

CABINET

Wednesday, 13 December 2023

Attendance:

Councillors
Tod (Chairperson)

Cutler
Becker
Learney

Porter
Thompson
Westwood

Apologies for Absence:

Councillors

Members in attendance who spoke at the meeting

Councillor(s) Godfrey, Horrill, Lee and Wallace

Other members in attendance:

Councillor(s)

Video recording of this meeting

1. **APOLOGIES**

No apologies were received.

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

Councillor Tod announced that Councillor Batho had been nominated as the second councillor to be appointed as a company director of Venta Living Ltd (the Council's housing company). The other councillor was Councillor Pett who had been appointed at Cabinet on 21 June 2023 for the 2023/24 municipal year.

RESOLVED:

That Councillor Batho be appointed as a director of Venta Living Ltd 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**

One member of the public spoke regarding report CAB3438 and his comments are summarised under the relevant minute below.

5. **MINUTES OF THE PREVIOUS MEETING HELD ON 21 NOVEMBER 2023**

RESOLVED:

That the minutes of the previous meeting held on 21 November 2023 be agreed as a correct record.

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

Councillor Thompson announced that the team from the Winchester Tourist Information Centre had won the Gold award at the Beautiful South Tourism Awards. On behalf of Cabinet, she congratulated all those involved.

Councillor Learney announced that the council's consultation on future recycling proposals had now closed with 8,740 responses received. A presentation on the waste strategy will be considered at the Health and Environment Policy Committee on 22 January 2024.

Councillor Learney also thanked all the council's officers and members who had taken part in the carbon literacy training which had resulted in the council achieving accreditation as a "Silver" carbon literate organisation.

Councillor Becker reported that the consultation on proposals for a future hospital in Hampshire had begun with further information available on the [Hampshire Together website](#). The proposals would be considered at a Health and Environment Policy Committee on 31 January 2024.

Councillor Tod announced that work on the demolition of the former Friarsgate surgery was making good progress. He also announced that he and Councillor Westwood had visited the improved sewage treatment works near Itchen Abbas. Finally, he reported that the Council had received the best score of all the councils within Hampshire on the Climate Emergency UK 2023 Council Climate Action Scorecard and the fifth highest score of any district in the country.

7. **WINCHESTER CITY FOOTBALL CLUB ARTIFICIAL TURF PITCH**
(CAB3437)

Councillor Tod introduced the report, highlighting the benefits of the proposal particularly in terms of improved access for a variety of different groups of people. He also emphasised that planning matters had been addressed by the Planning Committee on 15 November 2023.

At the invitation of the Leader, Councillors Lee and Godfrey addressed the meeting as summarised briefly below.

Councillor Lee

He expressed concern about the environmental impact of a 3G artificial pitch in terms of its manufacture, ongoing maintenance and limited availability for recycling at the end of its life. He highlighted that the EU had banned 3G artificial pitches in September 2023, although an eight year transition period was

agreed. He requested that Cabinet attach strong conditions to the business case to require that the surface management plan was stringently followed to ensure the impact of flood water escape was negligible and that at the end of life, the pitch was recycled to the highest possible standard.

Councillor Godfrey

He spoke in support of the project and the proposed funding as an artificial pitch would allow many more football games to be played each day. He hoped that the various clubs who played there took advantage of this and more members of the public were able to attend in support.

Councillor Tod responded to comments made including emphasising that paragraph 7.3 of the report outlined the measures proposed to minimise the environmental impact. The Service Lead – Community advised that DEFRA would be undertaking a research project into the longer term use of artificial pitches, the timing of which should tie in with when it would be necessary to resurface.

Cabinet Members emphasised the wider health benefits of the proposals in increasing the availability of the facility in terms of time available and also different groups of people (for example, both disability and walking football could only be played on an artificial pitch).

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

RESOLVED:

Subject to successful funding applications to the Football Foundation:

1. That an additional allocation of £100,000 of District CIL receipts to the project be approved, bringing the total funding from District CIL to £300,000;
2. That the countersigning by the council of a further funding bid to the Football Foundation, in partnership with Winchester City Football Club, for associated stadium improvements at the site be approved;
3. That an additional budget and expenditure of £461,000 (funded by the additional CIL, increased grant from the Football Foundation and contribution from WCFC) be approved, bringing the total approved budget and expenditure to £1.466m for the installation of a new 3G artificial turf pitch and associated improvements at Winchester City Football Club;
4. That delegated authority to the Strategic Director - Services be approved to appoint the relevant contractors and to negotiate and agree contractual heads of terms with the contract appointment; and

5. That delegated authority to the Service Lead: Legal be approved to prepare and enter into all relevant agreements, negotiate the contractual agreements and see them to completion to enable the proposed works at Winchester City Football Club.

That it be noted:

6. That the Corporate Head of Asset management will agree the terms of a new lease with Winchester City Football Club under his delegated authority;

7. That responsibility for operating, maintaining, repairing and replacing the pitch (including index-linked annual contributions to a pitch replacement fund) would lie with the council, but that the facility and these responsibilities would be passed to Winchester City Football Club along with all income, via the new lease;

8. That if for any reason Winchester City Football Club was unable to meet those responsibilities, the lease would be forfeited and responsibility would revert to the council; and

9. That the project will not proceed unless the grant application to the Football Foundation secures all necessary funding required to deliver the project in full.

8. **PROPERTY DISPOSALS, 27 EASTGATE STREET, WINCHESTER (CAB3438)**

Councillor Tod introduced the report emphasising that the disposal of the property would offer the best return for the council and that the council had disposed of a number of other properties in Eastgate Street in recent years.

Ian Tait spoke during public participation as summarised briefly below. He queried why it was proposed to sell this property when at the previous Cabinet meeting it had been decided to refurbish another council owned property rather than sell it (report CAB3433 refers). He also queried the reason for the proposal to retain the car park area but not the house itself. He asked about any future proposals for 88 Sussex Street which was another council owned property the ground floor of which was currently unoccupied.

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

She understood the reasoning behind the proposal to sell the property but asked a number of points of clarification: a) the proposed use of the sale proceeds; b) when would the council's review of temporary accommodation be published and whether this disposal should be postponed until this was available? c) if sold, could the council still meet its obligations to provide temporary accommodation? d) why was this property not suitable for refurbishment?

Councillor Tod responded to the comments raised including explaining the rationale for the retention of the car park and the reasons for the different

decision to that proposed for the Colebrook Street property. An update on the temporary accommodation review was expected at the Business and Housing Policy Committee in February 2024. Councillor Tod also stated he would make further enquiries regarding 88 Sussex Street and respond to Mr Tait's question outside of the meeting.

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

RESOLVED:

That the sale of 27 Eastgate Street by private treaty or auction and retaining the freehold interest in the adjoining open ground that is currently used for car parking be approved.

9. **Q2 FINANCE & PERFORMANCE MONITORING**
(CAB3424)

Councillor Cutler introduced the report and emphasised the good progress being made against targets in general. He also highlighted that the report had been considered previously at a Performance Panel (minutes included as Appendix 5 to the report) and Scrutiny Committee on 22 November 2023.

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

She requested that any gaps on targets be completed prior to the publication of the Q3 report or if this was not possible, this be clearly stated. She also asked that the few remaining outstanding questions raised by the Performance Panel be responded to.

Councillor Cutler gave an assurance that both requests would be considered with before the next meeting of the Performance Panel.

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

RESOLVED:

That the progress achieved during Q2 of 2023/24 be noted and the contents of the report be endorsed.

10. **PARK AND RIDE BUS CONTRACT - RESULTS OF TENDERING FOR NEW CONTRACT (LESS EXEMPT APPENDICES)**
(CAB3431)

Councillor Learney introduced the report highlighting that the proposed tender price had come in under budget and also would reduce emissions through the use of Hydrotreated Vegetable Oil (HVO) as an alternative fuel.

At the invitation of the Leader, Councillors Wallace and Godfrey addressed the meeting as summarised briefly below.

Councillor Wallace

He raised concerns about the wider environmental impacts of the proposal to use HVO in terms of potential for increased deforestation, reduction in land available for growing food and the cost of shipping the required oils into the country. He asked why the decision to tender on the basis that the bus service would operate on HVO only had been made prior to the report being considered at Cabinet? He believed that the long term solution should be to operate an electric bus service and that steps should be taken to address the infrastructure issues involved.

Councillor Godfrey

He also raised concerns about the wider environmental impact of using HVO and believed that it would not offer significant reductions in polluting gases. He queried why it would be necessary for a future increase in subsidy from the council in operating the park and ride services and also why Appendix A to the report was regarded as exempt. He asked why the report did not give detail comparing the use of HVO, Euro 6 diesel and hydrogen operated vehicles?

Councillor Learney responded to the comments made including emphasising that the proposed approach was a pragmatic decision given the ongoing uncertainty regarding government funding for electric buses. The Strategic Director explained the reasoning behind the approach to tendering and highlighted that indicative prices for diesel and electric alternatives had been requested and were provided in exempt Appendix B of the report. The Head of Programme confirmed that the tender required that the HVO be supplied from certifiable sources and this would be carefully monitored.

The Monitoring Officer explained the reasons for Appendix A being classed as exempt and it was noted that this classification would be reviewed in due course as part of the council's commitment to make information public as soon as legally possible.

Cabinet Members confirmed that they did not wish to go into exempt session to consider further the contents of the exempt appendices.

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

RESOLVED:

1. That the Strategic Director be authorised to award the contract in accordance with the published evaluation criteria to the company identified as Tenderer 2 in Exempt Appendices B and C of CAB3431. The contract is for a 5-year period commencing April 2024 using Euro VI vehicles fuelled with HVO.
2. That the Strategic Director be authorised to enter into all necessary agreements with Tenderer 2.

3. That delegated authority be granted to the Service Lead, Legal to execute and enter into all necessary legal documentation.

4. That it be noted that external funding will be sought to enable a replacement zero emission bus contract in line with its ambitions to be carbon neutral and that the contract allows for termination with a 6-month notice period after the initial 36 months (3 years) to allow the City Council to procure a zero carbon service subject to funding availability.

11. **TO NOTE THE FUTURE ITEMS FOR CONSIDERATION BY CABINET AS SHOWN ON THE JANUARY 2024 FORWARD PLAN.**

RESOLVED:

That the list of future items as set out in the January 2024 forward plan be noted.

12. **EXEMPT BUSINESS:**

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
13	Park & Ride Bus Contract – exempt appendices) Information relating to the) financial or business affairs of) any particular person (including) the authority holding that) information). (Para 3 Schedule) 12A refers)

13. **PARK AND RIDE BUS CONTRACT - RESULTS OF TENDERING FOR NEW CONTRACT (EXEMPT APPENDICES)**

RESOLVED:

That the contents of the exempt appendices be noted.

The meeting commenced at 9.30 am and concluded at 11.00 am

Chairperson