



**Winchester**  
City Council

**EXTRAORDINARY COUNCIL MEETING – 19 March 2019**

**Question under Council Procedure Rule 14**

**QUESTION 1**

From: Councillor Laming

To: The Leader

“Could you please report on the actions taken and progress on finding the source of the leak to the Hampshire Chronicle and resident?”

Reply

“I am surprised that this question has been asked again. At our last meeting our Chief Executive advised that she would initiate an investigation and should the route of the release of any confidential information be established, appropriate action would be taken.”



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**QUESTION 2**

From: Councillor Mather

To: The Portfolio Holder for Environment (Cllr Warwick)

“Would the portfolio holder please confirm that the cost of residents’ parking permits will not be increased this year?”

Reply

“I am pleased to confirm that the City Council is not intending to increase the cost of residents’ parking permits in 2019/20.

However, as members will recall, the Leader of the Council has reached an agreement with the Leader of the County Council that any changes to the service will be suspended whilst the movement strategy is developed and both authorities will look at the best approach to future arrangements.



## EXTRAORDINARY COUNCIL MEETING – 19 March 2019

### Question under Council Procedure Rule 14

#### QUESTION 3

From: Councillor Evans

To: The Leader (Cllr Horrill)

“I was extremely surprised today March 12 to receive a hand delivered copy of ABOUT WINCHESTER through my letterbox. I thought we had an agreement that all communications to residents in their ward and Parish Councils were to be shared in advance to relevant councillors - in this case all of us. Could the Leader please explain why this newspaper was delivered without councillors’ knowledge including some officers? Who or what committee made the decision? What was urgent about delivering key messages 2 weeks before election purdah?”

#### Reply

“The Local Government Association communications audit set out that the council should think of ways to communicate with a broader group of residents and one option to do this is via a council newsletter.

I support the proposal to create a newspaper to provide an update on council services and activities for all our residents. It is intended to be delivered bi-annually via Spring and Autumn editions.

All of the articles are about the council’s activities, service updates or ‘need to know’ pieces. There is no restriction on council communications until purdah starts - and distribution of the newsletter ended on Saturday 16 March.

There are no photos of members save for a single photo of myself as Leader and images of the Mayor acting as an apolitical representative of the Council. This is not out of step with other councils, Basingstoke & Deane Borough Council, for example also has a photograph and introduction from their Leader and their newsletter was delivered in the same week.

The Chief Executive had instructed that Members were informed of the upcoming delivery. In this instance it was a case of officer absence directly prior to the delivery that led to the omission of this article from the Democratic Services Update before distribution.”



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**QUESTION 4**

From: Councillor Ruffell

To: The Portfolio Holder for Health and Wellbeing (Cllr Griffiths)

“Where are we on the Sports Centre Contract?”

**Reply**

“All the necessary paperwork has now been signed.

The contract documentation with Willmott Dixon to construct the new sport and leisure centre at Bar End is complete. Similarly all contract documentation with Everyone Active to operate and run the new Leisure Centre has now been completed. We are now on our way to provide an amazing new sport and leisure centre for the people of our district.”



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**QUESTION 5**

From: Councillor Weir

To: The Portfolio Holder for Environment (Cllr Warwick)

“What plans does the Portfolio Holder have for the Low Carbon Board and its work challenging the Council on carbon reduction performance? What new resources are being provided to meet the growing impact of climate change, to address the profound concern among young people about their future, and to ensure that Winchester City Council sets and delivers on ambitious targets for carbon reduction?”

Reply

“The Council is reviewing the way it approaches the Low Carbon agenda and part of this is to look at the future role of the Low Carbon Board.

We continue to make real progress regarding the reduction in our own carbon footprint as the latest data covering the period for 2016/17 shows. Our carbon footprint for that year represented a 9.1% reduction on the previous year and is some 22.5% below the baseline year of 2009/10.

We have installed low energy efficient lighting in a number of our car parks, are piloting solar powered lighting in several locations and have developed a electric vehicle charging strategy all of which should help to reduce emissions.

We also encourage others to reduce their environmental impact through the Green Impact scheme, for which we received a gold award, and we support the Sustainable Business Network as well as the work of the Low Carbon Board. However, the wider picture across the District remains a challenge.

We have had in place for a number of years the Route Map to a Low Carbon Economy in Winchester and 12 Actions for a Lower Carbon Council but, in light of the global challenges facing us all, it is timely to consider how we tackle this issue in future.

The review of the Route Map and 12 Actions is underway and we can use the outcome of this exercise to inform how best to take forward low carbon issue as a Council both in terms of what we can do directly and by way of encouraging others across the District to tackle it and reduce their impact on the environment.

We are also planning to increase our in-house resource to give a greater focus on sustainability, carbon reduction and related issues with the aim of embedding this across the Council.

As discussed at the last meeting of the Low Carbon Board in November we also want to take this opportunity to consider the role of the board going forward in terms of broadening its scope, including membership, so that we can improve its reach which is something I am keen to see.

The intention is therefore to consider this in greater depth when the Board meets again, which will be arranged once the review of the Route Map and 12 Actions has been completed, to establish how we take the low carbon agenda forward, including the future role of the Board, which can then be considered by Cabinet.”



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**QUESTION 6**

From: Councillor Burns

To: The Portfolio Holder for Environment (Cllr Warwick)

“Following the recent, very welcome, thorough deep clean of the Winchester High Street, what are the Council’s plans to prevent or somehow discourage - on a permanent basis - chewing gum littering in the future?”

Reply

“Discussion are taking place with a company called Gumdrop who offer a service to help recycle used gum by supplying bins to encourage the public to dispose gum into. The gum is collected and taken by the company to be recycled and used to produce a number of sustainable products including reusable hot drinks cups.

This innovative scheme came to the attention of the Council through Gumdrop’s project with the University of Winchester. More information can be found here:

<https://www.winchester.ac.uk/news-and-events/press-centre/media-articles/chew-fancy-a-cup-of-coffee-university-of-winchester-boosts-recycling-efforts-with-gumdrop-reusable-cups.php>

It is based on a closed cycle which means it is a zero waste process and all materials used are diverted waste and the products made can be returned and recycled. This scheme offers the dual benefit of:

- Bins for people to use instead of dropping waste gum on the street.
- Cups that can be branded and sold as reusable coffee cups to reduce single use take-away cups.

A quote has been provided for bins in five locations and a for batch of cups for resale. Final details are being agreed and it is hoped to have this scheme agreed in the next month.”



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**QUESTION 7**

From: Councillor Tod

To: The Leader (Cllr Horrill)

“How much has the council already spent, and committed to spend, preparing for a No Deal Brexit?”

Reply

“The Council has not incurred or committed any expenditure preparing for a No-Deal Brexit.

The Council continues to fully engage with the Local Resilience Forum (LRF) and is working closely with its partners preparing for Brexit.

To date a small number of senior officers at the Council have spent time supporting the work of the LRF as it prepares for a No-Deal scenario.

To support local businesses prepare for Brexit more generally the Council has spent £500 in partnership with the M3 Local Enterprise Partnership to hold a Brexit Clinic to guide them through and respond to the potential changes and impacts to their business after Brexit. The clinic will be taking place in the Guildhall on Thursday 21 March.”





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**QUESTION 8**

From: Councillor Cook

To: The Portfolio Holder for Built Environment (Cllr Brook)

“You have held three Parish Meetings in the past fortnight and they were regarding Planning and the Local Plan. Have you had feedback on those meetings that were attended by the various Parish Personnel?”

Reply

“Following the Parish Council briefings in October 2018 covering both general planning matters and the local plan, a Parish Forum was held on 5 March to focus on the findings of the recent review of the planning service and a discussion on whether to pursue a parish charter. On 12 and 13 March workshops were held with parishes to discuss their priorities for Local Plan 2036.

In terms of the Parish Forum it provided an opportunity for all Parish Councils to feedback on the Peer Review which had been undertaken by an independent consultant in December 2017/January 2018 to look at the Planning Service. This enabled a review of the report, the actions completed, and how the Planning Service moves forward. Parish Councils are an integral part of the planning system with good local knowledge and information. A successful outcome from the event was an agreement to pursue a Parish Charter which will be prepared in consultation with Winchester District Association of Local Councils. Feedback from the event was positive with scores predominantly 4/5 - good/excellent. The slides from this event were circulated in the Members DSU on 8<sup>th</sup> March 2019.

The Local Plan 2036 workshops were well attended and parishes were tasked with three exercises to discuss priorities for their communities; what makes a good site to be considered in the local plan and further discussion on the top four issues raised at the October briefing. All sessions were facilitated and notes are being collated which will be reported as part of an update on Local Plan 2036 to Cabinet (Local Plan) Committee currently scheduled for 5 June. There were a lot of positive comments from Parishes who appreciated being

able to contribute and it was emphasized that this was part of an ongoing discussion to inform Local Plan 2036. Indeed initial feedback scores are predominantly 4/5 - good/excellent.

Parishes were also requested to complete a facilities audit to help update the evidence base for the Local Plan and advised that further data would be issued to them in May to be able to hold similar discussions with their individual parishes. A copy of the presentation was made available to all members in DSU on 15 March.”



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**QUESTION 9**

From: Councillor Becker

To: The Portfolio Holder for Environment (Cllr Warwick)

“In light of the recent release of promotional material regarding sites having been identified for new public water fountains, noting that sites ‘could include Abbey Gardens, City Museum and Middle Brook Street car park’, can the Portfolio Holder for the environment please confirm the number of fountains proposed to be provided per ward in the coming year, and their location?”

Reply

“The Council is committed to finding ways to reduce people’s reliance on single use plastic products and installing water fountains, which provide a source of water to refill reusable cups, is one way to do this. Indeed we have already provided such a facility in the refurbished TIC.

To this end, as I said in the recent press release, we are looking at possible sites at the moment within the city centre. We are not approaching this on a ward by ward basis but investigating the best and most suitable locations where there is likely to be the highest demand to refill cups. These are generally well used public places, with heavy pedestrian footfall, and which benefit from an appropriate water supply.

I expect the first of the new outdoor fountains to be installed in Abbey Gardens later this year.

We can also share our knowledge and experience with any parishes where there is interest in providing water fountains.”



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**QUESTION 10**

From: Councillor Gemmell

To: The Portfolio Holder for Finance (Cllr Ashton)

“What do you anticipate the Council’s approach towards meeting its Borrowing Needs to be?”

Reply

“Depending on the delivery of the capital programme, the Council may need to increase its external borrowing in the next 12 to 24 months. When the need arises, the Council will liaise closely with its external treasury advisors, Arlingclose, to identify both the best source and profile of borrowing taking into account future need and forecast reserve balances. Estimates of borrowing costs associated with the capital programme have been incorporated in the Council’s Medium Term Financial Strategy. The Council’s Treasury Management Strategy requires that we take account of all our financing and liquidity as a whole, and aim to reduce both risk and borrowing costs as appropriate.”



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**QUESTION 11**

From: Councillor Rutter

To: The Leader (Cllr Horrill)

“Will the Leader please explain how the publication and distribution of ‘About Winchester’ helps us move towards being a ‘paperless council’?”

**Reply**

“The LGA’s Communications Review highlighted the need for the council to “explore ways of communicating directly with residents”. As a result, new methods are being considered to reach people across the whole district.

The council prioritises its digital channels, but a multi-channel approach is important to make our communications accessible for all residents.

The newsletter also directs people towards our social media channels and email subscription lists, as we build our followings and continue to migrate our audiences online.

All the paper used for any publications printed by the council is also recycled.”



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**QUESTION 12**

From: Councillor Weston

To: The Leader with Portfolio for Housing (Cllr Horrill)

“In response to the recent announcement the Government’s Housing Delivery Test, in which the city council scored 121 per cent, meaning it is exceeding the Government’s requirement for housing provision in the last three years, what reassurances can the Portfolio Holder give to the communities who are delivering on their housing numbers in that they will not be forced to take on more housing in the next round of the local plan? What measures will be put in place to ensure the necessary infrastructure will be put in place prior to any more houses being built in our market towns and villages? The current infrastructure is now under extreme pressure with most of the allocations for the current plan period being built-out all at once.”

Reply

“The Housing Delivery Test (HDT) was introduced by the Government last year as one of a number of changes to National Planning Policy Framework (NPPF) to support the government’s policy requirement to ensure that an adequate supply of housing is maintained across the country. Where an authority is under performing on delivery (even if permissions have been given), it will be required to be prepare an action plan in line with national guidance to asses the causes of under delivery and actions which would address these. This would almost certainly mean that they have to allocate more sites for development.

It is therefore to be welcomed that as a result of the policies in our adopted Local Plan the City Council has seen the steady delivery of new homes on properly allocated sites. The fact that delivery exceeds 100% does not mean that additional green field sites are being released over and above those in the plan but rather that delivery on allocated sites was greater than the expected profile in the period under review.

We are at a very early stage in the development of the new Local Plan and have already started working with Parish Councils to understand the priorities for their communities.”



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**QUESTION 13**

From: Councillor Gottlieb

To: The Leader (Cllr Horrill)

“Given how Claer Lloyd-Jones is portrayed as the ‘fairy godmother’ of the changes to the Constitution, would the Leader please invite her to review the amended draft Constitution before it is adopted, so as to ensure that her recommendations have been followed?”

Reply

“The Council’s review of governance and the constitution has been included as part of the Council Strategy since the 2017-20 Strategy as well as being a recommendation from the Claer Lloyd-Jones report. Extensive attention was given to the Claer Lloyd Jones report through previous sub-committees and Informal Policy Groups over the past three years. In addition, the Council received an independent review of progress on the action plan, alongside the corporate peer review by the Local Government Association that was completed by the internal audit service. The Audit Committee received this report in March 2018.

Our new constitution is before the Council this evening and has been developed over several months with a working group from across the Chamber. We have undertaken a root and branch review and the document for consideration later and positions this council with a governance framework that is fit for purpose and will makes our decision making clearer to understand.

It is for members in the Chamber to decide whether we will all step forward together.”



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**QUESTION 14**

From: Councillor Cunningham

To: The Portfolio Holder for Built Environment (Cllr Brook)

“Across the whole District, and the villages in the Wonston and Micheldever Ward in particular, there is still real concern over the 2018 Strategic Housing and Economic Land Availability Assessment (SHELAA), and I understand there is another call for sites. Please could the Portfolio Holder confirm what the plan is regarding these sites?”

Reply

“Publication of the 2018 Strategic Housing and Economic Land Availability Assessment (SHELAA), was agreed at the meeting of the Cabinet (Local Plan) Committee on 3 December 2018. However, with the publication of revised National Planning Guidance specifically requiring the inclusion of small sites to accommodate at least 10% of the housing requirement on sites no larger than one hectare in local plans, the council has no choice but to issue a further ‘call for sites’.

The Council has received in excess of 290 submissions from across the District, most of which are sites submitted in the previous SHELAA. these are currently being assessed, and the 2019 SHELAA will be reported to Cabinet (Local Plan) Committee scheduled for 5 June.

It is necessary for the Council to ensure that the data available to inform the preparation of Local Plan 2036 is up-to-date.

The inclusion of a site in the SHELAA gives it no planning status, as the SHELAA is simply a list of available and deliverable sites which the Council is required to hold. It is for the Local Plan process to determine which sites to consider further and allocate depending on the amount of new development required and the development strategy to be applied.”





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**QUESTION 15**

From: Councillor Thompson

To: The Leader (Cllr Horrill)

“Could the Leader set out the costs associated with the production of the newspaper ‘About Winchester’ and itemise them as follows?:

- Officer hours to produce the content;
- Printing and production costs; and
- distribution and postage to every house in the District”

**Reply**

“In terms of officer time that the newsletter took to create, 10 days were allocated.

Printing and production cost £3,431.98 and £385.20 respectively and the distribution cost was £6,523.26.”



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**QUESTION 16**

From: Councillor Huxstep

To: The Portfolio Holder for Built Environment (Cllr Brook)

“With the recent adoption of the Gypsy & Traveller Development Plan Publication will the Portfolio Holder for the Built Environment confirm that unauthorised sites will be looked into as a priority so that neighbouring residents can be assured that these will not just be left to continue without appropriate action being taken? Moreover will the Portfolio Holder provide a list of the sites where immediate action will be taken as a result of the adoption of the Gypsy & Traveller Development Plan Publication?”

Reply

“I am pleased to confirm that as we now have an adopted Gypsy and Traveller DPD we have clear policy basis upon which to assess sites which are subject to planning applications and those which have already been occupied without permission so are unauthorized.

This being the case we are now in a position to review the unauthorized sites across the District as a matter of priority and to take enforcement action where required. This will take some time to assess and conclusions to be reached on each case as there are a number of sites occupied without permission so I am not in a position to provide a list of sites immediately. However, I am happy to update you in relation to any individual sites you would like to raise with me.”



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**QUESTION 17**

From: Councillor Porter

To: The Portfolio Holder for Built Environment (Cllr Brook)

“Planning Enforcement appears woeful for residents and businesses who report breaches. What is the 2018-19 success rate for resolution of enforcement cases?”

Reply

“I would disagree fundamentally with the statement that enforcement is woeful. It has been, and continues to be, an important activity within the planning service which we are committed to funding appropriately.

Enforcement is a challenging area of Development Management but there is scope to improve the service we provide for our customers.

Many cases are resolved without recourse to formal action either because enforcement action is not required, as there is no harm in planning terms or the development in question was not a breach, or a retrospective application is made and approved.

But as part of improving the way the service is delivered we will be refreshing our Enforcement Policy which will involve liaising with a group of Parish Councils who have expressed an interest in supporting us in this work. In addition we will be looking to review how the enforcement service is provided to make sure that it is able to deliver an agile and responsive service which communicates well with members, residents, businesses and parish councils.

I am not clear what is meant by successful resolution in this context, although I am happy to provide a more detailed breakdown of enforcement activity if that would be useful. For example enforcement notices issued and subsequently complied with.”



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**QUESTION 18**

From: Councillor Laming

To: The Portfolio Holder for Health and Wellbeing (Cllr Griffiths)

“Since the Leisure centre subcommittee has not met recently will the Portfolio holder please confirm the costs or estimated cost for the new Leisure Centre as follows? -

1. Construction cost.
2. Architect total cost including supervision of contract cost.
3. All consultants cost.
4. Management cost.
5. Cost of supplying main services including water power and foul water removal.
6. Cost for the sports grounds land drain repairs and improvements.
7. Road improvements to Bar End Road Junction costs.
8. Estimated legal costs.

It is important that the councillors know and understand these costs particularly as it involves so much of the council budget for years to come.”

**Reply**

“Total project cost was agreed by the Leisure Centre Cabinet Committee as part of the Full Business Case and members were provided with the full details of this exempt information.

Both the fees for the Stage 5 architect (appointed by WDC) and for LA Architects who will act as Technical Advisor for the Council have been included within the overall project cost that has been confirmed. In addition to this, the Council has appointed an independent NEC Site Supervisor at a cost of circa £100,000. The site supervisor will report directly to the Council on the quality of works, progress being made and any concerns to be addressed via the Contract with WDC.

As part of the overall Project Cost there is an allowance of £2.7m for surveys that were carried out during the design stages, the full project design team,

Mace, Legal advice services, other specialist advice that has been required and The Sports Consultancy completing the business cases and Operator procurement.

Staff costs are accounted for within the Council's overall budget.

Mains services costs are estimated at £210,000 and are included within the overall Project Cost. In addition to this, there are costs of circa £260,000 for the required utilities diversion works.

A design and cost estimate for repairs to land drains on the sports pitches is currently being prepared.

The costs for the roundabout works are currently estimated at circa £400,000 and are included within the overall Project Cost.

We have included a budget for the legal costs associated with the Project Works within the overall Consultants costs."



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**QUESTION 19**

From: Councillor Tod

To: The Leader with Portfolio for Housing (Cllr Horrill)

“Latest government guidance on 'Houses in Multiple Occupation and residential property licensing reform' states that *'All licences issued after 1 of October 2018 will need to include a condition requiring the compliance with the council's storage and waste disposal scheme (if one exists).'*' Given the issues with waste and with bins being left on the highway with some HMOs, do we have such a scheme or any plans to introduce one? And, if we do have such a scheme, what enforcement actions have been taken on it?”

Reply

“HMO licenses include a provision about waste management, as set out in the 'Management of Houses in Multiple Occupation Regulations 2006'. The regulation covers the need for landlords to provide sufficient bin provision and places a duty on the residents to use the bins provided.

The regulation is enforceable if landlords do not comply with their duty. This could include insisting that Landlords pay for an additional private collection service.”



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**QUESTION 20**

From: Councillor Becker

To: The Portfolio Holder for Health and Wellbeing (Cllr Griffiths)

“In June 2018, regarding the businesses listed as participating in Winchester's 'Breastfeeding Welcome' Scheme, in an answer provided by this Council, I was assured that ‘officers are awaiting an updated version for publication on the Council’s website from the extended services team’. However, no updated list has yet been included on the Council website, and indeed the Alresford and Bishops Waltham lists have not been updated since 2015. What steps has the Council taken to update these lists, or to pursue updated lists to help support breastfeeding mothers in identifying locations to feed their children?”

Reply

“The Winchester's Breastfeeding Welcome scheme is promoted by Southern Health and forms part of their advice on breastfeeding on their website. <https://www.southernhealth.nhs.uk/services/childrens-services/breastfeeding-service/breastfeeding-out-and-about/>

The original list was compiled by Lanterns Nursery School and Extended Services providing information that can be placed on the Council website. A request was made to determine if any new information or an up-dated list is available, unfortunately there has not been an up-date of the list of participating businesses.”



## EXTRAORDINARY COUNCIL MEETING – 19 March 2019

### Question under Council Procedure Rule 14

#### QUESTION 21

From: Councillor Gottlieb

To: The Portfolio Holder for Environment (Cllr Warwick)

“It seems that all the principal routes into Winchester are awash with litter. The centre and grassed areas around Junction 9 of the M3 are a disgrace. There may be more than one authority involved but the City Council bears chief responsibility for the appearance of the city so why has this embarrassing situation been allowed to persist?”

#### Reply

“I can inform Councillors that the junction 9 roundabout and slip roads to M3 both south and northbound is the responsibility of the Highways Agency.

Litter issues in this location are frequently raised with them, but due to the traffic management implications it seems this is allowed to accumulate until the agency carries out maintenance work requiring a lane closure.

As part of Winchesters street cleaning contract the verge on the A272 from junction 9 to the A31 is swept and litter picked four times a year.

The full length of Easton Lane up to where it joins junction 9 is swept and litter picked weekly.

The A34 from junction 9 to the boundary line at Sutton Scotney service station is litter picked twice a year. This work has recently commenced and is being carried out overnight as it requires a lane closure and traffic management.

Other A & B roads are on various schedules and traffic management is being arranged and they will be litter picked in the next few weeks.

Where traffic management is not required litter picking has been underway for several weeks.

If a member or resident has an issue with litter they can report this through the Your Winchester App which is free and there are instructions on our website.”





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**QUESTION 22**

From: Councillor Gottlieb

To: The Leader (Cllr Horrill)

“Does the Leader agree that for the sake of transparency and good governance the members’ register of interests should make public all members’ affiliations including, but not limited to, membership of professional bodies and bodies such as the City of Winchester Trust, the Freemasons and the Rotarians?”

Reply

“The Council has reviewed its constitution and it is before the council tonight for adoption. The requirements in relation to the register of Members interests have been included in that review and the agreed position of the Working Group that has overseen the review are contained within the Constitution before Members this evening.”



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**QUESTION 23**

From: Councillor Gottlieb

To: The Portfolio Holder for Health and Wellbeing (Cllr Griffiths)

“Can someone please explain in detail how the break clause in the Bar End operator’s contract works and also provide a definition for ‘residual lifetime costs’?”

Reply

“The division of responsibilities for maintaining and repairing the leisure centre and replacing items when they reach the end of their life are enshrined in the Asset Management Responsibilities Matrix, which forms a schedule to the contract. The vast majority of the asset responsibilities have been passed to the operator (and they provided a detailed 15-year asset management plan as part of their bid). However, the responsibility for repairing/replacing some items of the building remain with the Council. These are the residual lifecycle costs. Broadly, these relate to some of the more significant items (e.g. the roof, the steel frame of the building, the boilers). The reason for these types of items remaining with the Council is that typically it is more difficult to predict when (or indeed if) they will need replacing in the life of the contract, so it is better for the Council to take responsibility and only incur the expenditure if they do need replacing (which would not be the case if the operator were responsible as the Council would pay for them through the management fee regardless).

In terms of putting a cost to each of these items, it has been based on their anticipated lifespan and the cost in the RIBA Stage 4 cost plan, then inflated forward to the likely year they will need replacement. These were then factored into the FBC which was approved by Cabinet Leisure Centre Committee on 11<sup>th</sup> February.

Break clause are built into the Sport England contract which has been utilised for the Council’s contract with Everyone Active. They are invoked if the Contractor does not perform in line with the Specification and Performance Management System, which is also part of the contract. The operator is

required to submit performance data and will have a chance to rectify poor performance before penalties and or break clauses would be used. It should be noted that Everyone Active is one of the top performing operators in the Country.

In addition, there is the option to extend the contract for 5 years at the end of the 15-year term. However, the decision to trigger a negotiation on this is solely with the Council. Ultimately, both sides would have to reach a satisfactory position for the extension to be confirmed, but the process of triggering it is not something the operator can do.”