement of existing wooden play equipment at the recreation ground on Boyes Lane. The Panel felt that this was largely replacement of old equipment and the bid was for the majority of the cost of the scheme with little funding from other sources. Colden Common has also had a lot of additional CIL funding in the past. **The Panel therefore did not support the allocation of CIL funding.**

2.5) Memorial Park Compton and Shawford - Compton. Bid for £15k. The scheme aims to update the play equipment at the park to introduce inclusive play equipment for disabled users. The Panel felt that this was a good use of CIL and Compton and Shawford have not previously had any CIL funding, despite some development occurring over the last few years. The scheme offered good value for money and levered in funds from other

sources. **The Panel agreed to recommend that £15k of CIL funding be allocated from the community pot.**

2.6) Durley Memorial Hall car park –Durley. Bid for £31.5k. The scheme is essentially for the surfacing of the village hall, although the Parish Council suggested that EV charging points would be accommodated (not actually provided) although the quotes supplied had no mention of any cabling works to support this. The Panel felt that this did not support Council Plan priorities and that there had been little development in Durley which could justify CIL funding. The Parish Council had also not been able to demonstrate sufficiently that the car park is used formally for a ‘Park and Stride’ facility for the local primary school. **The Panel did not support the allocation of CIL funding.**

2.7) Havant Leisure Centre – Waterlooville, Havant. Bid for £200k
The Panel discussed the bid. Councillors had seen the proposals which will see a major extension and improvement of the facilities at the leisure centre, which will be of health and well-being benefit for Winchester residents, as it is close to the border of WCC district. The Panel agreed to the funding requested as it was a small proportion of the overall cost of the scheme and the scheme would be of wider cross border benefit to residents in both the Winchester and Havant area in improving health and well-being. The Panel wished for some kind of recognition that WCC would be contributing to the scheme (WCC logo on the development boards and other signing). The Panel agreed that the CIL funding should be met from the WCC pot and not the community funding pot

The Panel agreed to recommend that £200k of CIL funding be allocated which is to be met from the WCC pot.

2.8) South Winchester Cricket Club – Hursley – Bid for £13,295
The Panel noted that the bid to provide a waterless toilet for use by women’s and children’s cricket teams was because they had to use a separate facility to the men’s facilities at a separate location remote from the main ground. This was questioned by the Panel. It was also felt that as Hursley had seen no development which would warrant support using CIL funds. **The Panel did not support the allocation of CIL funding.**

2.9) Eversley Park Recreation ground – Kings Worthy – Bid for £12k
The Panel noted that the project will provide additional play equipment for disabled users as well as replacing the existing equipment, and was part of an overall renewal and refurbishment of the playground. The Parish Council were funding £100k of the cost. There has been development in Kings Worthy which has generated CIL, and Kings Worthy has had little additional CIL funding in the past. The scheme provided addressed an impact of development beyond that which had been secured through a s106 agreement and levered in considerable additional funding.

The Panel agreed to recommend that £12,000 of CIL funding be allocated to be met from the community pot

2.10) Oliver's Battery recreation ground – Oliver's Battery – Bid for £10,034
The Panel discussed the bid for improvements to the outdoor space at Texas Drive to encourage residents to use the outdoor space for recreation. There has been little development in Oliver's Battery Parish itself, but nearby the development at Winchester Village is close enough to make use of the community facilities that Oliver's Battery offers. The Panel agreed that the project enhanced health and well-being by providing better facilities for those wishing to use the recreation ground for a variety of uses.

The Panel agreed to recommend £10,000 of CIL funding be allocated to be met from the community pot.

2.11) Otterbourne Village Hall – Otterbourne – Bid for £12,850.

The Panel noted that the village hall provided a venue for many clubs, classes and activities such as children's parties and serves a wider area than just Otterbourne. Although there has been limited development in Otterbourne there has also not been any additional CIL spent on projects in the parish. The project was part of an overall refurbishment of the village hall which had already resourced £68,000 from other means. The panel felt that the £12,850 was a good use of CIL to complete the project for the benefit of the wider community.

The Panel agreed to recommend that £12,850 of CIL funding be allocated to be met from the community pot.

2.12) Sparrowgrove and Oakwood Copse – Otterbourne – Bid for £10,296

The Panel were sympathetic to the project. However, CIL funds can only be used to fund the provision of infrastructure and tree surgery is not classed as infrastructure in the regulations. **The Panel did not support the allocation of CIL funding**

2.13) Shedfield Reading Rooms – Shedfield – Bid for £15,000

The Panel considered the bid and noted that the CIL requested was a small proportion of the total cost. The scheme would also increase the energy efficiency of the building. The hall is used by community groups and a polling station. There has been a lot of development in the wider Shedfield Parish and the project would provide a better facility for community groups serving the population of Shedfield.

The Panel agreed to recommend that £15,000 of CIL funding be allocated to be met from the community pot

2.14) Swanmore Allotments – Swanmore – Bid for £12,100

The Panel considered the bid and noted that s106 funding had been secured to part fund the allotments along with the open space but that this was not quite sufficient to provide the all the drainage, composting toilet, fencing,

footpath and car park area rural surfacing required. The CIL funding would top up the funding required and addressed the impact of development in Swanmore beyond that secured through the s106 agreement.

The Panel agreed to recommend that £12,100 of CIL funding be allocated to be met from the community pot.

2.15) Twyford Bus Stops – Twyford – Bid for £10,000

The Panel noted that Twyford is in the South Downs National Park (SDNP) area and should therefore be applying for CIL funding from the SDNP.

However, projects which can be of wider benefit can be funded from WCC CIL. The Panel considered that the use of real time information at the two bus stops on Winchester Road Twyford could increase confidence in using public transport to travel to Winchester and ultimately help reduce private motor vehicle traffic. It would also be useful to monitor if there was an increase in bus passengers as a result of having bus information at the bus stops.

The Panel agreed to recommend that £10,000 of CIL funding be allocated to be met from the community pot

2.16) Twyford village hall – Twyford – Bid for £26,500

As with 2.15, the Panel noted that Twyford village hall is within the South Downs National Park, as well as deciding that the project was largely replacement and maintenance and would not be of wider benefit beyond Twyford, so could not justify the allocation of CIL funding from WCC CIL receipts

The Panel did not support the allocation of CIL funding.

2.17) Wickham Community Centre – Wickham – Bid for £39,717

The Panel considered the bid and noted that there is ongoing development in Wickham and the community centre is the only community facility serving the village and surrounding area. The community centre has benefitted from CIL funding in the past but is well used by all ages for social events, classes and as a polling station. The project will also improve the accessibility of the building for disabled users.

The Panel agreed to recommend that £39,717 of CIL funding be allocated to be met from the community pot

2.18) Wickham Primary School – Wickham – Bid for £21,000

The Panel noted that pre-school has become part of Wickham Primary providing an Early Years Foundation Stage curriculum and accommodating Special Needs Children. The outdoor space cannot be utilised at present as it is not fit for purpose. The increased development has seen a rise in demand for pre-school facilities in Wickham so funding the project would address an impact of development beyond that which has been secured through a s106 agreement.

The Panel agreed to recommend that £21,000 of CIL funding be allocated to be met from the community pot

2.19) St Barnabas Church – Winchester – Bid for £100,000

The Panel acknowledged that this was a busy church offering many opportunities for a number of community facilities. The project aimed to provide a much improved community building. The total cost of the project was high with most of the funding (70%) coming from other resources, with the church itself providing most of this. The Panel were unable to recommend the allocation of all of the funding requested, due to the number of bids received this year but agreed to recommend allocating half of the CIL requested.

The Panel agreed to recommend that £50,000 of CIL funding be allocated to be met from the community pot.

2.20) St Matthews Fields MUGA – Winchester – Bid for £130,000

The panel were aware that this bid was not straightforward, as the site is owned by the city council. The bid has been made by a campaign group and claims that the project will be delivered by the Natural Environment and Recreation Team is not correct, as this scheme is not part of the work programme. There is also not universal support from Winchester Town Forum. The Panel agreed that this project could not be taken forward at this time. However, it may form part of the Town Forum work plan in future but would need prioritising, programming and funding identified (which could be via an internal bid for CIL at a later stage). **The Panel did not therefore agree to recommend CIL funding for this bid at this time.**

2.21) Winchester Rugby Football Club – Winchester – Bid for £18,674

The Panel noted that planning permission had been granted for new flood lights which would allow greater use of the facilities at the club, all year round. There was also significant additional funding from other sources.

The Panel agreed to recommend that £18,674 of CIL funding be allocated, to be met from the community pot.

Total Amount of CIL recommended to be allocated from the community pot = £296,341 (This includes the provisional sum of £40,000 for Bid number 1) This funding will be allocated from the £300,000 already agreed by Cabinet in September 2022

The amount of CIL recommended to be allocated from the ring-fenced 10% of CIL for Community and Health projects = £217,000

Total amount of CIL recommended to be allocated from the ring-fenced 10% of CIL for Community and Health projects = £200,000 for Waterlooville Leisure Centre

3) Consideration of Winchester City Council Bids

3.1) Winchester Movement Strategy – Bid for £2m

The Panel were reminded that a recent Cabinet report detailing changes to the strategic allocation of CIL funding had been agreed. The report had recommended that the remaining unallocated CIL and future CIL receipts will be divided in to three spending pots which will get a percentage of the CIL retained by the city council. Cabinet had agreed to allocate 30% of retained CIL to support HCC projects, 10% of retained CIL to Health and Community projects and 60% of the retained CIL would be used for city council projects.

This meant that there was currently approximately £2.2m of CIL which could be used to support HCC projects including those coming forward as part of the Winchester Movement Strategy. The Panel were however concerned that recommending the allocation of £2m for the WMS would leave little funding for district projects including transport projects. Bids for individual transport projects had also come forward in the latest round of bids, which were requesting an additional £700k in total. The Panel agreed that all highway bids should be considered at a separate meeting following the prioritisation of schemes and discussions with the County Council. Highway schemes are very expensive to implement, and it was important not to allocate all the CIL available on a 'first come, first served' basis. **The Panel did not agree to the allocation of £2m for the WMS but there will be further meetings to discuss the priority of highway schemes both in the town area and district wide**

3.2) Refurbishment of public conveniences in various locations in the town and district. Bid for £410,000

The Panel considered this bid which will also be part funded from the car parks budget (as some toilets are located in the car parks including at the Park and Ride car parks). The Panel agreed that the overall improvement of the toilets in numerous locations in the town and district was of wider benefit to residents and visitors alike. The project will also introduce water and energy efficiency measures and make the toilets more accessible for disabled people and those with children. **The Panel agreed to recommend that £410,000 of CIL funding be allocated, to be met from the WCC pot**

3.3) Contra-flow cycle lane and loading bay – Upper High Street Winchester – Bid for £300,000

Although the funding bid was submitted by the Transport team at WCC, this is an HCC scheme, and forms part of the WMS. The panel had some concerns regarding the design of the scheme as it left a narrow footway of 1.5m (the minimum width permitted) on a busy part of the High Street. It was questioned how the contra-flow cycle route, which is a relatively short length, would link up to other cycle routes, which may be proposed and the cost involved for the

scheme. **The Panel agreed to defer making a decision pending further information and meetings**

3.4) Bus Shelter upgrades for Cromwell Road and Andover Road – Bid for £21,000

The Panel considered the bid which would replace old and outdated shelters with modern shelters incorporating seating. The Panel considered that the bid supported the priorities of the council plan in supporting more sustainable travel. **The panel agreed to recommend that £21,000 of CIL funding be allocated to be met from the WCC pot.**

3.5) Meadowside Leisure Centre – Air source heat pumps and solar panels

The Panel considered the project and agreed that it would support the Council's priority to reduce carbon emissions and increase energy efficiency. **The Panel agreed to recommend that £60,000 of CIL funding be allocated, to be met from the WCC pot.**

3.6) New access road and drainage for a rural affordable housing site at Waterloo Lane, Micheldever – Bid for £250,000

The Panel discussed the bid, which would fund a project to provide and access road and new mains drainage which would allow nine affordable homes to be built on a rural exception site. Additional parking would also be provided. The currently unmade track also serves privately owned properties that would benefit from the upgrade of the access, parking and mains drainage. The panel queried whether the owners of the properties have been asked to contribute as they would be gaining significantly from the proposals. This was not made clear from the information on the form. The Panel were concerned that the amount of funding required to provide nine homes was a large amount and that the existing private householders would benefit significantly from public funding. It was suggested that additional information was required and possibly a meeting with Housing. **The Panel did not therefore make a recommendation regarding CIL funding and requested further information**

Total amount of CIL recommended to be allocated from the WCC overall pot = £491,000

4) Highway Bids – Waltham Chase and Twyford

Two further highway bids had been received which were sent in jointly by HCC and Parish Councils for Shedfield and Twyford. These were bids totalling £400,000 for pedestrian crossing phases at existing traffic signals and a new crossing/traffic islands. **The Panel decided that there needed to be a separate meeting to discuss all the highway bids which had been received to discuss a way forward.**

The meeting concluded at 3.40pm

NOTE

CAB3360 had already agreed to the allocation of £300,000 for the fifth round of community schemes. The projects recommended by the Panel for funding from the community fund had a value of £296,341, leaving £3659 from the £300,000 already allocated.

In July 2018, Cabinet agreed to split the remaining unallocated CIL in to 3 'pots' to support HCC projects (30%) Community and Health projects (10%) and WCC projects (60%)

The table below shows the amount of CIL remaining, divided into the 3 pots but taking in to account the £300,000 already allocated in September 2022 for this round of community bids

Table 1 - Allocations of remaining CIL to designated pots at end of July 2023 (As agreed by Cabinet in July 2023 - CAB3385) and projects allocated funding in August 2023

Remaining CIL unallocated at 31st July 2023		
= £7,433,238		
Allocation for HCC/WCC agreed Projects (30%)	Allocation for Community and Health Projects (10%)	Allocation for WCC led Projects (60%)
CIL available to allocate £2,229,971	CIL available to allocate £743,323	CIL available to allocate £4,459,943
Allocations recommended by the Informal Panel on 22nd August 2023	Allocations recommended by the Informal Panel on 10th August 2023	Allocations recommended by the Informal panel on 10th August 2023
Amount allocated in total High Street Winchester contra-flow cycle lane £300,000	Amounts recommended by CIL Panel (in total) on 10/08/23 = £296,341 (this amount comes out of the existing £300,000 already allocated by Cabinet in September 2022- CAB3360 refers). This leaves £3659 unallocated Additional CIL allocated Bishops Waltham surgery	Amount allocated in total £491,000 Toilet Refurbishment district wide £410,000 Bus Shelter replacements Winchester £21,000 Meadowside Leisure Centre decarbonisation £60,000

	£217,000 Waterlooville Leisure Centre £200,000	
Remaining uncommitted amount = £1,929,971	Remaining uncommitted amount = £329,982 (£743,323 -£417,000= £326,323 £326,323 + £3659= £329,982	Remaining uncommitted amount = £3,968,943

Minutes of the additional CIL Informal Panel Meeting

Tuesday 22nd August 2023

Present; Councillor Jackie Porter (Chair and Cabinet Member for Place and Local Plan) Councillor Neil Cutler (Deputy Leader and Cabinet Member for Finance and Performance), Councillor Kelsey Learney (Cabinet Member for Climate Emergency) Dawn Adey (Strategic Director), Simon Hendy (Strategic Director),

Officers attending; Corinne Phillips (CIL Implementation Officer) Andy Hickman (Head of Programme)

Others Invited; David Jowsey, Hampshire County Council

1) Introductions and welcome

Councillor JP briefly outlined the purpose of the meeting and thanked DJ for attending. The meeting had been called to discuss the bid for funding for the contra-flow cycle scheme and for members of the Informal Panel to ask questions about the scheme and funding.

2) High Street Contra-flow cycle scheme bid for £300,000

AH outlined that the High Street scheme was part of a package of measures, and was a priority for Cycle Winchester. Consultation on the Winchester Movement Strategy has prioritised cycling and walking measures. The scheme for the High Street is one of the highest priorities in the Movement Strategy for cycle connectivity. Funding of £200,000 has been awarded by the government for this scheme and it should have been spent by now. Not spending the £200,000 may damage HCC's reputation.

Councillor JP and Councillor NC expressed concern about the cost of the scheme. DJ agreed it was expensive but pointed out that extensive traffic management works would be required and a possible 10 week closure of the High Street, in addition to material costs.

Councillor JP also expressed concern about footway widths for the scheme which will be reduced to accommodate the loading bay and cycle route.

DJ explained that although the footway on the plan was 1.5 metres wide (the minimum width permitted) there was an area of footway which although not part of the highway, went beyond the highway boundary and allowed extra width for pedestrians. The loading bay will be the same height as the footway so can be used by pedestrians when there are no HGV's parked. The loading hours are very limited (3 hours per day in total).

DA asked how this bit of cycleway will connect to the rest of the cycle network. DJ explained that it was hoped there would be a further scheme to link this bit of cycleway to Jewry Street and a wider route through the city. This will require junction changes at Jewry Street and Southgate Street, so would be expensive. HCC surveys indicate that 30-40 cyclists per day use this route at present. Councillor KL clarified that the proposed scheme also linked to Trafalgar Street and St Cross Street, as well as Staple Gardens, which was a route she used.

Councillor JP questioned whether the drainage would be made worse by the scheme. DJ confirmed that the drainage would be unaffected.

DA enquired as to whether the CIL would come from the recently ring-fenced 30% of CIL for supporting HCC projects. CP confirmed that it would as it forms part of the wider plan for the LCWIP. HCC intended to apply for more CIL funding for the LCWIP and DJ thought that there would be other funding streams identified for capital funding of projects.

DA wanted it to be included on signing for the scheme construction that the city council had provided funding and on any publicity.

Councillor NC enquired as to the costs of the scheme, which may not end up being as much as first identified. It was questioned as to whether a lower amount of CIL would be required, if CIL was the last pot of funding to be used to top up the required funds. DJ clarified that it was likely the cost of the scheme would be at the upper limit due to inflationary pressures, but if costs go too high the scheme may not happen.

SH queried whether the level of fees were normal. DJ confirmed that they were. SH queried whether any left over CIL could be used elsewhere. CP clarified that CIL funding was allocated for specific schemes so could not be

used elsewhere. The CIL allocated will not be able to go higher than £300,000.

DJ confirmed that after surveys would be done to confirm if the number of cyclists using the route had increased.

The Panel agreed to recommend the allocation of £300,000 for the scheme in Upper High Street to provide a contra-flow cycle route between Tower Street and Staple Gardens.

The meeting concluded at 3.20pm and AH and DJ left. It was decided that the remaining highway bids for pedestrian crossing facilities at Waltham Chase and Twyford would not be discussed by the Panel, pending meetings with HCC to agree district wide highway priorities.



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Forward Plan of Key Decisions

November 2023

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 - 30 November 2023** 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

29 September 2023

Cabinet Members:	Title
• Cllr Martin Tod	Leader & Cabinet Member for Asset Management
• Cllr Neil Cutler	Deputy Leader & Cabinet Member for Finance & Performance
• Cllr Kathleen Becker	Community & Engagement
• Cllr Kelsie Learney	Climate Emergency
• Cllr Jackie Porter	Place & the Local Plan
• Cllr Lucille Thompson	Business & Culture
• Cllr Chris Westwood	Housing

	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 A

Decisions made by Cabinet

Page 99	1	Tenant Satisfaction survey results	Cabinet Member for Housing	Significantly effect on 2 or more wards	All Wards	Janette Palmer	Cabinet Committee report	Cabinet Committee: Housing	Nov-23	14-Nov-23	Open
		Housing Strategy	Cabinet Member for Housing	Significantly effect on 2 or more wards	All Wards	Gillian Knight	Cabinet committee report	Cabinet Committee: Housing	Nov-23	14-Nov-23	Open
	3	General Fund Budget Options & Medium-Term Financial Strategy	Cabinet Member for Finance and Performance	Expenditure > £250,000	All Wards	Liz Keys	Cabinet report	Cabinet	Nov-23	21-Nov-23	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
Page 100	Housing Revenue Account (HRA) Business Plan and Budget Options	Cabinet Member for Housing	Expenditure > £250,000	All Wards	Dick Johnson	Cabinet report	Cabinet	Nov-23	21-Nov-23	Open
	Land transaction	Cabinet Member for Asset Management	Expenditure > £250,000	All Wards	Geoff Coe	Cabinet report	Cabinet	Nov-23	21-Nov-23	Part exempt 3

Section B

Decisions made by individual Cabinet Members

None scheduled for November

	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

6	Treasury Management - decisions in accordance with the Council's approved strategy and policy	Cabinet Member for Finance and Performance	Expenditure > £250,000	All wards	Designated HCC Finance staff, daily	Designated working papers	Designated HCC Finance staff, daily	Nov-23	Nov-23	Open
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