

THE OVERVIEW AND SCRUTINY COMMITTEE

4 June 2018

Attendance:

Councillors:

Learney (Chairman)

Cunningham (P)
Evans (P)
Gemmell (P)
McLean (P)
Scott (P)

Stallard (P)
Thacker (P)
Thompson (P)
Tod (P)
Weston

Deputy Members:

Councillor Berry (Standing Deputy for Councillor Weston) and Councillor Hiscock (Standing Deputy for Councillor Learney).

Others in attendance who addressed the meeting:

Councillors Horrill (Leader)

Others in attendance who did not address the meeting:

Councillors Ashton (Portfolio Holder for Finance), Burns, Humby (Deputy Leader and Portfolio Holder for Business Partnerships), Laming, Porter, Warwick (Portfolio Holder for Environment) and Weir

1. **APPOINTMENT OF CHAIRMAN**

In accordance with the Council's Constitution, and in the absence of the Chairman, Councillor Learney, the Committee were reminded that the Vice Chairman of the Committee (Councillor Stallard) would be unable to assume the Chair as she was a member of the party which currently formed the Council's Administration. Therefore, the Committee agreed that it would appoint a temporary Chairman for the meeting only.

RESOLVED:

That Councillor Evans be appointed Chairman for the meeting.

2. **MEMBERSHIP OF SUB-COMMITTEES AND INFORMAL GROUPS ETC**

The Committee were asked to make a scrutiny related appointment onto the Environmental Services Joint Scrutiny Committee (with East Hampshire District Council - EHDC) for 2018/19, as set out below.

RESOLVED:

1. That the following appointments be made to external body listed below:

- i. Environmental Services Joint Scrutiny Committee (with EHDC): Councillors Burns, Weston and Bell (deputies: Councillors McLean, Read and Clear).

3. **SCRUTINY WORK PROGRAMME AND JULY 2018 FORWARD PLAN**

In response to Members questions, the Chief Executive advised that the Environmental Services Contract Decision Making report due for consideration at this meeting, had been withdrawn order to move forward at the same timetable as East Hampshire District Council. It was anticipated that this report would be brought forward shortly for consideration.

The Chief Executive reported on the following changes to the Scrutiny Work Programme:

- (i) Station Approach – Outline Business Case; RIBA stage 2 concept design & design of processing to RIBA stage 3, be amended to Station Approach Update Report.
- (ii) Air Quality Action Plan Report was proposed to be delivered through a presentation setting out the current status, trends and outline proposals for its development.
- (iii) Performance Monitoring – Portfolio Holder Plans: This report had been deleted due to enhanced performance management and the inclusion of Portfolio Holder Plans within service plans going forward, for consideration on a quarterly basis.

RESOLVED:

That, subject to the amendments above, the Scrutiny Work Programme for 2018/19 and Forward Plan for July 2018, be noted.

4. **FOR INFORMATION ONLY**

The Chief Executive reported that CAB3048 - Bishops Waltham Depot Site – Proposals for Redevelopment Appraisal had been brought forward to the Committee, in line with financial procedure rules, as the cost estimate for the proposal had increased in excess of £250k. Prior to its consideration by Cabinet on 20 June 2018 and Council on 27 June 2018, the Committee were given the opportunity to make any comments on this report accordingly.

RESOLVED:

That no comments be made to Cabinet on the matter outlined above.

5. **PUBLIC PARTICIPATION**

At the invitation of the Chairman, Nicki Elks, Patrick Davies, Terry Gould and Tim Fell addressed the Committee with regard to agenda item 9, Central Winchester Regeneration – Adoption of Supplementary Planning Document (Report OS197 refers). Their comments are summarised under the relevant agenda item below.

Councillor Bell also addressed the Committee with regard to agenda item 11, Environmental Services Contract Decision Making, which was due to be considered at the meeting but had since been withdrawn. In summary, she made reference to the proposed timetable for the contract and the need for the Council to exercise its one year emergency extension as a result of the delay.

In response, the Chief Executive indicated that at this stage the council did not anticipate exercising the one year extension and that the decision making timetable was now expected shortly.

6. **LEISURE CENTRE CONSTRUCTION COSTS** (Presentation)

The Chairman welcomed to the meeting, Jon Hunt, Project Manager for MACE. He highlighted the main points contained in the procurement process, as set out in the report to Cabinet and detailed the various stages of the RIBA development and design process, the construction cost plan assumptions and exclusions, client funded items the value engineering of RIBA 2 and RIBA 3, an operator procurement update, gateways and the programme for the project.

A copy of the presentation would be made available on the Council's website as a supplementary document and is also included as an **appendix** to the minutes.

It was noted that following completion of RIBA 3, the scheme was currently being progressed heading towards the planning stage, with an exhibition of the planning submission made available in the Guildhall. Consideration of the full

business case was expected early next year. This would incorporate the outcome of procurement for an operator and construction costs. Subject to consideration of the business case, construction was scheduled for in Spring 2019.

During questions and debate, Members raised a number of questions which were responded to accordingly, as summarised below:

- (i) In relation to the suggested review of cycling and pedestrian access in Highcliffe, it was noted that the submitted planning application would include a full transport assessment and details of the roundabout access and wider connections. The wider Winchester Movement Strategy will also be considering such issues throughout Winchester.
- (ii) In respect of the anticipated cost plan, budget and capital costs, the Head of Programme reported that these remained as set out in the outline business case, working within the £38m budget.
- (iii) To address issues regarding the specification of the building raised by local sports clubs, it was noted that discussions were taking place with national sport governing bodies with feedback reviewed and ongoing engagement planned throughout the process.

The Head of Programme confirmed that any changes to the internal design would probably not affect the planning application process but would require a change to the design internally to be signed off at each stage by Cabinet (Leisure Centre) Committee.

- (iv) In relation to the proposed roundabout and layout, it was reported that all highway works would be carried out as part of the Leisure Centre development. Dialogue was ongoing with Hampshire County Council, in conjunction with the wider Movement Strategy and the traffic impact assessment and the technical agreement in advance of the highway works, which forms part of the planning process.
- (v) The Head of Programme clarified that investment would be provided to ensure there were accessible bus stops nearby and that a review of the Council's park and ride service would be carried out to align with the Leisure Centre. This approach would continue to be considered at the Sustainability Advisory Panel, as part of the wider programme for the City.
- (vi) In relation to public consultation, the Head of Programme highlighted that consultation had been carried out across the wider District where exhibitions had taken place in Whiteley and Bishops

Waltham. Parish Councils in all areas had been involved and that a good level of engagement had been carried out over four phases resulting in a high level of input from the public.

In conclusion, the Chairman thanked Mr Hunt for his informative presentation and welcomed the progress that had been carried out on the Leisure Centre project to date, subject to the issues raised regarding bus services, access and need for continued consultation with community groups (i.e. Highcliffe Community Forum for Action) and the Parish Council's in the wider District, as set out above.

RESOLVED:

1. That the presentation be received and noted; and
2. That the matters raised by the Committee, as set out above, be noted.

7. **CENTRAL WINCHESTER REGENERATION – ADOPTION OF SUPPLEMENTARY PLANNING DOCUMENT**
(Report OS197 refers)

Mrs Nicki Elks queried the risk of legal challenge with the delivery of the document following the use of 'less prescriptive' wording changes made to the updated draft Supplementary Planning Document (SPD), as set out in Appendix A to the report and considered that these changes gave the developer space to change the vision going forward. Mrs Elks suggested that this also applied to areas of the Councils ownerships as well where the proposed changes increased the risk of failing to deliver the intent with the SPD produced by the Council. In conclusion, she suggested that, if the Council was minded to adopt the proposed changes, reassurance be provided to ensure the vision would not be altered.

Mr Patrick Davies queried the content of paragraphs 3.3 and 3.4 of the report and stated that the public Informal Policy Group (IPG) meeting on 14 May 2018 had not been publicised on the Council's website. Mr Davies queried that at the public IPG meeting, a handout was provided that did not reflect the challenge or changes to the SPD that the Council were now proposing. He questioned why the Council had not gone public in detail about the changes and why the IPG had met in private with the public not being advised about the legal challenge.

In response to Mr Davies concerns, the Leader advised that the minutes of the IPG were open to the public to view on the Council's website when they became available.

Mr Terry Gould stated that the development of this area of the City was important to the entire District. Mr Gould made reference to the provision of bus stops and raised alternative approaches that should be investigated particularly around

consideration of the bus hub at Friarsgate. In addition, he also made reference to the access to the café in Kings Walk and suggested an alternative arrangement, Mr Gould reiterated the concerns previously expressed and considered that the original wording of the SPD should remain, as set out therein.

Mr Tim Fell suggested that as the Committee was required to scrutinise the lengthy content of the SPD, both this Committee, and Cabinet, should consider postponing its decision to ensure there was adequate time to address all the matters raised.

Councillor Horrill introduced the Report and its appendices on behalf of the IPG. The SPD set out the 18 months of work and represented the clear vision and objectives for the site that had been the aspirations of the City and District, following the response of 2,500 residents, partners and businesses during a three and a half month consultation period.

Councillor Horrill reported that the changes reflected in the updated draft SPD had been thoroughly reviewed to ensure they did not conflict with the Local Plan and were tethered to the Council's Planning Policies to ensure the document was robust; the Council was the majority landowner with over 80% of the land in its ownership. Furthermore, it was reported that the updated draft SPD had been considered and endorsed the Central Winchester Regeneration IPG, who had spent significant time reviewing the content of the document in its entirety over a period of many months.

During questions and debate, the Leader, together with the officers present, responded to detailed questions, as summarised below:

- (i) It was noted that the updated draft SPD continued to remain compliant with legislation and the Council's Legal Services Manager had deemed it appropriate for the SPD to be adopted lawfully;
- (ii) The Council had tasked the Central Winchester Regeneration IPG with producing this an SPD. Advice had been taken from Counsel who had reviewed and agreed the changes to the document which forms a legal SPD for adoption;
- (iii) In response to questions regarding the changes to the language of the SPD it was reported that none of the material content of the SPD had changed since the draft made available in October. The language contained in the SPD had been updated following legal advice to ensure a sound and adoptable document was prepared.
- (iv) To address comments that people had not been advised of the outcomes of the IPG meetings regarding changes to the SPD, each informal and public meeting of the Central Winchester

Regeneration IPG had been minuted. The Leader clarified that she met informally with every Member of the IPG to ensure all Members were working collectively to reflect the detailed vision and objectives of the residents of Winchester.

- (v) To address the points raised during public participation in relation to alternative bus services, it was reported that the IPG were working closely with Hampshire County Council who were conducting the Movement Strategy and that other options would be investigated in respect of the bus hub and public transport links.
- (vi) The Council was committed to securing housing on site with a requirement to seek 40% affordable housing provision. This matter would be considered by Cabinet (Central Winchester Regeneration) Committee. It was noted that the provision of adequate open space for recreation also needed to be addressed.

In conclusion, the Leader reiterated that the updated draft SPD positively reflected the significant input received from the public for the regeneration of this area of the City.

RESOLVED:

1. That the Overview and Scrutiny Committee raise the following issues for consideration by Cabinet:
 - (a) that the updated draft SPD is a sound document and adoptable given the process undertaken;
 - (b) that the updated draft SPD aligns with existing Local Plan policies;
 - (c) that the housing proposals and commitment to 40% affordable housing be welcomed but the importance of affordable housing and green space being onsite was emphasised;
 - (d) that the wording associated with pedestrianisation, be reviewed;
 - (e) that the Committee welcome the opportunity to consider any proposed delivery model; and
 - (f) that the wording showing as removed in paragraph 1.1.3 of Appendix 1, remain in the updated version, as follows:

“It will be a material consideration in determining applications within the CWR area”.

The meeting commenced at 6.30pm and concluded at 9.20pm

Chairman